

*EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA
(ECCC)*

APPROVED BUDGET FOR 2010-2011

05 April 2010

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Overview

- S.1. This document represents the budget request for the Extraordinary Chambers in the Courts of Cambodia (ECCC) for 2010 and 2011. Based on the anticipated needs of the Court for the coming two years, the ECCC is requesting approval of the proposed total budget in the amount of \$92.3 million, of which \$45.5 million for 2010 and \$46.8 million for 2011.
- S.2. The international component of the ECCC (UNAKRT) accounts for \$69.1 million of which \$34.0 million for 2010 and \$35.1 million for 2011, inclusive of contingency.
- S.3. The national component of the ECCC accounts for \$23.2 million of which \$11.5 million for 2010 and \$11.7 for 2011, inclusive of contingency..
- S.4. Based on the projected timelines as illustrated in the Indicative Court Schedule (Annex A), the Court will continue until 2015. While this document presents the overall resource requirements for the period 2010-2011 for consideration by donors, with detailed explanations of the activities planned over the next two years. A projection of the resource estimates for the period 2012-2015 has been prepared in a separate document as to provide a sense of the long-term requirements.

Introduction

- S.5. The Law on Establishment of the Extraordinary Chambers in the Courts of Cambodia was promulgated on 10 August 2001 (later amended on 27 October 2004 to include additional provisions) for the prosecution of crimes committed during the period of Democratic Kampuchea.
- S.6. The Extraordinary Chambers are established in the existing court structure of Cambodia to bring to trial senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian laws related to crimes, international humanitarian law and custom, and international conventions recognized by Cambodia, that were committed during the period from 17 April 1975 to 6 January 1979.
- S.7. Following a request from the Royal Government of Cambodia (RGC) for United Nations (UN) assistance in organizing the process of Khmer Rouge trials, the RGC and the UN concluded an Agreement concerning the prosecution under Cambodian Law of Crimes committed during the period of Democratic Kampuchea on 6 June 2003, which was ratified by the RGC on 19 October 2004.
- S.8. In resolution 57/228B of 13 May 2003, the General Assembly while approving the draft Agreement between the UN and the RGC decided that the expenses of the Extraordinary Chambers should be met by voluntary contributions, appealing to the international community to provide assistance, including financial and personnel support to the Extraordinary Chambers.
- S.9. ECCC operations began in February 2006 when the national Director and international Deputy Director of the Office of Administration (later also the Coordinator of UNAKRT) and a small start-up team moved into the premises provided to the ECCC by the RGC, followed by the appointment of international and national judicial officials later in the year.
- S.10. During the course of 2007, the Internal Rules of Procedure were adopted and the first Introductory Submission was put forward by the Co-Prosecutors, naming 5 suspects who were all subsequently arrested and charged, and are represented by counsel.
- S.11. The Introductory Submission was split into Case File 001 (relating to Security Center S-21), with one accused, and Case File 002 (relating to the remainder of the crimes charged in the Introductory Submission), with all five detainees as Charged Persons.
- S.12. Case File 001: On 8 August 2008, the Office of the Co-Investigating Judges (OCIJ) issued a Closing Order (indictment following judicial investigations) against Kaing Guek Eav (alias Duch) charging the Accused with crimes against humanity, war crimes, crimes of torture and murder. Following an appeal of the Closing Order by the Co-Prosecutors, the Pre-Trial Chamber (PTC) amended the Closing Order by adding domestic charges for the crimes of torture and

premeditated murder (whilst declining to add joint criminal enterprise as a mode of criminal responsibility to the Closing Order). Following the PTC's decision on 5 December 2008, this case was remitted to the Trial Chamber.

The trial officially commenced in February 2009. The hearing of the evidence in the trial concluded in mid-September 2009. The Trial Chamber is expected to deliver the verdict in the first half of 2010, which is appealable. If appealed, the Supreme Court Chamber (SCC) is expected to complete its review of the matter and issue a judgment in late 2010 or early 2011. Based on this projection, the SCC will be installed in Phnom Penh in mid 2010 and will remain resident until the completion of Case 003.

- S.13. Case File 002: Though the judicial investigations in Case File 002 continued in parallel with the investigations in Case File 001, full focus upon Case File 002 commenced only upon the conclusion of investigations in Case File 001 due to resource constraints. It is expected that court-initiated investigations in Case File 002 will be completed towards the end of 2009 followed by requests for additional investigations from the parties (i.e. the prosecution, defense and civil parties), with the Closing Order anticipated in the third quarter of 2010. The Closing Order is appealable. Following the decision on any appeal by the PTC, the final Closing Order is expected towards the end of 2010. The trial in this case is expected to start in early 2011 and to conclude in mid- to late 2012. In order to swiftly and effectively deal with all interlocutory appeals from the prosecution, defense and the civil Parties during the trial in this case, the SCC has been budgeted for twelve months in 2011.
- S.14. Additional Cases: In December 2008, the international Co-Prosecutor filed a Statement of Disagreement between the Co-Prosecutors before the PTC seeking to file two new Introductory Submissions against additional suspects. The PTC rendered its decision on the disagreement on 18 August 2009. Since the PTC could not assemble the affirmative vote of at least four of the five judges, the international Prosecutor could, pursuant to the Law on Establishment of ECCC, the Agreement and Internal Rule 53 (1) of the ECCC, forward the new Introductory Submissions to the Co-Investigating Judges. Consequently, the international Co-Prosecutor filed two new Introductory Submissions against five (5) suspects before the Co-investigating Judges on 7 September 2009. It is projected that the investigations in this case (hereafter referred to as "Case 003") will continue throughout 2010 and 2011. The OCIJ will devote its **full** resources to these new submissions after a final Closing Order is issued in Case File 002, some time late in 2010. Should the OCIJ eventually conclude that the matter should go forward for trial, a final Closing Order in Case 003 could be anticipated by mid-2012, at which time it would be transmitted to the Trial Chamber. A verdict in this case would not be expected before early 2014.
- S.15. The PTC began its operations in August 2007. Since then, the PTC was constituted as and when it was required to consider a motion or appeal. With the conclusion of the judicial investigation in Case File 002, the workload for PTC will increase substantially due to appeals of the decisions of OCIJ rejecting additional investigations and a likely appeal of any Closing Order. It is crucial that decisions on all motions and appeals (including an appeal of the Closing Order) are delivered expeditiously so as not to delay the final Closing

Order in Case File 002 and thereby minimize any delay in the commencement of trial. Further, it is necessary to have rendered any Closing Order in Case 002 by September 2010 to avoid the obligation to release detainees in consequence of the statutory limit of three years for pre-trial detention. In addition, the September 2009 Plenary Session gave an additional mandate to the Pre-Trial Chamber – to determine any challenges to or appeals of determinations by the OCIJ on the all Civil Party applications. It was accordingly decided to constitute the PTC on a full-time basis as of 20 January 2010. In addition, a full-time PTC will also contribute to expeditious investigations in additional new cases through swift disposal of all motions and appeals during the investigations. The additional costs of a permanent PTC, when compared with the actual costs of the PTC during 2009 are about \$120,000 in 2010 (inclusive of one-time installation costs) and approximately \$30,000 in 2011¹.

- S.16 The Seventh ECCC Plenary session of judges in February 2010 introduced significant changes to ensure the streamlined Civil Party participation in ECCC proceedings in a context where almost 4,000 Civil party applications have been submitted in Case 002. The ECC Internal Rules (Rev. 5) established a Civil Party Lead Co-Lawyers' Section to be set up by the Office of Administration. The Civil Party Lead Co-Lawyer Section is to be administratively supported by the Victims' Support Section (renamed from Victims' Unit). The Victims' Support Section was entrusted with the development and implementation of programmes and measures other than of a legal nature addressing the broader interests of victims. The core functions of the Civil Party Lead Co-Lawyers include representing the interests of the consolidated group of Civil Parties and ultimate responsibility to the court for the overall advocacy, strategy and in-court presentation of the interests of the consolidated group of Civil Parties during the trial stage and beyond, while seeking the views of and supported by the Civil Party Lawyers. The proposed resources for victims support include the estimated funding requirements for these new arrangements, namely the Victims Support Section, Civil Party Lead Co-Lawyers Section and Civil Party Lawyers Team.
- S.17. Annex A provides an illustration of the indicative court schedules for Cases 1, 2, and 3, including the Office of the Co-Prosecutors, Office of the Victims Support Section, Civil Party Lead Co-Lawyers Section, Office of the Defense Support Section, and all Judicial Offices.
- S.18. The budget request proposes a revision of the remuneration of the international judges and prosecutor. The judges and the prosecutor currently draw a salary in the amount of \$129,400 p.a.. This is equivalent to the salary drawn by staff at the D-1 (step 1) level, based on the UN salary scale of 2005. This salary was approved at the outset for the anticipated 3- year duration of the Court's operations. In light of the fact that the revised timeline has now extended beyond 3 years, recognizing that the international staff have received annual increments to their salary, and that the wages paid to the judges and prosecutor have remained static, the Judges have requested a

¹ Comparison based on 2009 prices and salary levels

revision of the salary level as indicated in Annex E. The United Nations proposes the establishment of a new salary scale for the Judges and prosecutor effective January 2010. The proposed salary is equivalent to that of staff at the D-2 (step 1) level, plus post adjustment applicable to Cambodia. It is proposed that the salary remains constant for two years, but that it is adjusted in January of every third year to the next step of the D-2 salary scale, plus the post adjustment applicable at that point in time. The salary would remain constant during any two-year period thereafter and will not fluctuate with increases/decreases to the post adjustment or UN salary scale.

This proposal results in a fixed fee of \$186,904 p.a for the period 2010 and 2011 (\$145,112 D-2 salary plus \$41,792 post adjustment) for each judge in a full-time status. The total cost associated with the revision of the international Judges' and Prosecutor's salaries would then be \$0.54 million for 2010 and \$0.65 million in 2011.

- S.19. The UN budget request proposes an increase from \$29.4 million in 2009 to \$32.2 million (excluding contingencies) in 2010 reflecting an increase of about \$2.8 million in annual requirements mainly related to the following:
- a) Full-time deployment of the PTC. Although there will be short-term additional costs associated with the shift to full-time status for the PTC, it is believed that this change will result in an earlier completion of work for the PTC and a more expeditious movement of the Court's docket, thus leading to overall savings in the long-term.
 - b) Full-time deployment of the Supreme Court Chamber. The previous budget included a provision of establishing the SCC for four month in 2009. In accordance with the revised Court schedule, the SCC will need to be installed on a full-time basis in mid 2010 if an appeal is filed in Case 001 and for immediate appeals of decisions of the Trial Chamber in Case 002 that may be filed in early 2011.
 - c) The revision in the international judges' and prosecutor's salaries. The revision is critical if the ECCC is to avoid potential interruptions in its work as current judges seek more lucrative judicial postings, as well as delays that would ensue as replacements are recruited and have to familiarize themselves with the substantive and procedural work of the Court.
 - d) Legal aid for five new defendants in Case 003 and continuing representational requirements for the defendants in Case 002. The costs associated with Case 003 would commence if, or when, arrest warrants are issued for the defendants. Legal representation for up to five additional defendants may be required, but the number of suspects could change – an issue that will not be resolved before late-2010. The obligation to provide adequate defense representation, however, is sacrosanct and if the case proceeds, this commitment must be satisfied by the Court.
 - e) Contractual translation services for documents on the file and currently unavailable in one or two of the Court's languages. Delays in translations, due to limited in-house capabilities, have negatively impacted proceedings and the timeliness of decisions by ECCC judges. Addressing this deficiency should help expedite the handling of appeals and other matters

under consideration by the various ECCC chambers, thus providing a long-term savings as cases are completed more quickly.

