

**BEFORE THE PRE-TRIAL CHAMBER****EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 004/1/07-09-2009-ECCC/OCIJ (PTC )**Party Filing:** The Defence for IM Chaem**Filed to:** The Pre-Trial Chamber**Original language:** English**Date of document:** 14 June 2018**CLASSIFICATION****Classification of the document  
suggested by the filing party:** PUBLIC**Classification by OCIJ  
or Chamber:** សាធារណៈ/Public**Classification Status:****Review of Interim Classification:****Records Officer Name:****Signature:**


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**IM CHAEM'S REQUEST FOR RECLASSIFICATION OF SELECTED DOCUMENTS  
FROM CASE FILE 004/1**

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Judge HUOT Vuthy

**The Co-Prosecutors:**  
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Case 004/1**

**I. ECCC LAW (NOT INCLUDED – ECCC LEGAL COMPENDIUM)**

1. Internal Rules of the Extraordinary Chambers in the Courts of Cambodia (Rev. 9), adopted on 12 June 2007 (as revised on 16 January 2015).
2. Practice Direction on the Filing of Documents before the ECCC (Revision 8), ECCC/01/2007/Rev.8, 10 May 2012.
3. Practice Direction on the Classification and Management of Case-Related Information (Revision 2), ECCC/004/2009/Rev.2, 5 June 2014.

**II. ECCC CASE LAW (NOT INCLUDED – ECCC CASE FILE)****A. Case 001**

4. *Case of KAING Guek Eav alias Duch*, 001/18-07-2007-ECCC/SC, Decision on Guidelines for Reclassification of Documents on Case File, 26 July 2012, **F30/2**.

**B. Case 003**

5. *Case of MEAS Muth*, 003/07-09-2009-ECCC/OCIJ, International Co-Investigating Judge's Letter to H.E. Em Sam An, 30 January 2015, **D127**.

**C. Case 004/1**

6. Co-Prosecutors' Third introductory Submission, 7 September 2009, **D1**.
7. IM Chaem's Motion Requesting Order for Access to the Case File, 21 May 2014, **D201**.
8. Letter Regarding Modalities of Service of Ms. IM Chaem's Summons, 18 July 2014, **A122/5**.
9. IM Chaem's Urgent Application to Seize the Pre-Trial Chamber with a Request for Annulment of Her and Her Co-Lawyers' Summonses Dated 31 July 2014, 6 August 2014, **D207**.
10. Decision on Suspect's Motion Requesting Clarification Regarding Disagreements Between the Co-Investigating Judges, 8 August 2014, **D204/2**.
11. Decision on Suspect's Motion Requesting Clarification Regarding Disagreements Between the Co-Investigating Judges, 8 August 2014, **D208/1.1**.
12. Supplemental Arguments to IM Chaem's Motion Requesting Order for Access to the Case File, 14 November 2014, **D201/2**.
13. International Co-Investigating Judge's Letter to H.E. Em Sam An, 30 January 2015, **D238**.

14. Decision to Charge IM Chaem *in Absentia*, 3 March 2015, **D239**.
15. Notification of Charges against IM Chaem, 3 March 2015, **D239.1**.
16. IM Chaem's Appeal Against the International Co-Investigating Judge's Decision to Charge Her *in Absentia*, 2 April 2015, **D239/1/2**.
17. IM Chaem's Request for Audio and Video Recordings of Written Records of Interviews Disclosed in Case File 004, 2 June 2015, **D247**.
18. IM Chaem's Motion Requesting the Co-Investigating Judges to Resume the Audio or Video Recording of All Interviews, 22 June 2015, **D252**.
19. IM Chaem's observations on whether she should be considered a "senior leader" or among "those who were most responsible", 21 September 2015, **D251/4**.
20. IM Chaem's Response to the International Co-Prosecutor's Submission on whether she should be considered a "senior leader" or among "those who were most responsible", 9 November 2015, **D251/5/3**.
21. IM Chaem's First Request for Investigative Action, 3 December 2015, **D279**.
22. IM Chaem's Request for Disclosure of Unredacted Case 002 Transcripts and Related Documents Relevant to Her, 15 December 2015, **D283**.
23. Notice of Conclusion of Judicial Investigation against IM Chaem, 18 December 2015, **D285**.
24. Notice of Intent to Dismiss the Charges against IM Chaem and to Sever the Proceedings against Her, 18 December 2015, **D286**.
25. IM Chaem's Submission on the Co-Investigating Judges' Notice of Intent to Dismiss the Charges against IM Chaem and to Sever the Proceedings against Her, 8 January 2016, **D286/2**.
26. IM Chaem's Response to the Co-Prosecutors' Submission on the Severance of the Proceedings Against Her, 18 January 2016, **D286/3/1**.
27. IM Chaem's Request for Clarification on the Law Should There Be a Disagreement Between the Co-Investigating Judges When Issuing the Closing Order, 26 January 2016, **D293**.
28. Order for Severance of IM Chaem from Case 004, 5 February 2016, **D286/7**.
29. Rescission of the Arrest Warrant against IM Chaem, 5 February 2016, **C1/1**.
30. IM Chaem's Application to Seise the Pre-Trial Chamber with a view to Annuling Transcripts and Written Records of Witnesses' Interviews, 16 February 2016, **D298**.

