



ព្រះរាជាណាចក្រកម្ពុជា

ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia  
Nation Religion King

អង្គជំនុំជម្រះវិសេសវិសេសសាលាដំបូងកម្ពុជា

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

Royaume du Cambodge  
Nation Religion Roi

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

Case File No: 004/07-09-2009-ECCC-OCIJ

Before: **The Co-Investigating Judges**  
Date: **16 December 2016**  
Language(s): **English and Khmer**  
Classification: **PUBLIC**

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**NOTICE OF CONCLUSION OF JUDICIAL INVESTIGATION  
AGAINST AO AN**

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**I. PROCEDURAL HISTORY**

1. On 20 November 2008, the International Co-Prosecutor (“ICP”) issued the Third Introductory Submission opening a judicial investigation against Ao An and proposing various charges against him.<sup>1</sup> The ICP subsequently filed further Supplementary Submissions alleging that Ao An bears criminal responsibility for further crimes.<sup>2</sup>
2. On 27 March 2015, after signing a disagreement with the National Co-Investigating Judge (“CIJ”), the former International CIJ Mark Harmon charged Ao An with violations of Articles 501 and 506 of the 1956 Penal Code (homicide) and the crimes against humanity of murder, extermination, persecution on political or religious grounds, imprisonment and other inhumane acts.<sup>3</sup> On 14 March 2016, International CIJ Michael Bohlander charged Ao An with genocide, and with additional counts of crimes against humanity.<sup>4</sup>

**II. DISCUSSION**

3. Internal Rule 66(1) mandates that, when the CIJs consider that an investigation has been concluded, they shall notify the parties and their lawyers. The parties shall then have 15 days to request further investigative action, although they may waive such period.
4. We consider that the judicial investigation against Ao An has been concluded.

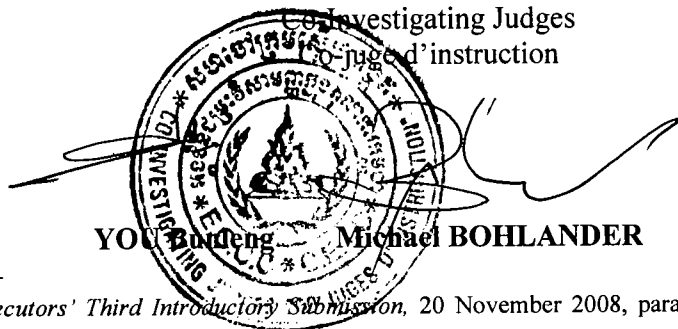
**FOR THE FOREGOING REASONS, WE:<sup>5</sup>**

5. **NOTIFY** the parties and their lawyers that we consider that the investigation against Ao An has been concluded; and
6. **INFORM** the parties that they may request further investigative action within 15 days, although they may waive such period.

Phnom Penh, 16 December 2016

**សហចៅក្រមស៊ើបអង្កេត**

Co-Investigating Judges  
Judge d’instruction



<sup>1</sup> Case File No. 004-D1, *Co-Prosecutors’ Third Introductory Submission*, 20 November 2008, para. 117.

<sup>2</sup> Case File No. 004-D65, *Co-Prosecutor’s Supplementary Submission Regarding Sector 1 Crime Sites and Persecution of Khmer Krom*, 18 July 2011, para. 23; Case File No. 004-D191, *Co-Prosecutors’ Supplementary Submission Regarding Forced Marriage and Sexual or Gender-Based Violence*, 24 April 2014, para. 14; Case File No. 004-D254/1, *Response to Forwarding Order and Supplementary Submission Regarding Wat Ta Meak*, 4 August 2015; Case File No. 004-D272/1, *Response to Forwarding Order Dated 5 November 2015 and Supplementary Submission Regarding the Scope of Investigation into Forced Marriage in Sectors 1 and 4*, 20 November 2015.

<sup>3</sup> Case File No. 004-D242, *Written Record of Initial Appearance*, 27 March 2015.

<sup>4</sup> Case File No. 004-D303, *Written Record of Further Appearance*, 14 March 2016.

<sup>5</sup> While the CIJs are issuing this notice jointly, the National CIJ notes, for the record, that documents placed on Case File 004 should be numbered sequentially from the last documents placed before the resignation of Judge Siegfried Blunk, without including in the count orders and decisions issued by Reserve CIJ Laurent Kasper-Ansermet.