- f) Installation of a video-delay system for the courtroom and public information production costs. The work of the ECCC has generated tremendous interest in the Cambodian population and court proceedings are followed closely by the public. The lack of a video-delay capability at the ECCC, which has been standard at other war crimes tribunals, has compromised the Court's ability to protect at-risk witnesses, While judges can issue protective orders, without a video-delay capability inadvertent references to or intentional efforts to expose the identities of protected witnesses cannot be rectified as proceedings are broadcast live to the public. This request seeks to remedy this serious security shortcoming. The addition of this, and related, equipment will also enhance the ECCC's ability to satisfy the informational needs of the public, which have increased significantly as interest in the Court has grown.
- g) IT/LAN equipment to ensure disaster recovery and business continuity. UNAKRT currently secures its data on back-up tapes. Business continuity of Human Resources, Finance and other administrative data is secured through UNESCAP in Bangkok. Based on a review of requirement conducted in cooperation with UN headquarters in 2008, disaster recovery and business continuity is proposed to be expanded to ensure business continuity particularly for the legal data and applications. The lack of such a capability at the ECCC places the institution at risk and this deficiency needs to be rectified.
- h) Limited replacement of equipment, particularly reproduction and scanning equipment in the Records and Archive Unit, and replacement of IT equipment in view of the expanded lifespan of the Court.
- i) Although the above-listed items (a – h) cumulatively account for an increase of about \$3.7 million, the total figure of a \$2.8 million increase for the 2010 budget request is reached through reduction of personnel related costs (staff, consultants and other staff costs) by factoring in a \$0.7 million reduction from the total, due to an estimated 10% vacancy rate in the staffing of international posts throughout 2010-2011.

S.20. The overall annual resource requirements increase by \$1.0 million in 2011, mainly attributable to deployment of the Supreme Court Chamber for the entire year (versus 6 months in 2010) and increased defence costs for the provision of legal assistance in Case 003 (which is budgeted fully for up to five defendants for the entire year). These increases are offset, to some extent, by reduced requirements for the Office of Administration.

S.21. The overall United Nations staffing level increases from 160 posts in 2009 to 173 posts in 2011. This net increase results from the addition of 27 new posts and the abolition of 14 posts. The additional posts requested are set forth in paragraph S.22 and those to be abolished are listed in paragraph S.23.

S.22. Of the additional 27 posts that are requested under the international budget for 2010-2011, 15 are local staff positions (National Officers/General Services). From the Court's inception, the international component required local expertise to address functions which required familiarity with local conditions

or the local language. These services were budgeted under ‘Other Staff Costs’ up until 2009. Through an exchange of letters between the United Nations and the Royal Government of Cambodia (RGC) in September and October 2009, it was clarified that the Agreement between the UN and the RGC permits Cambodian nationals to be employed under the international component of the ECCC under UN contracts, and non-Cambodian nationals to be employed by the national component of the ECCC under Cambodian contracts. Of the 15 local staff posts under the international component, 11 are created to replace existing contracted personnel, whose status will be shifted to UN staff positions. Thus, this is a cost-neutral item as the increase in UN staff costs is offset by a decrease in ‘Other Staff Costs’.

S.23. As indicated above (paragraph S.21.), an additional 27 posts are being requested for 2010-2011. These 27 posts, broken down by the section/offices for which they are intended, are as follows:

- (a) Judicial Offices and Chambers require 5 additional posts:
 - a. 3 Legal Officers (P-3) and 1 Case Manager (FS-5) to support the work of the Trial Chamber. These posts are expected to be deployed in the second half of 2010 to prepare for the trial of Case 002, anticipated to start in early 2011 (see paragraphs S.45.-S.49. for further details).
 - b. 1 new Legal Officer (P-3) to support the work of the Pre-Trial Chamber, commensurate with the increased workload anticipated in that Chamber throughout 2010 pertaining to appeals of decisions of the Co-Investigating Judges and other motions in relation to Case 002 and Case 003 (see paragraph S.51 for further details).
- (b) The Office of the Co-Prosecutors requires 7 additional posts:
 - a. 2 new Assistant Prosecutors (P-3) and 1 new Analyst/Investigator (P-3) to strengthen the Office of the Co-Prosecutor due to the anticipated increase in workload resulting from the overlap between the final stages of investigation and trial in case 002 and the investigation in Case 003.
 - b. 1 Associate Legal Officer (National Officer) and 3 Legal Assistants (GS local staff) in the Office of the Co-Prosecutors, that are currently provided by contracted personnel and that had been budgeted under ‘Other Staff Costs’ in 2009. The increase in post costs is hence offset by an equivalent decrease under Other Staff Costs in 2010. The new posts are added to continue the existing personnel and to regularize their contractual status.
- (c) The Office of the Co-Investigative Judges requires 6 additional posts:
 - a. 1 Associate Legal Officer (National Officer) and 5 Legal Assistants (GS local staff), that are currently provided by contracted personnel and that had been budgeted under ‘Other Staff Costs’ in 2009. The increase in post costs is hence offset by an equivalent decrease under Other Staff Costs in 2010. The new posts are added to continue the existing personnel and to regularize their contractual status.

- (d) The Defence Support Section requires 1 new Legal Officer (P-3) in view of the anticipated increase in workload for Case 003.
- (e) The Victims Support Section requires 1 new Associate Information Systems Officer (P-2) to strengthen the capacity of the Section to establish and maintain a database application for the effective registration and management of Civil Parties. A budgetary allocation has also been made in relation to the ongoing process of streamlining and enhancing victim participation in Case 002, which is expected to conclude in early 2010
- (f) The Office of Administration requires 7 additional posts:
 - a. 1 new Liaison Officer (P-4) located in New York and already endorsed by the Steering Committee in 2009;
 - b. 1 new Interpreter post (P-4) for the trial of Case 002 required in 2011 to complete the team for interpretation from English into French (2*2 staff);
 - c. 1 new Store/Supply Assistant (GS local staff) to support the management of UN assets,
 - d. 1 new Procurement Assistant (GS local staff) to replace contracted personnel that had been budgeted under 'Other Staff Costs' in 2009 and the increase in post costs is hence offset by an equivalent decrease under 'Other Staff Costs'. The new post is added to regularize the contractual status of current personnel. 1 new Human Resources Assistant (GS-5 local staff) to strengthen the Personnel Section;
 - e. 1 new IT assistant (GS local staff) for maintenance of UN applications and 1 new ICT Asset Assistant (GS local staff) to strengthen the management of UN IT assets, in particular to ensure regular maintenance of equipment, management of the related maintenance contracts and the timely provision of ICT supplies.

S.24. As indicated above (paragraph S.21), costs for the additional posts being requested are offset to some extent by the abolition of 14 posts, which are listed below. They are broken down by the offices/sections from which they will be taken:

- (a) 3 posts in the Judicial Offices and Chambers:
 - a. One international Administrative Assistant (FS-3) in the Trial Chamber will be abolished by 2011.
 - b. Two Administrative Assistant (GS local staff) posts will be abolished as of 2010.
- (b) 1 Interpreter post (P-3) in the Office of the international Co-Investigating Judge will be abolished in 2011. The services will be provided by the Interpretation and Translation Unit in the Office of Administration.
- (c) 10 posts in the Office of Administration:
 - a. 8 posts in the Court Management Section (1 P-5 Senior Court Management Officer, 1 P-4 Reviser, 3 P-3 Translators, and 3 FS-4 Court Transcribers) will be abolished as of 2010. One additional post (P-3 CMS Liaison Officer/Case File Officer) will be abolished in 2011.

- b. 1 international IT Assistant post (FS-4) will be abolished as of 2011. The post will be substituted by one new local IT assistant (GS local staff, see para. S.22 above), to be established in 2010 to ensure a handover of responsibilities.

S.25. The proposed staffing for 2010-2011 under the international component of the ECCC increases the professional capacity in the Judicial Offices, reduces the international staff posts in the Office of Administration and increases the utilization of local staff for administrative and support functions (from 6 local General Service posts in 2009 to 17 General Service posts and 2 National Officers in 2011). This shift of positions currently occupied by internationals to local staff, results in cost savings and serves to build local capacity:

United Nations Staffing Changes				
Office	International posts		Local Posts	
	2009	2011	2009	2011
Judicial Offices and Chambers	54	60	5	13
Defence and Victims Support	5	7	0	0
Office of Administration	95	88	1	6
Total	154	155	6	19

S.26. The national budget proposed for 2010 envisages an increase of about \$3.7 million in annual requirements from \$7.0 million in 2009 to \$10.7 million in 2010, including \$1.9 million for the integration of activities relating to victims support that were not reflected in the 2009 budget and substantially supplemented by a bilateral project grant funded by Germany. The proposed increase is in the following areas:

- a) Additional costs on account of full time deployment of the PTC (12 months) and SCC (6 months) and staff in the Office of Resident Judge.
- b) Increased staffing level as illustrated in the below paragraphs S.27 and S.28 on account of increased workload in the judicial offices in 2010 and the activities of the new Civil Party Lead Co-Lawyers Section and Civil Party Lawyers Team
- c) New activities for (i) court advocacy and dissemination of information, (ii) Legacy development program, (iii) ECCC travel, training and the organization of public forums, (iv) costs for training and meeting between the Victims Support Section, Civil Party Lawyers and and Civil Party applicants, primarily with those admitted as Civil Parties, their lawyers and with complainants, and (v) facilitation of visits by the general public to attend trial proceedings;
- d) Legal and Administrative Support functions such as short-term staffing, premises alteration, contractual services, general operating costs, and meeting and hospitality costs.

