

**BEFORE THE OFFICE OF THE CO-INVESTIGATING JUDGES
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA
FILING DETAILS**

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**REQUEST TO SEAL AND ARCHIVE CASE FILE 004/02
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CAMBODIAN LAW

ECCC Law, Rules and Regulation

Internal Rules of the Extraordinary Chambers in the Courts of Cambodia, Rule 21. *Not included – ECCC Legal Compendium.*

Agreement between the United Nations and the Royal Government of Cambodia Concerning the Prosecution under Cambodian Law of Crimes Committed During the Period of Democratic Kampuchea, Phnom Penh, 6 Jun. 2003, Art. 13. *Not included – ECCC Legal Compendium.*

Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed During the Period of Democratic Kampuchea, as amended 27 October 2004 (NS/RKM/1004/2006), Arts 33, 35 new. *Not included – ECCC Legal Compendium.*

Orders, Decisions, Judgements and Memorandums

Case No. 004/2/07-09-2009-ECCC/OCIJ (PTC60), *Reply to International Co-Prosecutor's Response to AO An's Request for Confirmation that All Required Administrative Actions Have Been Taken to Archive Case File 004/02*, 17 Mar. 2020.

Case No. 004/2/07-09-2009-ECCC (PTC60), *International Co-Prosecutor's Response to AO An's Request for Confirmation that All Required Administrative Actions Have Been Taken to Archive Case File 004/02*, **D359/30 & D360/39**, 5 Mar. 2020.

Case No. 004/2/07-09-2009-ECCC/OCIJ (PTC60), *International Co-Prosecutor's Reply to AO An's Response to the ICP's Request for All Required Administrative Actions to be Taken to Forward Case File 004/2 (AO An) to the Trial Chamber*, **D359/28 & D360/37**, 3 Mar. 2020.

Case No. 004/2/07-09-2009-ECCC/OCIJ (PTC60), *Request for Confirmation that All Required Administrative Actions Have Been Taken to Archive Case File 004/02*, **D359/27 & D360/36**, 24 Feb. 2020, paras 16-17.

Case No. 004/2/07-09-2009-ECCC/TC, *Response to International Co-Prosecutor's Request for All Required Administrative Actions to be Taken to Forward Case File 004/2 (AO An) to the Trial Chamber*, **D359/26 & D360/35**, 18 Feb. 2020.

Case No. 004/2/07-09-2009-ECCC/TC, *International Co-Prosecutor's Request for All Required Administrative Actions to be Taken to Forward Case File 004/2 (AO An) to the Trial Chamber*, **D359/25 & D260/34**, 4 Feb. 2020, para. 24.

Case No. 004/2/07-09-2009-ECCC/OCIJ (PTC60), *Considerations on Appeals Against Closing Orders*, **D359/24 & D360/33**, 19 Dec. 2019, paras 123-124, 169, 170-302, 304-329.

Case No. 004/2/07-09-2009-ECCC-OCIJ, *Closing Order (Indictment)*, **D360**, 16 Aug. 2018.

Case No. 004/2/07-09-2009-ECCC/OCIJ, *Order Dismissing the Case Against AO An*, **D359**, 16 Aug. 2018.

Case No. 004/2/07-09-2009-ECCC-OCIJ (PTC60), *National Co-Prosecutor's Appeal Against the International Co-Investigating Judge's Closing Order (Indictment) in Case 004/2, D360/8/1*, 14 Dec. 2018.

Case No. 004/2/07-09-2009-ECCC-OCIJ (PTC60), *International Co-Prosecutor's Appeal of the Order Dismissing the Case Against AO An (D359)*, **D359/3/1**, 20 Dec. 2018.

Case No. 004/2/07-09-2009-ECCC-OCIJ (PTC60), *AO An's Appeal Against the International Co-Investigating Judge's Closing Order (Indictment) in Case 004/2, D360/5/1*, 19 Dec. 2018.

Other

Interoffice Memorandum Dated 12 March 2020 Regarding the Transfer of Case File 004/2, sent by the International PTC Judges to the parties, p. 1, attached as App. 1.

Email from the Greffier of the Trial Chamber concerning ICP request dated 4 February 2020, 10 Feb. 2020, attached as App. 3.

Interoffice Memorandum Dated 31 January 2020 Request for Clarification under Internal Rule 10(2), sent by Tony Kranh, Acting Director of Administration, and Knut Rosandhaug, Deputy Director of Administration, para. 13, attached as App. 2.

Email Correspondence between PTC and CMS, 28 Jan. 2020, attached as App.6.

Email from the Greffier of the Trial Chamber to the parties concerning Case 004/02, 21 Jan. 2020, attached as App. 5.

AO An Defence Team, *'Request for confirmation that the Trial Chamber has not been lawfully seized of Case 004/02; in the alternative, request for time extension and guidance for filing preliminary objections under Internal Rule 89*, 30 Dec. 2019, attached as App. 4.

INTERNATIONAL LAW

Law, Rules and Regulations

General Comment No. 32, Article 14: Right to equality before courts and tribunals and to a fair trial, U.N. Doc. CCPR/C/GC/32 (2007), paras 18, *Exceeds 10 pages – Excerpt attached as App. 7.*

Case Law

Prosecutor v. Karadžić, IT-95-5/18-T, *Decision on the Accused's Motion Challenging the Legal Validity and Legitimacy of the Tribunal*, 7 Dec. 2009, para. 13, attached as App. 8.

Richert v. Poland, ECtHR, App. no. 54809/07, *Judgment*, 25 Jan. 2012, para. 43, *Exceeds 10 pages – Excerpt attached as App. 9.*

Marini v. Albania, ECtHR, *Judgement*, App. no. 3738/02, 7 Jul. 2008, paras 120, 122-123, *Exceeds 10 pages – Excerpt attached as App. 10.*