

E467/5



**អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា**  
**Extraordinary Chambers in the Courts of Cambodia**  
**Chambres Extraordinaires au sein des Tribunaux Cambodgiens**

**PRE-TRIAL CHAMBER**  
**INTEROFFICE MEMORANDUM**

|                                                                 |                |
|-----------------------------------------------------------------|----------------|
| <b>ឯកសារដើម</b>                                                 |                |
| ORIGINAL DOCUMENT/DOCUMENT ORIGINAL                             |                |
| ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/date de reception):         | 21 / 05 / 2019 |
| ពេលវេលា (Time/Heure) :                                          | 11 : 00        |
| ប្រតិចុកប្រតិបត្តិករឯកសាររឿង (Case File Officer/L'agent chargé) | JANN RADA      |
| Date: 21 May 2019                                               |                |

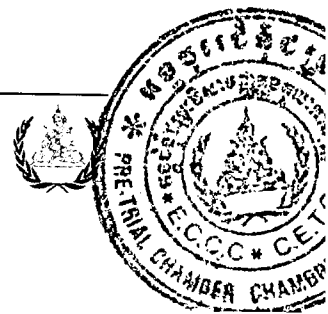
**TO: Judges of the Trial Chamber**  
**A:**

**FROM: Judges of the Pre-Trial Chamber**  
**DE:**

**SUBJECT: Response to Trial Chamber memo entitled "Confidential documents in Case**  
**OBJET: 002/02 judgment proposed for reclassification to public"**

1. In response to the Trial Chamber’s memorandum dated 9 April 2019, the Judges of the Pre-Trial Chamber preliminarily note that some of the documents listed in the annexes have already been reclassified by the Office of the Co-Investigating Judges.
2. With respect to confidential documents that have not already been reclassified as public, the Judges of the Pre-Trial Chamber take no issue with their reclassification, with the exception that the names and personal information of witnesses under protective measures, or whose requests for protective measures are pending, should remain confidential. This is consistent with the Pre-Trial Chamber’s jurisprudence on reclassification in Case 004/1.<sup>1</sup>
3. Also in accordance with this jurisprudence, the Judges of the Pre-Trial Chamber additionally request that the Trial Chamber, pursuant to Articles 9 and 12.2 of the Practice Direction on Classification, reclassify any other Pre-Trial Chamber decisions on Case File 002 that are currently confidential as public, with the exception that the names and personal information of witnesses under protective

<sup>1</sup> See Case 004/1 (PTC49), Decision on the International Co-Prosecutor’s Appeal on Decision on Redaction or, Alternatively, Request for Reclassification of the Closing Order (Reasons), 8 June 2019, D309/2/1/7; Case 004/1 (PTC54), 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.



measures, or whose requests for protective measures are pending, should remain confidential.<sup>2</sup>

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<sup>2</sup> See the Annex for the list of Pre-Trial Chamber decisions in Case 002, which are currently confidential or public redacted.