S.27. Currently, staff on the Cambodian side of the ECCC receive 50% of the gross salary drawn by their international counterparts on the UN side, based on the salary scale of 2004. This salary level was approved for the anticipated 3-year duration of the Court's operations. In light of the fact that the revised timeline has now extended beyond 3 years, and recognizing that the national staff have not received any upward adjustments during this period, a revision of the salary level is proposed effective 1 January 2010, based on the local salary scale established by the UN Agencies in Cambodia for their local staff as indicated in the below table:

COMPARISON OF ECCC SALARY SCALE			
Level	Salary Scale 2006-2009	Salary Scale 2010	Salary Scale 2011
<i>Increase of Professional Levels</i>			
D-1	5,300	5,300	5,300
P-5	4,300	4,300	4,451
NOD/P-4	3,500	3,550	3,668
NOC/P-3	2,900	2,943	3,041
NOB/P-2	2,300	2,441	2,525
NOA/P-1	1,850	2,092	2,165
<i>Increase of General Service Levels</i>			
GS7	1,500	1,767	1,829
GS6	1,000	1,325	1,370
GS5	800	997	1,030
GS4	650	749	774
GS3	550	594	614
GS2	350	472	488

The net annual increase in staffing costs utilizing this approach, when compared with 2009 staffing costs amounts to \$413,648 for 344 staff in 2010 and an increase of \$204,680 for 341 staff in 2011.

- S.28. The national staffing level increases by 23 posts from 321 in 2009 to 344 in 2010. This net increase of 23 posts is derived from the addition of 51 new posts, including 29 additional posts for the victims support, and the abolition of 28 posts. The additional posts requested are set forth in paragraph S.29 and those to be abolished are listed in paragraph S.30.
- S.29. The 51 additional posts, broken down by the sections/offices for which they are intended, are as follows:

- (a) Eight national professional posts (1 NO-D², 4 NO-C and 3 NO-B) are added to enhance the capacity in the judicial offices and chambers to accommodate their peak workload. One NO-C Legal Officer is required in the Trial Chamber and one in the Pre-Trial Chamber; One NO-C assistant to the Co-Prosecutor and five posts of 1 NO-D Analyst Team Leader, 1 NO-C Legal Officer and one NO-B Data Coder and two NO-B Junior Legal Officers are needed by the Office of Co-Investigating Judges;
- (b) 29 new posts for the victims support, of which four are located in the Office of Administration: 1 Lead Co-Lawyer (P-5), 5 Civil Party Lawyers (NO-D), Outreach Coordinator (NO-C), 1 Outreach Planning Officer (NO-B), 4 Case Managers (NO-B), 1 Analyst (P-1), 1 Associate Legal Officer (P-1), 5 Outreach Assistants (GS-4), 4 Complaints/Application Clerk (GS-4), 1 Helpline Operator (GS-4), 1 Administrative Assistant (GS-4), 1 Finance Officer (NO-C), 1 Finance Assistant (GS-6), 1 Interpreter (NO-C), 1 Driver (GS-2). The total staffing requirement for victims support increases to 42 posts in 2010 and reduces to 38 posts in 2011;
- (c) 14 new posts in the Office of Administration: 1 Outreach Officer (NO-B), 1 Head of the Interpretation and Translation Unit (NO-D), 2 Reviser/Interpreter (NO-D), 2 Records and Archive Officers (NO-B), 1 Audio-Video Technician (GS-5), 1 Assistant Finance Officer (NO-A), 1 Associate Learning Manager (NO-B), 1 Co-Chief of General Services (NO-D), 1 Co-Chief of ICT (NO-D), 1 Junior Systems Administrator (GS-6), 1 Deputy Chief of Security (NO-B), 1 Control Center Security Officer (GS-4)

S.30. As indicated above (paragraph S.28), costs for the additional posts being requested are offset to some extent by the abolition of 28 posts, which are listed below. They are broken down by the offices/sections from which they will be taken:

- (a) Three posts in the Defence Support Section: 1 Associate Legal Officer (NO-B) and two support staff (GS-4).
- (b) 25 posts in the Office of Administration: 1 Internal Auditor (NO-C), 1 Internal Audit Assistant (GS-6), 2 support staff (GS-4), 1 Public Affairs support staff (GS-4), 1 Witness/Expert Support Officer (NO-B), 1 Witness Field Operations Coordinator (GS-6), 1 Finance Officer (NO-C), 1 Finance Assistant (GS-5), 1 Finance Clerk (GS-3), 1 Personnel Clerk (GS-3), 1 Procurement Assistant (GS-6), 1 Space Planning Alteration Officer (NO-B), 1 Technical and Clerical Support (GS-4), 1 Warehouse/Supply Clerk (GS-2) and 10 Security Close Protection Officers (GS-3).

S.31. National staffing in 2011 is reduced by 3 posts, thereby reducing the overall staffing from 344 in 2010 to 341 in 2011 as net effect of the abolition of 4 Complaints Assistants (GS-4) in the Victims Support Section and the creation

² National Officers (NO) posts are classified in 4 levels NO-A to NO-D equivalent to P-1 to P-4 international professional posts.

of 1 new Witness Expert/Support Officer (NO-B) in the Office of Administration.

S.32. The annual resource requirements for 2011 under the national budget will increase only by \$0.3 million, to a total figure of \$11.0 million, including \$1.9 million for victims support. The increase of \$0.3 million is attributable to an increase in staffing costs due to full time deployment of all judicial chambers (12 months) in 2011 and a reduction in legal and administrative support costs.

Indicative Resource Requirements

Table S.1.a

Resource Requirements by component³

(Thousands of United States Dollars)

(1) United Nations Funding

Component	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
				2010	2011	
A Judicial Offices and Chambers	20,429.7	9,492.9	8,286.7	9,614.8	10,105.2	37,499.6
B Defence and Victims Support	7,558.0	3,505.8	3,085.2	3,980.1	5,561.0	16,132.1
C Office of Administration	50,677.8	26,816.0	18,015.4	18,603.0	17,555.3	80,989.7
TOTAL	78,665.5	39,814.7	29,387.3	32,197.9	33,221.5	134,621.4

Contingency				1,806.0	1,863.4	3,669.4
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Total (1)	78,665.5	39,814.7	29,387.3	34,003.9	35,084.9	138,290.8
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(2) Cambodian Funding

Component	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
				2010	2011	
A Judicial Offices and Chambers	4,804.0	2,596.9	1,910.3	2,379.5	2,622.7	9,509.4
B Defence and Victims Support	492.6	65.6	312.2	985.7	975.9	2,339.4
C Administration	13,382.0	7,579.6	4,761.2	7,348.3	7,372.6	27,061.8
TOTAL	18,678.7	10,242.1	6,983.6	10,713.6	10,971.2	38,910.6

Contingency				749.7	767.7	1,517.4
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Total (2)	18,678.7	10,242.1	6,983.6	11,463.3	11,739.0	40,427.9
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SUMMARY (1)+(2)						
Total requirement	97,344.2	50,056.8	36,370.9	45,467.1	46,823.9	178,718.7

³ The above figures are inclusive of programme support. Throughout the budget document estimated requirements are inclusive of programme support.

Table S.1.b

Resource Requirements by object of expenditure*(Thousands of United States Dollars)***(1) United Nations Funding**

Object of expenditure	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
				2010	2011	
1 Posts	53,038.0	26,561.0	21,892.1	20,934.9	21,662.5	91,050.5
2 Non-staff compensation	2,895.9	1,309.0	1,424.7	2,152.7	2,297.8	7,184.2
3 Other staff costs	1,312.9	556.0	457.9	279.5	148.4	1,441.8
4 Consultants and experts	1,670.9	891.2	568.1	815.5	803.1	3,078.0
5 Witness costs	131.2	9.8	59.1	38.7	161.1	268.6
6 Travel	1,234.3	525.5	526.4	244.5	233.3	1,529.7
7 Contractual services	2,830.9	490.8	476.2	1,513.0	1,622.8	4,102.8
8 Defence support	4,387.7	2,121.5	1,809.7	2,576.5	4,064.7	10,572.4
9 Victims support	765.4	0.0	451.5	414.1	407.6	1,273.2
10 Judicial meetings	986.9	673.5	189.0	208.6	78.4	1,149.5
11 Training	533.1	314.9	134.3	201.8	109.1	760.1
12 General operating expenses	1,729.2	760.0	622.4	716.7	724.1	2,823.2
13 Supplies	1,181.8	516.1	457.8	399.5	430.0	1,803.4
14 Furniture and equipment	5,967.3	5,085.4	318.0	1,701.9	478.6	7,583.9
TOTAL	78,665.5	39,814.7	29,387.2	32,197.9	33,221.5	134,621.3

Contingency				1,806.0	1,863.4	3,669.4
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Total (1)	78,665.5	39,814.7	29,387.2	34,003.9	35,084.9	138,290.7
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(2) Cambodian Funding

Object of expenditure	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
				2010	2011	
1 Posts	13,292.2	7,043.2	5,200.9	6,823.3	7,140.7	26,208.1
2 Non-staff compensation	1,479.7	830.4	660.9	816.6	952.7	3,260.7
3 Judicial meetings	252.3	180.6	30.0	33.2	0.0	243.8
4 Resident Judges	82.8	32.3	51.3	115.5	117.0	316.1
5 Other Staff Costs	14.1	3.0	5.7	364.0	307.3	680.1
6 Premises Alteration	1,160.7	997.8	48.4	258.4	85.2	1,389.7
7 Contractual Services	1,159.6	521.7	535.3	742.8	843.9	2,643.7
8 Travel	30.6	32.9	0.0	155.7	104.8	293.3
9 Training	71.5	69.5	0.0	533.6	583.4	1,186.5
10 Operating Expenses	1,092.3	518.3	432.0	835.2	799.2	2,584.7
11 Hospitality	42.9	12.3	19.2	35.3	37.1	103.8
TOTAL	18,678.7	10,242.1	6,983.6	10,713.6	10,971.2	38,910.6

Contingency				749.7	767.7	1,517.4
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Total (2)	18,678.7	10,242.1	6,983.6	11,463.3	11,739.0	40,427.9
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SUMMARY (1)+(2)						
Total requirements	97,344.2	50,056.8	36,370.8	45,467.1	46,823.9	178,718.6

Table S.1.c

Post requirements by office and summary

(1) United Nations Staffing

	Offices	Year	JO / D 1	P-5	P-4	P-3	P-2/1 NO B/A	P- Total	FS6	FS5	FS4	FS3	FS- Total	General Services	Grand Total
A	Judicial Offices & Chambers	2009	12	2	6	18	8	46	-	3	-	5	8	5	59
		2010	12	2	6	25	10	55	-	4	-	5	9	11	75
		2011	12	2	6	24	10	54	-	4	-	4	8	11	73
B	Defence and Victim Support Section	2009	-	1	1	1	1	4	-	-	-	1	1	-	5
		2010	-	1	1	3	1	6	-	-	-	1	1	-	7
		2011	-	1	1	3	1	6	-	-	-	1	1	-	7
C	Office of Administration	2009	1	3	15	27	-	46	2	12	17	18	49	1	96
		2010	1	2	15	24	-	42	2	15	11	18	46	6	94
		2011	1	2	16	23	-	42	2	15	10	18	45	6	93
	Grand Total	2009	13	6	22	46	9	96	2	15	17	24	58	6	160
		2010	13	5	22	52	11	103	2	19	11	24	56	17	176
		2011	13	5	23	50	11	102	2	19	10	23	54	17	173

