

លេខ/លំដាប់ A121/៧



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

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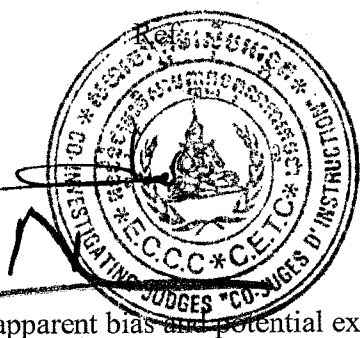
OFFICE OF THE CO-INVESTIGATING JUDGES

A: Ang Udom, Michael G. Karnavas,
TO: Co-lawyers for Mr IENG Sary

Date: 26.05.2008

PAR:
THROUGH:

DE: YOU Bunleng
FROM: Marcel LEMONDE
Co-Investigating Judges



SUBJECT: Request for information on "the apparent bias and potential existence of
OBJET: a conflict of interest concerning MM S.Heder and D.Boyle"

Sirs,

In your letter dated 24 April 2008, you recall the "potential existence of a conflict of interest" you have raised concerning Messrs. S. Heder and D. Boyle

We responded to your request dated 10 January 2008 in our letter dated 24 January 2008. Since this request contained a single, specific question relating to the exact situation of one of our investigators, we had no reason not to respond thereto.

However, as regards your request dated 4 March 2008 and your reminder letter dated 24 April 2008, there does not appear to be any legal basis for such repeated demands.

The ECCC Internal Rules do not provide for a party to request the disqualification of an investigator. As for the disqualification of a judge, there is a specific procedure to be followed and the Rule 34 formalities must be respected (in particular, the evidence in support of such a request must be provided by the requesting party, not by the judge in question).

Following this clarification, we do not see any reason to continue this exchange and, therefore, this letter shall be the last on this matter, as far as we are concerned.

Yours sincerely,

ឯកសារច្បាប់តាមប្រព័ន្ធបញ្ជាក់	
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