

BEFORE THE PRE-TRIAL CHAMBER**EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA****FILING DETAILS****Case No:** 004/2/07-09-2009-ECCC/OCIJ (PTC60)**Party Filing:** AO An**Filed to:** Pre-Trial Chamber**Original language:** English**Date of document:** 24 February 2020**CLASSIFICATION****Classification of the document
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CONFIDENTIAL**សាធារណៈ/Public**

**REQUEST FOR CONFIRMATION THAT ALL REQUIRED ADMINISTRATIVE
ACTIONS HAVE BEEN TAKEN TO 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/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 & D360/34**, 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, paras 124, 169.

Other

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. 1.

Email from the Greffier of the Trial Chamber to the parties concerning Case 004/02, 21 Jan. 2020, attached as App. 2.

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

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), para. 18, *Exceeds 10 pages – Excerpt attached as App. 4.*

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. 5.

Richert v. Poland, ECtHR, App. no. 54809/07, *Judgment*, 25 Jan. 2012, para. 43, *Exceeds 10 pages – Excerpt attached as App. 6.*

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