(2) Cambodian Staffing

	Offices	Year	JO / D-1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS-6	FS-5	FS-4	FS-3	FS- Total	General Services	Grand Total
A	Judicial Offices & Chambers	2009	15	2	5	15	10	47	-	-	-	-	-	6	53
		2010	15	1	6	20	13	55	-	-	-	-	-	6	61
		2011	15	1	6	20	13	55	-	-	-	-	-	6	61
B	Defence and Victim Support Section	2009	-	-	2	-	4	6	-	-	-	-	-	13	19
		2010	-	2	6	2	9	19	-	-	-	-	-	22	41
		2011	-	2	6	2	9	19	-	-	-	-	-	18	37
C	Office of Administration	2009	1	2	9	34	16	62	-	-	-	-	-	187	249
		2010	1	2	14	34	20	71	-	-	-	-	-	171	242
		2011	1	2	14	34	21	72	-	-	-	-	-	171	243
	Grand Total	2009	16	4	16	49	30	115	-	-	-	-	-	206	321
		2010	16	5	26	56	42	145	-	-	-	-	-	199	344
		2011	16	5	26	56	43	146	-	-	-	-	-	195	341

SUMMARY (1)+(2)															
	Total Requirements	2009	29	10	38	95	39	211	2	15	17	24	58	212	481
		2010	29	10	48	108	53	248	2	19	11	24	56	216	520
		2011	29	10	49	106	54	248	2	19	10	23	54	212	514

A. The Judicial Offices, Chambers, and Office of the Co-Prosecutors

Table S.2.a

Resource Requirements by object of expenditure

(Thousands of United States Dollars)

(1) United Nations Funding

Object of expenditure	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
				2010	2011	
1 Posts	16,148.8	7,329.9	6,536.4	7,247.6	7,722.7	28,836.6
2 Non-staff compensation	2,895.9	1,309.0	1,424.7	2,152.7	2,297.8	7,184.2
3 Travel	398.1	180.5	136.6	5.9	6.3	329.3
4 Judicial meetings	986.9	673.6	189.0	208.6	78.4	1,149.6
TOTAL	20,429.7	9,493.0	8,286.7	9,614.8	10,105.2	37,499.6

(2) Cambodian Funding

Object of expenditure	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
				2010	2011	
1 Posts	2,989.2	1,553.5	1,168.1	1,414.3	1,552.9	5,688.8
2 Non-staff compensation	1,479.7	830.4	660.9	816.6	952.7	3,260.7
3 Judicial meetings	252.3	180.6	30.0	33.2	0.0	243.8
4 Resident Judges	82.8	32.3	51.3	115.5	117.0	316.1
TOTAL	4,804.0	2,596.9	1,910.3	2,379.5	2,622.7	9,509.4
Total requirements (1)+(2)	25,233.7	12,089.9	10,197.0	11,994.3	12,727.9	47,009.0

Table S.2.b

Post requirements for Judicial Offices, Chambers, and the Office of the Co-Prosecutors.

(1) United Nations Staffing

Offices	Year	JO / D 1	P-5	P-4	P-3	P-2/1 NO B/A	P-Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
1 Office of Resident Judge	2009		1				1					-		1
	2010		1				1					-		1
	2011		1				1					-		1
2 Trial Chambers	2009	3			1	1	5		-		1	1	1	7
	2010	3			4	1	8		1		1	2	1	11
	2011	3			4	1	8		1		-	1	1	10
3 Appeals Chambers	2009	4			1	1	6				1	1	2	9
	2010	4			1	1	6				1	1		7
	2011	4			1	1	6				1	1		7
4 Pre-Trial Chambers	2009	3			1	1	5				1	1		6
	2010	3			2	1	6				1	1		7
	2011	3			2	1	6				1	1		7
5 Office of the Co-Prosecutors	2009	1	1	3	3		8		1		1	2	1	11
	2010	1	1	3	6	1	12		1		1	2	4	18
	2011	1	1	3	6	1	12		1		1	2	4	18
6 Office of the Co-Investigating Judges	2009	1		3	12	5	21		2		1	3	1	25
	2010	1		3	12	6	22		2		1	3	6	31
	2011	1		3	11	6	21		2		1	3	6	30
Judicial Offices Total	2009	12	2	6	18	8	46	-	3	-	5	8	5	59
	2010	12	2	6	25	10	55	-	4	-	5	9	11	75
	2011	12	2	6	24	10	54	-	4	-	4	8	11	73

(2) Cambodian Staffing

Offices	Year	JO / D 1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
1 Office of Resident Judge	2009						-					-		-
	2010	1			1		2					-	1	3
	2011	1					2					-	1	3
2 Trial Chambers	2009	4			1	2	7					-	1	8
	2010	4			2	2	8					-	1	9
	2011	4			2	2	8					-	1	9
3 Appeals Chambers	2009	5	1			2	8					-	1	9
	2010	4				2	6					-		6
	2011	4				2	6					-		6
4 Pre-Trial Chambers	2009	4			1	1	6					-	1	7
	2010	4			2	1	7					-	1	8
	2011	4			2	1	7					-	1	8
5 Office of the Co-Prosecutors	2009	1	1	3	4	2	11					-	1	12
	2010	1	1	3	5	2	12					-	1	13
	2011	1	1	3	5	2	12					-	1	13
6 Office of the Co-Investigating Judges	2009	1		2	9	3	15					-	2	17
	2010	1		3	10	6	20					-	2	22
	2011	1		3	10	6	20					-	2	22
Judicial Offices Total	2009	15	2	5	15	10	47	-	-	-	-	-	6	53
	2010	15	1	6	20	13	55	-	-	-	-	-	6	61
	2011	15	1	6	20	13	55	-	-	-	-	-	6	61

SUMMARY (1)+(2)		Year	JO / D 1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
Total Requirements	2009	27	4	11	33	18	93	-	3	-	5	8	11	112	
	2010	27	3	12	45	23	110	-	4	-	5	9	17	136	
	2011	27	3	12	44	23	109	-	4	-	4	8	17	134	

S.33. The various chambers will be impacted in different ways by the progression of the ongoing cases and investigations. The timing and implications arising from the handling of these cases is spelled out in the following paragraphs.

S.34. Case 001: The conclusion of the hearing of the evidence in this trial, the first before the ECCC, occurred in September 2009. Trial Chamber deliberations and preparation of the judgment is likely to spill into the first months of 2010. Should the judgment be appealed, this will create a full-time workload for the Supreme Court Chamber from approximately mid-2010 and for the remainder of

that year. Depending on the scope of any appeal, drafting of the Appeal Judgment may spill over into 2011. An Appeal Judgment in Case 001 is, in any case, unlikely to be issued before the first quarter of 2011. Based on the timelines for appeals from judgment in the Internal Rules, the earliest date upon which the Supreme Court Chamber would be seized of an appeal is mid-2010. Hence it is assumed that the Supreme Court Chamber Judges will take up their duties on a full-time basis in Phnom Penh from mid-2010 onwards.

- S.35. Case 002: As the judicial investigation in this case draws to a close, the Pre-Trial Chamber is likely to experience a surge in workload through, amongst other things, appeals from denials of investigative requests and a possible appeal of any Closing Order issued at the conclusion of the judicial investigation. Although the timing of this anticipated workload surge is dependent on many variables, this is currently expected to peak around or during the first half of 2010. Civil Party applications are also extremely voluminous in Case 002 and are expected to further increase between now and the conclusion of the judicial investigation. A determination by the September 2009 Plenary that all admissibility appeals shall be definitively resolved in advance of trial by the Pre-Trial Chamber will also add significantly to the Pre-Trial Chamber's workload throughout 2010. To ensure timely decisions and to safeguard the overall judicial time-lines of the court, the Pre-Trial Chamber Judges will take up their duties on a full-time basis in Phnom Penh from 20 January 2010.
- S.36. Following resolution of an appeal (if any) of any Closing Order, Case 002 will be remitted to the Trial Chamber, for a trial which would be expected to commence in late-2010 or early-2011. Once a final Closing Order is issued (expected to be in September 2010), the Trial Chamber will receive advance copies of the case file (comprised of all the information and evidence assembled during the judicial investigative process) and they will begin reviewing this material in preparation for the trial. The size and complexity of Case 002 ensures that the trial in this case is likely to run throughout 2011-2012.
- S.37. Once before the Trial Chamber, Case 002 is likely to also generate an ongoing workload for the Supreme Court Chamber. Based on the complexity of this case, its procedural history to date, and the fact that the four named defendants are actively contesting all aspects of the case (unlike Case 001), numerous interlocutory appeals from decisions of the Trial Chamber are likely. .
- S.38. Case 003: Judicial investigations for Case 003 may commence late in 2010. This will result in an additional workload for the Pre-Trial Chamber, which is principally an appellate body from decisions of the Co-Investigating Judges. Judicial investigations in this matter would not be expected to conclude before the end of 2011. Thus, it is unlikely that the Trial Chamber or the Supreme Court Chamber will be seized of workload in relation to Case 003 during the period 2010-2011. Should this occur, this would be a contingency which may require these Chambers to seek supplementary resources.

(a) Supreme Court Chamber, (b) Trial Chamber and (c) Pre-Trial Chamber

Table S.2.c

Post requirements for Supreme Court, Trial and Pre-Trial Chambers.

(1) United Nations Staffing

	Offices	Year	JO / D 1	P-5	P-4	P-3	P-2/1 NO B/A	P-Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
1	Office of Resident Judge	2009		1				1					-		1
		2010		1				1					-		1
		2011		1				1					-		1
2	Trial Chambers	2009	3			1	1	5		-		1	1	1	7
		2010	3			4	1	8		1		1	2	1	11
		2011	3			4	1	8		1		-	1	1	10
3	Appeals Chambers	2009	4			1	1	6				1	1	2	9
		2010	4			1	1	6				1	1	1	7
		2011	4			1	1	6				1	1	1	7
4	Pre-Trial Chambers	2009	3			1	1	5				1	1	1	6
		2010	3			2	1	6				1	1	1	7
		2011	3			2	1	6				1	1	1	7
Judicial Offices Total	2009	10	1	-	3	3	17	-	-	-	3	3	3	3	23
	2010	10	1	-	7	3	21	-	1	-	3	4	1	1	26
	2011	10	1	-	7	3	21	-	1	-	2	3	1	1	25

(2) Cambodian Staffing

	Offices	Year	JO / D 1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
1	Office of Resident Judge	2009						-					-		-
		2010	1			1		2					-	1	3
		2011	1					2					-	1	3
2	Trial Chambers	2009	4			1	2	7					-	1	8
		2010	4			2	2	8					-	1	9
		2011	4			2	2	8					-	1	9
3	Appeals Chambers	2009	5	1			2	8					-	1	9
		2010	4				2	6					-		6
		2011	4				2	6					-		6
4	Pre-Trial Chambers	2009	4			1	1	6					-	1	7
		2010	4			2	1	7					-	1	8
		2011	4			2	1	7					-	1	8
Judicial Offices Total	2009	13	1	-	2	5	21	-	-	-	-	-	-	3	24
	2010	13	-	-	5	5	23	-	-	-	-	-	-	3	26
	2011	13	-	-	5	5	23	-	-	-	-	-	-	3	26

SUMMARY (1)+(2)															
Total Requirements	2009	23	2	-	5	8	38	-	-	-	3	3	6	47	
	2010	23	1	-	12	8	44	-	1	-	3	4	4	52	
	2011	23	1	-	12	8	44	-	1	-	2	3	4	51	

A. SUPREME COURT CHAMBER

S.39. The Supreme Court Chamber is staffed by four national judges and one reserve judge. The President of the Supreme Court Chamber is currently the only national resident SCC judge, with the other four serving in a part-time capacity. On the international side, the Supreme Court Chamber is supported by three international judges and one reserve judge (all non-resident).

