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**BEFORE THE SUPREME COURT CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAILS

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CLASSIFICATION

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Classification by OCIJ or Chamber:

Classification Status:

Review of Interim Classification:

Records Officer Name:

Signature:

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| ORIGINAL DOCUMENT/DOCUMENT ORIGINAL |
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**OFFICE OF ADMINISTRATION'S OBSERVATIONS
ON PROPOSED RECLASSIFICATION IN CASE 002**

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1. Per the Supreme Court Chamber's invitation, the Office of Administration hereby provides its observations on the proposed guidelines for the reclassification of documents in case file 002.¹

2. The Administration supports the broadest possible declassification of records in accordance with the ECCC's legal framework, judicially ordered protective measures, and the rights and dignity of civil parties and witnesses. This step would, in the Administration's view, go far in addressing public expectations of the transparent administration of justice. It would also demonstrate the Extraordinary Chambers' commitment to maintaining, preserving and managing its archives, including declassifying materials and disseminating information to the public, as well as ensuring its archives "are as broadly accessible as possible" in line with Articles 2(1) and 3 of the Addendum to the UN-RGC Agreement.

3. According to the Records and Archives Unit, as of writing the classification status of documents on the case files stands as follows:

| Case file | Public | Confidential | Strictly Confidential | Total | % of case file which is public |
|---------------------|---------------|----------------------|-----------------------|----------------|--------------------------------|
| IS | - | 3,840 | - | 3,840 | 0% |
| 001 | 8,058 | 10,551 | 241 | 18,850 | 42.7% |
| 002 | 32,288 | 106,839 ² | 4,779 ³ | 143,906 | 22.4% |
| 003 | 2,315 | 21,823 | 94 | 24,232 | 9.6% |
| 004 | 2,609 | 35,143 | 45 | 37,797 | 6.9% |
| 004/01 ⁴ | 1,283 | 27,796 | 24 | 29,103 | 4.4% |
| 004/02 ⁴ | 1,986 | 33,422 | 53 | 35,461 | 5.6% |
| Special Cases | 626 | 787 | 247 | 1,660 | 37.7% |
| Grand total | 49,165 | 240,201 | 5,483 | 294,849 | 16.7% |

Number of documents across case files by classification (number of pages not reflected).

4. The Administration is not a party to proceedings and therefore limits itself to the general suggestion that the following categories of documents - all of which potentially have a historical or legacy value to Cambodia or the Extraordinary Chambers - be reviewed for possible declassification in line with applicable procedures:

¹ Interoffice Memorandum "Review of Confidential and Strictly Confidential Documents on Case File 002", F71/1/1, 2 August 2022.

² Including one (1) document classified as "Interim Confidential".

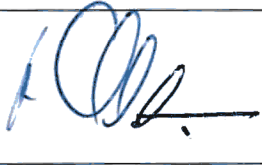

³ Including four (4) documents classified as "Interim Strictly Confidential".

⁴ Includes filings prior to the severance order from case 004.

- a. Confidential documents on case file 002 which are classified as public in other case files (see **Annex A**).
- b. Special cases relevant to the accused in case 002 (see **Annex B**).
- c. All exhibits (E3) including video material (E3/*R) put before the Trial Chamber, especially those exhibits referenced in the trial and appeal judgments.
- d. Introductory Submissions, Supplementary Submissions and underlying evidence which no longer warrant a confidential classification.
- e. Written records of interview, transcripts, statements, speeches and publications by, or relevant to, all accused or convicted persons.
- f. All judicial decisions, orders, judgments and party motions relevant to the accused or convicted persons.
- g. Investigation documents (including crime site reports and maps) relevant to the sites investigated by the Co-Investigating Judges, *particularly* those which fell *outside* the scope of the trials in cases 002/01 and 002/02, where facts were limited by severance decisions or were otherwise excluded from closing orders or trials.
- h. All Democratic Kampuchea, Communist Party of Kampuchea and contemporaneous documents (including meeting minutes, government publications, reports, telegrams, prisoner lists, biographies, confessions, public statements etc) which are, by their very nature, of significant historical value.

5. The Administration stands ready to facilitate the reclassification process through its sub-sections as directed.

Respectfully submitted,

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| 22 August 2021 | H.E. Tony Kranh Acting Director of Administration | Phnom Penh, Cambodia |  |
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