31. IM Chaem's Reply to the International Co-Prosecutor's Response to Her Application for Annulment of Records of Interviews, 13 June 2016, **D298/2/1/2**.
32. Closing Order (Disposition), 22 February 2017, **D308**.
33. Closing Order (Reasons), 10 July 2017, **D308/3**.
34. International Co-Prosecutor's Appeal of Closing Order (Reasons), 9 August 2017, **D308/3/1/1**.
35. IM Chaem's Request for Reclassification of Her Response to the International Co-Prosecutor's Final Submission, 12 March 2018, **D304/6/1**.
36. International Co-Prosecutor's Response to IM Chaem's Request for Reclassification, 23 March 2018, **D304/6/2**.
37. IM Chaem's Reply to the International Co-Prosecutor's Response to Her Request to Reclassify Her Response to the Final Submission, 2 April 2018, **D304/6/3**.
38. Witness Expert Support Unit (WESU) Victims Assessment, 16 May 2018, **D309/2/1/5/1**.
39. Case Map Report Im Chaem Related CPs with PM Requests – 15.01.2016, 17 May 2018, **D309/2/1/5/1.2**.
40. Memorandum entitled "Response to PTC Order of 21 May 2018 – D309/2/1/6", 22 May 2018, **D309/2/1/6/1**.
41. Annex I: Protective Measures Closing Order (Reasons) Case 004/01, 22 May 2018, **D309/2/1/6/1.1**.
42. Annex II: Protective Measures Case 004/01, 22 May 2018, **D309/2/1/6/1.2**.
43. Decision on IM Chaem's Request for Reclassification of Her Response to the International Co-Prosecutor's Final Submission, 8 June 2018, **D304/6/4**.
44. Decision on the International Co-Prosecutor's Appeal on Decision on Redaction or, Alternatively, Request for Reclassification of the Closing Order (Reasons), 8 June 2018, **D309/2/1/7**.

### **III. OTHER (NOT INCLUDED - READILY AVAILABLE ONLINE)**

45. F. Donson, "Yet more crisis at the ECCC as investigating judge resigns" (Centre for Criminal Justice and Human Rights, 11 October 2011), available at: <http://blogs.ucc.ie/wordpress/ccjhr/2011/10/11/yet-more-crisis-at-the-eccc-as-investigating-judge-resigns/>.

46. Open Society Foundations, “New Judge will be at Center of Struggle over Khmer Rouge Tribunal”, 30 July 2012, available at: <https://www.opensocietyfoundations.org/press-releases/new-judge-will-be-center-struggle-over-khmer-rouge-tribunal>.
47. LICADHO, “Human rights 2012: The year in review”, February 2013, available at: <http://www.licadho-cambodia.org/reports/files/176LICADHOReportHumanRightsReview2012English.pdf>.
48. E. Handley, “Im Chaem filing short on reasoning” (The Phnom Penh Post, 11 July 2017), available at: <https://www.phnompenhpost.com/national/im-chaem-filing-short-reasoning>.
49. E. Handley, “Tribunal’s edited decision on Im Chaem draws ire” (The Phnom Penh Post, 12 July 2017), available at: <https://www.phnompenhpost.com/national/tribunals-edited-decision-im-chaem-draws-ire>.