S.40. In 2007, the Plenary appointed the President of the Supreme Court as Resident Judge to preside over the Plenary Session and coordinate the work of the Rules and Procedures Committee and the Judicial Administration Committee. The Resident Judge is supported by one national NO-C Legal Officer and one support staff member (GS). From the international side, the Senior Judicial

Coordinator (P-5) supports the Resident Judge in relation to the Plenary Sessions and judicial committees. Although the post of the Senior Judicial Coordinator is placed in this office for budgetary purposes, it should be noted that officer supports all three Chambers in their judicial functions.

Future staffing needs based on workload projections for 2010 and 2011:

S.41. The Supreme Court Chamber is expected to become fully operational in mid-2010. Its workload during 2010-2011 is likely to include the following:

- a) *An appeal on the substance of the Trial Judgment in Case 001.* Should the trial judgment in Case 001 be appealed, the Supreme Court Chamber will be seized of a full-time workload around mid-2010. Although this appeal may be fairly limited in scope, it is reasonable to assume that even a limited appeal on the merits may require approximately three months for deliberations, hearings and further briefing, and a further 3-6 months for judgment drafting. Judgment writing in the appeal may therefore extend into 2011.
- b) *Immediate appeals from Case 002.* Once trial commences before the Trial Chamber in 2011, a number of immediate appeals from Case 002 are anticipated. Whilst the size and complexity of this case suggests that such appeals may be voluminous, their precise number is difficult to estimate with certainty. Sources of possible immediate appeals in Case 002 include decisions concerning protective measures and detentions.

S.42. In order to meet its anticipated workload in 2010-2011, the Supreme Court Chamber will need to be installed on a full-time basis in mid-2010 (if an appeal on the merits is filed in Case File 001 and once immediate appeals of decisions of the Trial Chamber in Case 002 are filed). In the absence of a significant judicial workload for the Supreme Court Chamber in 2008-2009, none of the currently vacant posts on the approved 2008-2009 international Supreme Court staffing table were filled. In effect, the filling of the current approved Supreme Court Chamber staffing table is anticipated in 2010 rather than 2009, in view of the revised projected timelines in all cases before the ECCC. The two existing administrative assistant posts (GS) under the United Nations staffing table will be abolished.

S.43. In relation to Case 002, even a relatively modest number of immediate appeals may not be able to be managed by the core Supreme Court Chamber staff hired in connection with Case 001. In the event that the workload is higher than anticipated, instead of additional posts limited resources are requested under General Temporary Assistance to provide for additional short-term staff capacity. An appeal on the merits of a Trial Judgment in Case 002 or immediate appeals related to Case 003 are not expected during the next budgetary cycle. Should either contingency occur, supplementary resources would need to be sought, through General Temporary Assistance staffing. However, no additional posts are required for the Supreme Court Chamber if Cases 002 and 003 do not overlap, and the number of appeals remains within expected levels.

B. TRIAL CHAMBER

S.44. The Trial Chamber is staffed on the national side by three judges and one reserve judge, one Greffier/Legal Officer (P-3), two Associate Legal Officers (P-2) and one Administrative Assistant (GS-4). The United Nations staffing comprises two judges and one reserve judge, one Senior Judicial Coordinator (P-5) (pooled), one Legal Officer/Greffier (P-3), one Associate Legal Officer (P-2), and two support staff (one FS-3 and one GS). All posts, with the exception of the international GS Administrative Assistant, are presently encumbered. All judges are resident. The Senior Judicial Coordinator, referenced in paragraph S.39, is shared between all Chambers. An additional consultant was recruited for a nine month period from May 2009. He was assigned principally to the Trial Chamber, but seconded for brief periods to the Supreme Court Chamber, when needed.

Future staffing needs based on workload projections for 2010 and 2011:

S.45. The Trial Chamber's workload during 2010-2011 will comprise:

- a) *Judgment drafting in Case 001*. The Trial Chamber expects to conclude judgment-writing in relation to Case 001 during the first quarter of 2010. Retention of the Trial Chamber's current staffing complement, including extension of the current consultant through until early 2010, is both necessary and sufficient for this purpose.
- b) *Preparations for trial, trial on the substance, and judgment drafting in Case 002*. Following amendment to the Internal Rules by the September 2009 Plenary, the Trial Chamber will have access to the case file upon the issuance of the Closing Order for the purposes of advance preparation for trial in Case 002. This case will be remitted to the Trial Chamber for trial once any appeal of the Closing Order is decided (expected to occur in early 2011). The hearing of evidence and judgment drafting in this complex, voluminous case is likely to engage the Trial Chamber for the duration of 2011 and beyond.

S.46. Trial-related activity in relation to Case 003 is unlikely during 2010-2011 but this possibility cannot be excluded altogether. As currently configured, the simultaneous hearing of the evidence in two trials would require the bench to sit in shifts. If this unlikely scenario were to occur, it could retard progress in concluding Case 002. Although trial-related activities in Case 003 are not anticipated before 2012, any overlap between that matter and Case 002 may require additional resources.

S.47. In order to meet its anticipated workload during 2010-2011, the Trial Chamber will require 3 new Legal Officers (all P-3) and one Case Manager (FS-5) on the international side of the budget. The Case Manager is required due to the larger-than-anticipated document management and other trial-related administrative burdens arising from the ECCC legal framework. (The ECCC approach differs significantly from the *ad hoc* and other internationalized tribunals, which do not have an analogous Case File, and whose Court

Management Sections provide officers, tasked with the in-court management of exhibits and other trial-related documents). Performance of these functions, which requires prior experience in documentary management in international proceedings or paralegal skills, could not realistically be achieved by an Administrative Assistant. Upon the arrival of the Case Manager, the existing Administrative Assistant (FS-3) will be surplus to requirements and will be abolished as of 2011. On the Cambodian side of the ECCC, one new national Legal Officer (NO-C) is required.

- S.48. The new posts will be created in mid-2010 to allow sufficient time to prepare for the trial in Case 002. Although exact comparisons are difficult to draw, a case of similar size and complexity before the International Criminal Tribunal for Rwanda (the *Bagosora* case) heard 262 witnesses (82 Prosecution and 180 Defence) over 406 trial days. Over the course of the trial, the Chamber received nearly 1,600 exhibits and issued around 300 written interlocutory decisions. Judgment in *Bagosora* followed more than one year after the closing of the case: a scenario which the Trial Chamber would be anxious to avoid. However, the length and complexity of a resultant judgment in both cases is likely to be similar (the *Bagosora* judgment – also a case against four high-level Accused – was approximately 600 pages in length). Although witness numbers and trial length are likely to be less in ECCC proceedings (due to differences in legal frameworks and procedures between the two tribunals), Case 002 will nevertheless be of a significantly greater scale and complexity than Case 001. (By contrast, Case 001 is likely to result in judgment within approximately a year of its commencement; a time-frame roughly akin to those before the ad hoc Tribunals in relation to single-accused cases). To minimize delays to the conclusion of Case 002, particularly in the judgment-writing phase, the Trial Chamber must be fully resourced. As mentioned above, supplementary resources may be required in the unlikely event that the Trial Chamber, in parallel with the hearing of the evidence or judgment drafting in Case 002, also be seized with trial-related activities in Case 003 toward the end of 2011 (above).

Retention of the Trial Chamber during the interval between the verdict in Case 001 and commencement of trial-related activities in Case 002:

- S.49. Although the Trial Chamber will commence advance preparations for trial in Case 002 in September 2010, it is likely that a verdict in Case 001 will be delivered in the first half of 2010. While there may be an interval between the two cases before the Trial Chamber, it would be impracticable and undesirable to release existing judges and staff from their current functions for this period. Firstly, the rule amendment adopted by the September 2009 Plenary ensures that any gap in trial-related activities will be for no more than a few months. A break in service may risk continuity of both judges and staff, with negative consequences for institutional memory and capacity. Further, the repatriation costs (of departing judges and staff) and installation costs (of incumbents) would in any case far outweigh any cost-saving. Most significantly, a gap of a few months would also usefully allow the Chamber's judge and staff to more fully address the capacity-building, outreach and legacy dimensions of the ECCC's mandate, and to conduct a thorough review of the proceedings in the Case 001 trial, with an eye toward identifying measures that could be taken to

increase efficiency, avoid unnecessary delays, and generally enhance trial management in the more complex second trial. It is critical that lessons learned from this exercise be incorporated into the Trial Chamber's planning for Case 002, and that necessary modifications are made, to ensure that the trial of this matter is handled as expeditiously as possible.

C. PRE-TRIAL CHAMBER

S.50. The Pre-Trial Chamber is staffed, on the national side, by three national judges and one reserve judge, one Greffier/Legal Officer (P-3), one Associate Legal Officer (P-2) and one Administrative Assistant (GS-4) and on the international side by two judges and one reserve judge (P-6), one Legal Officer/Greffier (P-3), one Associate Legal Officer (P-2), and one Administrative Assistant (FS-3). All above posts, with the exception of the international Associate Legal Officer, are currently encumbered. This post is under recruitment. The Senior Judicial Coordinator (P-5), referenced in paragraph S.39, is shared between all three Chambers, including the Pre-Trial Chamber. Due to the significance of the Pre-Trial Chamber's workload to the overall ECCC judicial timelines during 2010, the Pre-Trial Chamber will be deployed on a full-time basis from 20 January 2010.

Future staffing needs based on workload projections for 2010 and 2011;

S.51. The Pre-Trial Chamber's workload during 2010-2011 is likely to consist of:

- a) *Appeals from decisions of the Co-Investigating Judges in relation to Case 002.* The Pre-Trial Chamber is likely to confront a significant workload surge around the conclusion of the judicial investigation in Case 002. This workload is likely to arise particularly, but not exclusively, in relation to a) annulment proceedings and appeals from denials of investigative actions; b) a likely appeal of the Closing or Dismissal Order and c) appeals from challenges to Civil Party applications. Given the complexity and size of this investigation, numerous appeals from refusals of requests for investigative actions are anticipated.

