

EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA (ECCC)

COMPLETION PLAN

REVISION 19

31 December 2018

Summary	2
I. INTRODUCTION.....	3
II. MEASURES THAT MAY ASSIST EXPEDITIOUS COMPLETION.....	6
III. JUDICIAL INVESTIGATIONS COMPLETION PLAN	7
A. Office of the Co-Investigating Judges	7
B. Pre-Trial Chamber	8
IV. TRIALS COMPLETION PLAN	8
A. Case 002/02	9
B. Case 003, case 004/02 and case 004	10
V. APPEALS COMPLETION PLAN.....	11
A. Case 002/02	11
B. Case 003, case 004/02 and case 004	11
VI. CONCLUSION.....	11

Annex - Chart of projected timelines for the completion plan including milestones

Note to the reader:

The ECCC Completion Plan is revised on a quarterly basis for planning purposes. It contains the best possible estimates for projection of timelines in the remaining cases before the ECCC at the time of revision. A number of factors, including developments in the judicial proceedings may impact these projections. As such the timelines do not reflect statutory requirements on when the different milestones will be reached. The ECCC Completion Plan is prepared and issued by the Office of Administration with input from the judicial offices.

II. MEASURES THAT MAY ASSIST EXPEDITIOUS COMPLETION

13. The effective functioning of the Extraordinary Chambers has in the past been hampered by significant and persistent financial insecurity, which resulted in two walkouts of national staff during 2013 as well as unwarranted staff turnover. The General Assembly's approval of subventions for the calendar years 2014 through 2018 for the international component of the Extraordinary Chambers were essential measures that stabilized the funding situation and enabled concentrated focus on progressing the court's judicial mandate. On the national side, cash-flow difficulties led to repeated delays in payment of national staff salaries in the course of the second half of 2015, with attendant impact on staff focus and morale.
14. As of 31 December 2018, voluntary contributions received by the international component of the Extraordinary Chambers amount to \$8.4 million against the revised budget of \$17.71 million for 2018. The General Assembly in its resolution 72/262/A authorized a subvention of \$8.0 million to supplement the voluntary financial resources of the international component for the period from 1 January to 31 December 2018, constituting a total of \$16.4 million of available resources. Final expenditures for 2018 are estimated to be within the above level of resources. The national component received direct support of \$4.0 million from the Royal Government of Cambodia for 2018 and \$1.48 million in voluntary contributions, constituting a total of \$5.48 million of available resources. It is estimated that the national component's 2018 expenditure will remain within this funding level.
15. Following the expression of support from the Royal Government of Cambodia, the General Assembly authorized the Secretary-General on 22 December 2018, as an exceptional measure, to enter into commitments in an amount not to exceed \$7.5 million to supplement the voluntary financial resources of the international component of the Extraordinary Chambers for the period from 1 January to 31 December 2019. This timely action greatly facilitates the uninterrupted operations of the Extraordinary Chambers for the first seven months of 2019, opening space for continued solicitation of voluntary contributions. In addition, the Royal Government's commitment of direct contribution of \$3.9 million to the national component, to cover, as in 2018, the first six months of national staff costs as well as operational costs arising in 2019 is a key measure facilitating the ongoing operation of the Extraordinary Chambers' national component. In combination, these measures have ensured that the ongoing workload in the Extraordinary Chambers' work continues to receive sustained attention. Voluntary contributions are currently projected to amount to \$6.5 million for the international component. The national component anticipates a contribution from one donor. However, the amount of this contribution, is not yet confirmed. This is against the approved budget of \$16.01 million for the international component and \$5.37 million for the national component. Of these projected contributions, the international component has received \$1.7 million so far. The balance is expected during 2019.
16. The projections of the timelines are made on the basis that all Chambers and offices are adequately staffed, and that the judicial proceedings will not be disrupted as a result of financial insecurity.
17. In January 2015, the Plenary of the Extraordinary Chambers adopted amendments to the court's Internal Rules that permit a reduction of the scope of judicial investigation, so long as the reduced scope of the investigation is representative of the charges and alleged criminal responsibility of the suspect.⁵ The international co-investigating judge reduced the scope of the judicial investigations in relation to Meas Muth in case 003, Ao An in case 004/02 and Yim Tith in case 004 pursuant to this provision. Similarly, the Trial Chamber is authorized to reduce the scope of a trial by excluding certain facts set out in the indictment, as long as the remaining facts subject to trial are representative

⁵ Rule 66*bis* allows the co-investigating judges to exclude certain facts from the investigation as long as the remaining facts are sufficiently representative of the scope of the introductory or supplementary submissions. The decision to use Rule 66*bis* is required by law to be made at the closure notice stage.