



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

**ការិយាល័យសហចៅក្រមស៊ើបអង្កេត**

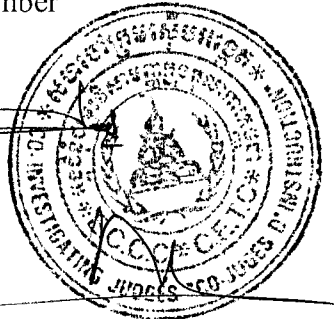
**OFFICE OF THE CO-INVESTIGATING JUDGES  
BUREAU DES CO-JUGES D'INSTRUCTION**

TO: **His Honour Nil Nonn**  
A: President of the Trial Chamber

Date: 22 December 2009

FROM: **You Bunleng**  
DE:

**Marcel LEMONDE**  
Co-Investigating Judges



**PUBLIC**

SUBJECT: **OFFICE OF THE CO-PROSECUTORS' REQUEST FOR THE PLACEMENT**  
OBJET: **ON CASE FILE 002 OF DOCUMENTS CONTAINED IN CASE FILE 001**

REF: 002/19-09-2007-ECCC-OCIJ – D288

The Co-Investigating Judges (“CIJs”) are in receipt of a Request<sup>1</sup> from the Office of the Co-Prosecutors (“OCP”) pursuant to Rule 55(10) of the Internal Rules which includes the request that all substantive documents which were placed in Case File 001 since the transfer of this Case File from the CIJs to the Trial Chamber be placed in Case File 002 for the purposes of assisting in the ascertaining of the truth in regards to the matters currently being investigated.

A copy of the OCP Request is annexed to this letter as well as a copy of the CIJs’ Order in response.

Whilst the CIJs are not minded to grant the request in regards to the placement in Case File 002 of the Civil Party applications in Case File 001, the CIJs are of the opinion that the placement in Case File 002 of the substantive trial proceedings (public and

<sup>1</sup> D288, Co-Prosecutors’ Request for the Placement on Case File 002 of Documents Contained in Case File 001, dated 22 October 2009

<b>ឯកសារដើម</b>
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ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt / Date de réception): ..... 23 / 12 / 2009 .....
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<b>ឯកសារបានត្រួតពិនិត្យ និង បញ្ជាក់តាមបទដ្ឋាន</b>
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confidential) in Case File 001 would be beneficial to the ascertaining of the truth in Case File 002.

As such, the Co-Investigating Judges seek the assistance of the Trial Chamber, if minded to consent, by:

- a) Authorizing the provision of all substantive documents placed on Case File 001 by the Trial Chamber – public and confidential<sup>2</sup> – to the CIJs for placement in Case File 002; and
- b) Providing a comprehensive list of all substantive documents placed in Case File 001 by the Trial Chamber after its transfer from the CIJs to assist in the placement of said documents in Case File 002.

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<sup>2</sup> The Co-Investigating Judges provide assurances that the classification of the documents will remain unchanged.