The timing of such appeals will depend on when the Co-Investigating Judges decide these investigative requests. An appeal by the Co-Prosecutors of any Closing or Dismissal Order in Case 002 would also entail additional workload for the Pre-Trial Chamber around the conclusion of the judicial investigation in that case. Under the current Rules, such an appeal should be decided within four months. A high volume of Civil Party applications have been received in Case 002 (estimated to number approximately 2200 by the end of 2009), and further may be filed in advance of the deadline. Even a small proportion of appeals in relation to this total are likely to result in a significant workload for the Chamber during the first half of 2010. This workload has been increased by the decision of the September 2009 Plenary to confine all such challenges to the pre-trial stage as part of the Civil Party reform process.

b) *Appeals from decisions of the Co-Investigating Judges and other motions in relation to Case 003.* Further judicial investigations (in Case 003) will commence after the conclusion of the judicial investigation in Case 002. Further judicial investigations during 2010 and 2011 would be likely to produce a workload for the Pre-Trial Chamber akin to current levels of activity in relation to Case 002. In the meantime, it appears likely that the Pre-Trial Chamber's docket will remain full, and will increase (whether gradually or dramatically) during 2010, in relation, at a minimum, to one complex, multi-accused case (Case 002). The possible impact on the Pre-Trial Chamber's workload of the disputes procedure described in Internal Rule 72 also cannot be excluded.

S.52. In order to meet its anticipated surge in workload due to appeals from decisions of the Co-Investigating Judges and other motions in relation to Case 002 and Case 003, the Pre-Trial Chamber will require an additional new Legal Officer (P-3) under the international component and one new Legal Officer (NO-C) under the national component of the ECCC. They should be installed as early as possible in 2010.

S.53. Whilst work-flow before the Pre-Trial Chamber is almost certain to increase during 2010 at least, this is likely to peak during relatively brief, concentrated periods. Given this likely pattern, additional short-term staffing (General Temporary Assistance) may be required to augment the capacity of the Pre-Trial Chamber in particular.

(d) Office of the Co-Prosecutor United Nations

Table S.2.d

Post requirements for Office of the Co-Prosecutors

(1) United Nations Staffing

Offices	Year	JO	P-5	P-4	P-3	P-2/I NO B/A	P-Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
Office of the Co-Prosecutors	2009	1	1	3	3		8		1		1	2	1	11
	2010	1	1	3	6	1	12		1		1	2	4	18
	2011	1	1	3	6	1	12		1		1	2	4	18

(2) Cambodian Staffing

Offices	Year	D-1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
Office of the Co-Prosecutors	2009	1	1	3	4	2	11					-	1	12
	2010	1	1	3	5	2	12					-	1	13
	2011	1	1	3	5	2	12					-	1	13

SUMMARY (1)+(2)														
Total Requirements	Year	D-1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
	2009	2	2	6	7	2	19	-	1	-	1	2	2	23
	2010	2	2	6	11	3	24	-	1	-	1	2	5	31
	2011	2	2	6	11	3	24	-	1	-	1	2	5	31

- S.54. The Office of the Co-Prosecutors (OCP) of the ECCC is both the office with the sole authority to initiate judicial investigations at the ECCC, and the only component involved in every stage of investigations and judicial proceedings before the Court. It also ultimately bears the burden of proving beyond a reasonable doubt the guilt of each accused indicted by the Co-Investigating Judges. The work of the OCP thus entails a wide range of activities spanning the entire life of a case. Such continuous active engagement in various stages of the investigations and Court proceedings requires the OCP to develop and maintain multi-disciplinary capacities, covering in broad terms:
- a) legal expertise, to devise and pursue effective prosecutorial strategies at all stages of proceedings, by analyzing and building the factual / evidentiary bases of the cases, presenting submissions on legal, procedural and evidentiary issues, engaging in advocacy and questioning of witnesses and accused, and participating in interlocutory and judgment appeals
 - b) research, analysis and technical capacities to rigorously analyze and link evidence gathered in preliminary and judicial investigations and to establish its relevance, credibility, and probative value in relation to base crimes and responsibility of each suspect / charged person / accused, and
 - c) ancillary support capacities such as case management and data coding.
- S.55. The OCP will maintain its current structure which is based, broadly speaking, on a legal team and a research / analysis team working respectively under the daily supervision of Deputy Co-Prosecutors and the overall leadership of the two Co-Prosecutors. These teams are supported by specialized posts, such as a Data Coder, Case Manager and Greffier (the latter being required under the civil law procedure adopted at the ECCC).
- S.56. OCP is requesting four new posts: two new Assistant Prosecutors (P-3) and one Analyst/Investigator under the international component of the budget, and one new Assistant Prosecutor (NO-C) under the national component of the ECCC. Three of the four requested new posts are primarily tied to Case 003, but would be effectively utilized across the board, to meet the Office's workload in different stages of all cases (this is also the case with the current posts).
- S.57. The purpose of the proposed additional posts is therefore to help the Office maintain significantly higher levels of activity across the board. In 2010 the OCP will likely have a significant overlap between all three cases, with:
- a) Case 002 entering a much more active phase of proceedings, from the final stage of the investigation with numerous concurrent requests, pre-trial appeals and motions, to preparation of the Co-Prosecutors' Final Submission to the OCIJ, issuance of a Closing Order and preparations for trial if the Charged Persons are indicted;
 - b) Commencement of judicial investigations in Cases 003; and,

- c) Possibility of appeals against the Trial Chamber's judgment in Case 001. It should be noted that the trial highlighted significant points of disagreement between the prosecution and the defence (as highlighted in the Co-Prosecutors' Final Trial Brief), focusing on the issue of the Accused's involvement in the crimes. Since strong differences between the parties at the close of the trial, the possibility of an appeal is higher than may have been originally foreseen.
- S.58 Case 002 represents one of the most complex and largest criminal cases ever prosecuted, spanning 27 locations throughout Cambodia, hundreds of events affecting millions of individuals over a period of almost four years, and involving thousands of civil party applicants and complainants. Assuming the investigation results in an indictment and the case proceeds to trial, this will easily be the biggest criminal trial in any international or domestic court. The Co-Prosecutors will be required to prove both the commission of each alleged base crime, and the individual criminal responsibility of each accused. As noted above, they will be doing so while participating in judicial investigations in Case 003 and possibly working on appeals in Case 001.
- S.59 While Case 003 is not as wide in scope as Case 002, it will require major investigations also covering numerous large crime sites and events affecting thousands of individuals. The size of this case can be illustrated in part by the size of the case-file. The number of pages in this case file (as of 3 July 2009) was 94,301, of which 43,678 were added since January 2009 – thus reflecting the intensifying pace of the investigation. This does not include hundreds of hours of recording of witness interviews and audio/visual materials which will ultimately be of relevance at trial. In discharging its prosecutorial responsibilities, the OCP is required to carefully study and examine this evidence with a view to making submissions on the charges to the Co-Investigating Judges and, if an indictment is issued, taking the case to trial. This material is continuously reviewed and categorized by the OCP with the use of electronic case management tools, linking each piece of evidence to factual and legal issues in the case, preparing summaries of issues of proof, and building trial assessment readiness reports in relation to each crime site.
- S.60 The OCP's staffing levels can be put into context by comparing the Office's current and proposed capacity to that of the defence teams. Currently, the combined number of lawyers working in the five defence teams is **15** (two Co-Lawyers and a Legal Consultant for each of the five charged persons / accused). The OCP has a total of **12** lawyers. Further, while the OCP is engaged in the proceedings in relation to each charged person / accused and crime site, at every stage of the proceedings, the defence is not required to take any action either in relation to the sites or the charges, since the onus of proof rests on the prosecution. The OCP also has extensive additional responsibilities arising from its functions as a public prosecuting authority – this means that the two Co-Prosecutors (two out of the 12 lawyers) have significant additional responsibilities beyond the daily case-related work. For cases at this level of complexity, in most international(ized) tribunals, it would be common to see a team of at least three to four prosecution lawyers per

accused person. The OCP's ratio is basically two prosecution lawyers (of whom one is a national and one an international prosecutor) per charged person / accused. This means that only one international lawyer can be assigned to a single charged person / accused. At the same time, each international lawyer within the OCP is responsible for at least five sites in Case 002 (which, as noted above, involve charges of crimes committed on a mass scale – for example, the evacuation of over one million inhabitants from Phnom Penh in April 1975 represents one crime site). When Case 003 commences, the increased number of 15 OCP lawyers will be facing as many as 30 lawyers (case 003 involves five suspects, and each will be entitled to three lawyers as in Cases 001 and 002).

- S.61. An additional area of responsibility which has necessitated the request for additional resources is the screening of criminal complaints filed through the Victims Support Section. As of 8 February 2010, the Victims Support Section had received 4,139 criminal complaints which were being forwarded to the OCP for review. These complaints must be carefully reviewed, any evidence submitted together with them considered, and a decision made as to whether the materials and / or allegations in each complaint are relevant in the context of the existing (or potential new) investigations, or whether they are beyond the scope of the investigations or jurisdiction of the Court. Each complainant must be individually notified of the Co-Prosecutors' decision on their complaint. The time taken to finalize a review and classification of each individual complaint and prepare it for filing with the OCIJ is 30 minutes on average. In addition, OCP is required to liaise with the Victims Support Section, and through that Unit, with intermediary organizations who assist complainants in submitting their complaints and facilitate delivery of Co-Prosecutors' decisions on the complaints.

- S.62. When the investigation in the context of Case 003 is initiated, it will involve several individuals, each with his / her own defence team. The OCP is making arrangements to absorb most of this additional work within its existing structure, and is requesting two new L3 Assistant Prosecutor (one national and one international) positions and an international L3 investigator / researcher / analyst post to cater for it.

- S.63. It is proposed that three Legal Assistants (GS) and one Researcher/Analyst (National Officer), currently funded through General Temporary Assistance (GTA) under the international component, be converted to regular posts due to the continued need for these services throughout 2010-2011. The increase of these four posts is offset by an equivalent decrease under GTA. In addition, a new post of Khmer reviser, under the national component, is required in the Language and Interpretation pool as to facilitate that OCP submits its filings simultaneously in Khmer and English as original versions.

(e) Office of the Co-Investigating Judges.

Table S.2.e.

