



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

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

ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

Royaume du Cambodge
Nation Religion Roi

16 December 2016

Press Release by the Office of the Co-Investigating Judges

Judicial investigation against Ao An

concluded and severance from Case 004 ordered

The Co-Investigating Judges today notified all parties in Cases 004 and 004/01 that they consider the judicial investigation against Ao An in Case 004 to be concluded. They further ordered the severance of the proceedings against Ao An from Case 004 and the creation of a new case file, 004/02.

The International Co-Investigating Judge issued a separate decision reducing the scope of the judicial investigation pursuant to Internal Rule 66 *bis*.

Today's notification marks the conclusion of over eight years of judicial investigation against Ao An for alleged crimes committed between 17 April 1975 and 6 January 1979. The judicial investigation against Ao An was initiated following receipt of the Third Introductory Submission filed by the International Co-Prosecutor on 20 November 2008. The scope of Case 004 was subsequently expanded by Supplementary Submissions filed by the International Co-Prosecutor on 18 July 2011, 24 April 2014, 4 August 2015, and 20 November 2015.

The Co-Investigating Judges ordered the severance of the proceedings against Ao An because the charged person has the right to be informed of the decision on the charges brought against him without undue delay, and in order to issue the Closing Order in a reasonable time according to the Internal Rules 67 and 21 (4) whether it be a dismissal order or indictment. Considering that the investigation against another charged person in Case 004 continues, the Co-Investigating Judges found it to be in the interests of justice to sever the proceedings against Ao An from Case 004. This will allow bringing the proceedings against Ao An to a timely conclusion while continuing the investigations in the remainder of Case 004.

Background on the investigations in Case 004

The judicial investigation against Im Chaem in Case 004 concluded on 18 December 2015, was severed on 5 February 2016 to create Case 004/01, and was forwarded to the Office of the Co-Prosecutors on 27 July 2016 for final submissions. Submissions from both the Prosecution and the Defence have been received, and the Co-Investigating Judges are currently deliberating on the closing order, which is expected to be issued in the first quarter of 2017.

The investigation against Yim Tith in Case 004, who was charged by the International Co-Investigating Judge on 9 December 2015, remains open.

The notification of conclusion of investigation and the severance order regarding Ao An are both available on the ECCC website at:

<https://eccc.gov.kh/en/document/court/notice-conclusion-judicial-investigation-against-ao>

<https://eccc.gov.kh/en/document/court/order-severance-ao-case-004>

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