



អនីជូន្ននៃខែទេខាងជាដែលដល់ងេរងៃនៃ

Extraordinary Chambers in the Courts of Cambodia Chambres extraordinaires au sein des Tribunaux cambodgiens ព្រះឯស្វាឈាខាំងៃងគឺស្វ

សូម សេសស ប៉ែះឧសារអ៊ីវិឌ

Kingdom of Cambodia Nation Religion King

Royaume du Cambodge Nation Religion Roi

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នារិយាល័យសហទៅគ្របស្វើបអខ្មេត Office of the Co-Investigating Judg

Office of the Co-Investigating Judges Bureau des co-juges d'instruction

Case File No: 003/07-09-2009-ECCC-OCIJ

Before:

The Co-Investigating Judges

Date:

31 July 2014

Language(s):

English [Original]

Classification:

CONFIDENTIAL

Declassified to Public

ORDER ON THE INTERNATIONAL CO- PROSECUTOR'S RESPONSE TO NOTIFICATION CONCERNING THE SUSPECT'S REQUESTS TO ACCESS THE CASE FILE, PARTICIPATE IN THE JUDICIAL INVESTIGATION AND RECEIVETHE FULL INTRODUTORY SUBMISSION

Distribution: Co-Prosecutors	Civil Party Lawyers	
CHEA Leang	HONG Kimsuon	Ferdinand DJAMMEN-
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	KONG Phallack	Nicole DUMAS
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	SAM Sokong	Françoise GAUTRY
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		Mahdev MOHAN
		Barnabe NEKUI
	Philippe CANONNE	Lyma NGUYEN
	Annie DELAHAIE	Nushin SARKARATI
	Laure DESFORGES	Fabienne TRUSSES



Noting the Law on the Establishment of the Extraordinary Chambers in the Courts of Cambodia, dated 27 October 2004;

Noting the Co-Prosecutors' Second Introductory Submission, filed on 7 September 2009:

Noting the judicial investigation relating to alleged violations of the 1956 Penal Code, Crimes against Humanity and Grave Breaches of the Geneva Conventions of 12 August 1949, offences defined and punishable under Articles 3(new), 5, 6, 29 and 39 of the ECCC Law and Articles 500, 501, 503, 505, 506, 507 and 508 of the 1956 Penal Code;

Noting Rule 72 of the ECCC Internal Rules ("Internal Rules");

Noting the Disagreements registered on 7 and 22 February 2013;

Noting Article 9.2 of the Practice Direction on Classification and Management of Case-Related Information;

Noting the International Co-Prosecutor's Response to Notification Concerning the Suspect's Requests to Access the Case File, Participate in the Judicial Investigation and Receive the Full Introductory Submission ("Response");²

Noting the International Co-Prosecutor's proposal to classify the Response as "strictly confidential" and his preparedness to file a redacted version of the Response, should the International Co-Investigating Judge consider it appropriate;

Noting that the Response makes reference to confidential evidence on the Case File, including the names of witnesses and the nature of their evidence;

Considering that the investigation of Case 003 is still ongoing;

Further considering that Meas Muth has no right, under the Internal Rules, to reply to the Response and that therefore no prejudice will be suffered by Meas Muth from the redaction, at this stage, of the evidence referenced therein;

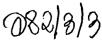
I, MARK B. HARMON, HEREBY:

Order the International Co-Prosecutor to submit, within five working days from the notification of this Order, a redacted version of the Response, eliminating all references that could lead to the identification of witnesses in Case 003.

² Case File No. 003-Dxx, International Co-Prosecutor's Response to Notification Concerning the Suspect's Requests to Access the Case File, Participate in the Judicial Investigation and Receive the Full Introductory Submission. dated 30 July 2014.



¹ Case File No. 003-D1, Co-Prosecutors' Second Introductory Submission Regarding the Revolutionary Army of Kampuchea, 20 November 2008; Case File No. 003-D1/1, Acting International Co-Prosecutor's Notice of Filing of the Second Introductory Submission, 7 September 2009.



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To expedite the submission of a redacted version of the Response, this Order is filed in English with a Khmer translation to follow.

ed 31 July 2014, Phnom Penh

Judge Mark B. Harmon

ស្រ្តាំទ្រាំមែលមិនអច្ចេខអន្តរស្វាន

International Co-Investigating Judge Co-juge d'instruction international