Post requirements for Office of the Co-Investigating Judges

(1) United Nations Staffing

Offices	Year	JO	P-5	P-4	P-3	P-2/1 NO-B/A	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Service	Grand Total
Office of the Co-Investigating Judges	2009	1		3	12	5	21		2		1	3	1	25
	2010	1		3	12	6	22		2		1	3	6	31
	2011	1		3	11	6	21		2		1	3	6	30

(2) Cambodian Staffing

Offices	Year	D-1	P-5	NO-D	NO-C	NO-B/A	NO-Total	FS6	FS5	FS4	FS3	FS-Total	General Service	Grand Total
Office of the Co-Investigating Judges	2009	1		2	9	3	15					-	2	17
	2010	1		3	10	6	20					-	2	22
	2011	1		3	10	6	20					-	2	22

SUMMARY (1)+(2)														
Total Requirements	2009	2	-	5	21	8	36	-	2	-	1	3	3	42
	2010	2	-	6	22	12	42	-	2	-	1	3	8	53
	2011	2	-	6	21	12	41	-	2	-	1	3	8	52

S.64. OCIJ (international) consists of the Investigations, Legal Research and Analysts Units. For the first months of budgetary period 2010, the bulk of the work of the office will consist of analysing the evidence gathered in the course of the investigation and deciding on the requests for additional investigation that will almost certainly be filed by the parties after the decision on closure of the investigation. After closure, and decisions on the numerous investigative requests filed by the parties, the OCP will file its final submissions. The legal arguments and the factual allegations contained in this document will have to be thoroughly analysed by OCIJ and its conclusions will have to be incorporated, where applicable, into the closing order. The third quarter of 2010 will be devoted to drafting the closing order for Case 002. As per this schedule, in 2010, the bulk of the work will be placed in the hands of the Legal Research Team. Instead of additional posts for this unit, additional funds are requested to facilitate the use of 4 legal consultants who can reinforce the Legal Research Team as it works to complete and file the closing order by the target date of 15 September 2010.

S.65. The international (United Nations) staffing level increases by 5 posts from 25 posts in 2009 to 30 posts in 2011. The net increase of 5 posts is derived from the addition of 6 new posts and the abolition of one post. The additional 6 posts are required for one Analyst (NO-A) and five Analysts/Data Coders (GS) currently funded through General Temporary Assistance (GTA) funds and proposed to be converted to posts due to the continued need for these services throughout 2010-2011. The abolition of one interpreter post (P-3) is proposed as of 2011, as the interpretation services can be provided by the Interpretation and Translation Unit in the Office of Administration.

- S.66. Compared to the 30 staff on the international side (incl. GTA), the national staffing currently consist of only 17 posts. The consequence of this imbalance in staff capacity has resulted in slow processing of the investigations on the National Side. To ensure that the national and international Co-Investigative Judges can agree on the final closing order in a timely fashion, it is necessary to reinforce the national side.
- S.67. Eventual and potential disagreements between the international and national Judge on some judicial investigation acts in Case 002 and on the investigations for Case 003 will further require additional posts for the national side to ensure that equal support is provided to the national Co-Investigative Judge to ensure the continuity of the OCIJ's works. When disagreement between both judges takes place, some resources need to be allocated to the disagreement procedure, while the others need to continue the judicial works of the OCIJ as a whole. The significant balance of the staff risks may disrupt the ongoing judicial investigation which requires the participation of both sides. On the other hand, the unbalance of the staffs at the national side of the OCIJ and the lack of the national staffs make the OCIJ working very slowly, particularly the legal team because most of the primary documents are in Khmer language where the international staff have access only after the translation.
- S.68. Thus, as is clear from examining its workload, the Office of the Co-Investigating Judges (national) is under-resourced at present. Unless this situation is addressed post-haste, it will have significant consequences for the ECCC as a whole, with investigations delayed or stalled as a result of lack of resources, leading to delays in subsequent trials and appeals. This is a risk that should not be taken, especially keeping in mind the age of the accused.
- S.69. OCIJ seeks five additional posts (1 NO-D, 1 NO-C and 3 NO-B) increasing the national staffing to 22 posts compared to 30 international posts as follows: one Analyst Team Leader (NO-D), one Legal Officer (NO-C) and one Analyst (NO-B) for Case 003 as well as to assist concluding Case 002, and two Associate Legal Officers (NO-B) for Case 003.

A.1 Resource Requirements – United Nations

Posts –excludes judges

- S.70. The proposed budget of \$14,970,300 for 2010-2011 provides for 75 posts in 2010 and 73 posts 2011 as follows:
- a) \$12,577,000 for the continuation of 59 posts, that were approved for 2009, throughout 2010-2011;
 - b) \$660,500 for the conversion of 10 positions previously funded through GTA to posts (2 NO, 8 GS);
 - c) \$1,732,800 as net effect in 2010-2011 for 8 new posts (7 P-3, 1 FS-5), and the abolition of four posts (2 GS in 2010, 1 P-3 and 1 FS-3 in 2011).

Non-staff compensation – salaries and allowances of Judges

- S.71. The proposed budget of \$4,450,500 for 2010-2011 provides for salaries and allowances for 12 Judicial Officials comprising 1 Prosecutor, 1 Co-Investigating Judge, 2 Trial Judges, 1 Reserve Trial Judge, 3 Supreme Court Judges and 1 Reserve Supreme Court Judge, 2 Pre-Trial Judges and 1 Reserve Pre-Trial Judge. Upon installation of the Supreme Court Chamber in mid 2010, all except the Reserve Pre-Trial Judge will be resident in Phnom Penh. The 2010-2011 budget includes \$1,225,500 for the Trial Chamber Judges, \$1,376,000 for the Supreme Court Chamber Judges, \$994,400 for the Pre-Trial Chamber Judges, \$446,100 for the Co-Prosecutor, and \$408,500 for the Co-Investigating Judge. The increase in annual requirements in 2010-2011 compared to 2009 relate to differences in months of deployment for the various Chambers (full-time deployment of the Pre-Trial Chamber and 6 month of the Supreme Court Chamber vs. 4 months budgeted in 2009) and the proposed revision of the remuneration of the Judges and Prosecutor (see paragraph S.17 above).

Travel of judges

- S.72. The proposed budget of \$12,200 for 2010-2011 is required for site visits by judges and for the travel of judicial officials to participate in public briefings in the provinces of Cambodia. The decrease in annual requirements (from \$136,600 in 2009 to \$5,900 in 2010 and \$6,300 in 2011) relates to travel of Pre-Trial Chamber Judges to Phnom Penh, which is no longer required once the Judges are being installed full-time in Phnom Penh.

Judicial Meetings

- S.73. The proposed budget of \$287,000 for 2010-2011 provides for the following meetings:
- a) Plenary sessions in 2010 (\$128,500) and 2011 (\$78,400)
 - b) Rules and Procedure Committee in 2010 (\$50,700)
 - c) Judicial Administration Committee in 2010 (\$4,500)
 - d) Supreme Court Chamber meetings prior to its deployment in mid-2010 (\$24,900)

Since all Chambers will be deployed in Phnom Penh from mid-2010, the resources for the meetings from the second half in 2010 onwards relate to the salaries and travel cost of the (non-resident) Reserve Judges (1 Pre-Trial Judge, 1 Reserve Co-Prosecutor, 1 Reserve Co-Investigating Judge) to attend the Plenary sessions. The meetings of the Judicial Administrative Committee and the two Supreme Court Chamber meetings in the first half of 2010 are held back-to-back with other meetings to reduce travel costs. The Plenary Sessions will be held at the Court to minimize meeting costs.

A.2 Resource Requirements – Cambodia

Posts excluding judges

- S.74. The proposed budget of \$2,967,164 for 2010-2011 provides for salary of 44 posts as follows:
- a) \$2,375,827 provides for continuation of 36 approved posts throughout 2010-2011, comprising of \$205,031 for the Trial Chamber, \$96,181 for the Supreme Court Chamber, \$141,272 for the Pre-Trial Chamber, \$825,970 for the Office of the Co-Prosecutors, and \$1,107,372 for the Office of Co-Investigating Judges.
 - b) \$591,337 for the salaries of 8 posts in 2010-2011 (1 NO-D, 4 NO-C, and 3 NO-B), consisting of 1 new post (NO-C, \$76,844) for the Trial Chamber, 1 new post (NO-C, \$76,844) for the Pre-Trial Chamber, 1 new post (NO-C, \$76,844) for the Office of the Co-Prosecutors, and 5 new posts (1 NO-D, 1 NO-C, 3 NO-B, \$360,805) for the Office of Co-Investigating Judges.

Non-staff compensation – salaries and allowances of Judges

- S.75. The required funding of \$1,769,352 for 2010-2011 provides for judicial salary and allowances of 15 judicial officers, as follows:
- a) \$136,104 is for 1 Prosecutor,
 - b) \$136,104 is for 1 Co-Investigating Judge,
 - c) \$544,416 is for 3 Pre-Trial Judges and 1 Reserve Pre-Trial Judge,
 - d) \$544,416 is for 3 Trial Judges, and 1 Reserve Trial Judge,
 - e) \$408,312 is for 3 Supreme Court Judges (President is budgeted at the office of Resident Judges) and 1 Reserve Supreme Court Judge.

Office of Resident Judges

- S.76. As adopted during the 3rd Plenary in January 2008, the President of the Supreme Court Chamber is full time at the Court in order to undertake his functions as President of the Plenary Session, Chairman of the Rules and Procedure Committee, and Chairman of the Judicial Administration Committee. The latter committee, in practice, usually meets in close proximity to the Plenary sessions or Rules and Procedure Committee meetings, thus ensuring efficiency and cost-saving.
- S.77. To carry out these functions, the Office of Resident Judges is to be staffed with 3 permanent posts, consisting of 2 national posts (1 NO-C of Legal Officer and 1 GS4 of Administrative Assistant) and 1 international post (1 P-5 of Senior Judicial Coordinator). The 2 national posts were previously budgeted under the Supreme Court Chamber and will serve both offices, the Supreme Court Chamber and the Office of Resident Judge. The international Senior Judicial Coordinator serves all 3 Chambers.
- S.78. The required funding of \$232,514 for 2010-2011 relates to the staffing costs, as follows:

- a) \$136,104 provides for continuation of 1 post throughout 2010-2011.
- b) \$96,410 provides for 2 posts redeployed from the Supreme Court Chamber.

Travel of Judges

- S.79. No amount was budgeted for 2005-2009 regarding the travel costs of judges as they are resident in Phnom Penh.

Judicial Meetings

- S.80. The Internal Rules which were adopted in mid-2007 called for three organized meetings of the Plenary Session, Rules and Procedure Committee and Judicial Administration Committee. The approved budget for 2005-2009 was \$252,261
- S.81. The proposed budget for 2010-2011 amounts to \$33,188 providing for below allowances of non-resident national judges who attend the meetings of Judicial Administration Committee, the Rules and Procedure Committee, and the Plenary Sessions:
- a) \$15,662 is budgeted for allowances of 6 non-resident judges who attend twice a year the plenary meetings in 2010.
 - b) \$10,441 is planned for 4 non-resident judges who attend twice a year the Rules and Procedure Committee's meetings in 2010.
 - c) \$1,119 is provisioned for allowances of 1 non-resident judge who attend 3 times the Judicial Administration Committee's in 2010.
 - d) \$5,966 is for allowances of 4 judges of the Supreme Court Chamber to hold preparatory meetings before taking office.

B. Defence and Victims Support⁴

Table S.2.f

Resource Requirements by Object of Expenditure

(Thousands of United States Dollars)

(1) United Nations Funding

	Object of expenditure	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
					2010	2011	
1	Posts	2,404.9	1,384.3	824.0	989.5	1,088.7	4,286.5
2	Defence support	4,387.7	2,121.5	1,809.7	2,576.5	4,064.7	10,572.4
3	Victims support	765.4	0.0	451.5	0.0	0.0	451.5
4	Civil Party Lead Co-Lawyers Section	0.0	0.0	0.0	239.3	236.1	475.4
5	Civil Party Lawyers Team	0.0	0.0	0.0	174.8	171.5	346.3
TOTAL		7,558.0	3,505.8	3,085.2	3,980.1	5,560.9	16,132.1

(2) Cambodian Funding

	Object of expenditure	Budget 2005-2009	Expenditure 2006-2008	Budget 2009	Proposal		Budget 2005-2011
					2010	2011	
1	Posts	492.6	65.6	312.2	985.7	975.9	2,339.4
2	Defence support	0.0	0.0	0.0	0.0	0.0	0.0
3	Victims Support Section	0.0	0.0	0.0	0.0	0.0	0.0
4	Civil Party Lead Co-Lawyers Section	0.0	0.0	0.0	0.0	0.0	0.0
5	Civil Party Lawyers Team	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL		492.6	65.6	312.2	985.7	975.9	2,339.4

Total requirements (1)+(2)		8,050.6	3,571.4	3,397.4	4,965.8	6,536.9	18,471.5
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⁴ Resource requirements for Victims Support include the Victims Support Section, Civil Party Lead Co-Lawyers Section, and Civil Party Lawyers Team.

Table S.2.g

Post Requirements for Defence and Victims Support

(1) United Nations Staffing

	Offices	Year	D-1	P-5	P-4	P-3	P-2/1 NO B/A	P- Total	FS6	FS5	FS4	FS3	FS- Total	General Service	Grand Total
1	Defence Support	2009		1	1	-	1	3	-	-	-	1	1	-	4
		2010		1	1	2	-	4	-	-	-	1	1	-	5
		2011		1	1	2	-	4	-	-	-	1	1	-	5
2	Victims Support	2009				1	-	1	-	-	-	-	-	-	1
		2010				1	1	2	-	-	-	-	-	-	2
		2011				1	1	2	-	-	-	-	-	-	2
Total	Total	2009	-	1	1	1	1	4	-	-	-	1	1	-	5
		2010	-	1	1	3	1	6	-	-	-	1	1	-	7
		2011	-	1	1	3	1	6	-	-	-	1	1	-	7

(2) Cambodian Staffing

	Offices	Year	D-1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS-6	FS-5	FS-4	FS-3	FS- Total	General Service	Grand Total
1	Defence Support Section	2009			1		2	3					-	3	6
		2010			1	1	-	2					-	1	3
		2011			1	1	-	2					-	1	3
2	Victims Support Section	2009			1		2	3					-	10	13
		2010		1		1	4	6					-	21	27
		2011		1		1	4	6					-	17	23
3	Civil Party Lead Co-Lawyers Section	2009						-					-		-
		2010		1	1		1	3					-		3
		2011		1	1		1	3					-		3
4	Civil Party Lawyers Team	2009						-					-		-
		2010			4		4	8					-		8
		2011			4		4	8					-		8
Total	Total	2009	-	-	2	-	4	6	-	-	-	-	-	13	19
		2010	-	2	6	2	9	19	-	-	-	-	-	22	41
		2011	-	2	6	2	9	19	-	-	-	-	-	18	37

SUMMARY (1)+(2)															
Total Requirements	2009	-	1	3	1	5	10	-	-	-	1	1	13	24	
	2010	-	3	7	5	10	25	-	-	-	1	1	22	48	
	2011	-	3	7	5	10	25	-	-	-	1	1	18	44	

(a) Defence Support Section

S.82. The objective of the Defence Support Section (DSS) is to provide a counter-balance to the prosecution and thus to ensure equality of arms and fair trials in accordance with the ECCC's mandate. The DSS creates and maintains Lists of Counsel who are qualified and willing to represent accused; puts together defence teams; assesses the indigent status of the accused; provides administrative, logistical and substantive support to defence teams; partakes in outreach; organizes training; and, manages the Legal Assistance Scheme (LAS).

S.83. The approved staffing of the DSS in 2009 comprises four international posts (1 P-5, 1 P-4, 1 P-2, 1 FS-3) and six national posts (1 NO-D, 2 NO-B, 3 GS). The revised staffing for 2010-2011 is proposed to comprise five international posts (1 P-5, 1 P-4, 2 P-3, 1 FS-3) and three national posts (1 NO-D, 1 NO-C, 1 GS). The requirement for national staff posts has been reduced because the DSS employs between one and four national Case Assistants on consultancy contracts: the consultancy contracts are preferred as they are more flexible and

allow the DSS to increase or decrease the staffing according to the stages of the proceedings.

- S.84. It is anticipated that Case 003 may require the provision of legal assistance for up to five additional accused. The United Nations staff within the DSS are responsible for managing the LAS, including monitoring the budget use. Managing the LAS requires assessing monthly work plans and fee claims of Co-Lawyers, overseeing the contracts of the junior lawyers and case managers, and dealing with defense team requests to use the LAS for travel, investigations, and experts. The initial DSS staffing table was based upon a 3-year process with an estimated 4.6 million dollar legal aid fund for the defense. It is now probable that the proceedings will take twice as long and cost more than double the initial estimate (even without a Case 003). In order to manage properly these larger public funds the DSS must be adequately staffed. In the medium-term, additional staff may help control spending because the lawyers' fees can be more effectively assessed and reduced where the work done is deemed to be not 'necessary and reasonable'. Further, with a new overall defence support budget likely to exceed 10 million dollars, the DSS requires a staff member with experience in budgetary matters in order to plan and monitor finances. Hence it is proposed to establish one new international P-3 post to strengthen DSS capacity to manage the LAS. This post will be all the more important if there are additional accused and further cases.
- S.85. One international Associated Legal Officer post (P-2) is proposed to be reclassified to Legal Officer (P-3). In furtherance of the DSS mandate under Rule 11 to "provide basic legal assistance and support, including legal research and document research and retrieval for defense lawyers" the incumbents will draft legal memoranda and arguments, manage research programmes with universities, and consolidate a legal database for the use of defence teams. In addition, the international P-3 legal officer will be responsible for managing the LAS in cooperation with the above proposed new P-3. The responsibilities associated with the initial post have significantly increased, thus an increase in grade-level is warranted. The provision of effective legal support to defence teams requires pro-active initiatives to tailor the DSS legal services to the needs of defence teams, which involves a sound understanding of the proceedings and of defence litigation. The post also requires some managerial skills to supervise legal interns, to mentor and manage the national Case Managers, and to participate in the management of the office.

(b) Victims Support Section

- S.86. In February 2010, the ECCC Plenary Session of judges made a number of decisions concerning activities for the Victims' Support Section, it (i) reframed the Victims' Support Section's mandate, maintaining the processing and outreach functions and entrusted the Section with the development and implementation of programs and measures other than of a legal nature; (ii) established an independent Civil Party Lead Co-Lawyers Section to represent the consolidated group of Civil Parties at trial; and (iii) mandated both the

Office of Administration and the Victims' Support Section to provide complementary forms of support to Civil party lawyers, which may be contracted by the Court to provide legal services. While posts have been projected under the broad ambit of victim support, the precise division of resources across these three entities is described and determined below (see paragraph S.96 to S.106) in this budget.

- S.87. In summary, in accordance with Rule 12 of the ECCC Internal Rules, the Victims Support Section was established to assist victims to participate in ECCC proceedings as the central contact between the ECCC and victims or their representatives providing the latter with assistance in answering questions, explaining issues such as on confidentiality and referring victims for psychological and legal support. The Section supports the work of the Co-Prosecutors and the Co-Investigating Judges by processing complaints and Civil Party applications, and preparing analytical reports. It maintains contact with victims and their lawyers regarding the status of their complaints and applications, and keeps them updated regarding developments in individual cases. The Section supports legal representation and facilitates the grouping and collective representation of victims.
- S.88. The Victims Support Section receives a large number of Victim Information Forms and it is estimated that around 60% of these are Civil Party applications, while the remainder are complaints. By the beginning of February 2010 when the court initiated investigations in Case 002 had closed, 3,892 Civil Party applications had been filed while 290 Civil Parties had been admitted to the Case File. There could potentially be over 2,000 Civil Parties in Case 002, thus the numbers in the budget for outreach and legal representation have been quantified accordingly. If Case 003 progresses to a formal judicial investigation, more Victims can be expected to file applications to be joined as Civil Parties in the proceedings.
- S.89. In Case 001, the Civil Parties benefited from the free legal services of *pro bono* or externally funded Civil Party legal teams. There have been a number of problems associated with this approach, including funding constraints on Civil Party legal teams, confusion resulting from lack of distinct interests between the groups represented by the different Civil Party legal teams, and inadequate coordination between the teams leading to repetition in questioning and legal submissions.
- S.90. A number of *pro bono* or NGO-funded Civil Party legal teams have assumed Civil Party clients, however, to provide a more assured foundation for Civil Party legal representation, the Victims Unit began to recruit a Court-funded legal team in the second half of 2009 to also assume representation for unrepresented Civil Parties. Expanding coverage of Civil Party legal teams aimed to ensure that, by providing as many Civil Parties with direct legal representation, the need for individual notifications for numerous documents is removed.

- S.91. The initial mandate of the Victims Support Section in informing the public about the legal process will shift towards deepened engagement with recognised Civil Parties and complainants. This includes better and faster information being provided to recognised participants, in order that they may fully exercise their rights of participation through all phases of the investigation and trial, while outreach continues.
- S.92. The Victims Support Section plans to continue regular information exchange for Civil Parties and complainants, in the provinces and arrange for Civil Parties to attend hearings at the ECCC and to be informed during the various stages of proceedings. It will facilitate Civil Party lawyers maintaining regular contact with their clients and ensure the effective participation of Civil Parties in the proceedings. Underlying the budget proposal is a detailed schedule (subject to variation) of regional forums, participation visits of Civil Parties to the ECCC and meetings with their lawyers.
- S.93. The new mandate to develop and implement programs and measures of a non-legal nature, will require mapping of existing activity in this area, identification of areas to move forward and consultation across the Court and external stakeholders to design such measures.
- S.94. In the 2008-2009 main budget of the ECCC, the Victims Unit had 13 national and 1 international staffing posts, which were supplemented by a bilateral project grant from Germany. This project grant provided for the recruitment of a further 18 staff and consultants (with funding for 5 more, who were not yet recruited) and for a range of equipment and operational costs to support the development of an active victim-oriented outreach program. In order to provide greater transparency and a clear overview of the totality of the activities in support of victim participation, the current budget modifies this arrangement by including the full range of the victims support posts and activities in the budget.
- S.95. The Chief of the Victims Support Section has been reclassified from P-4 to the P-5 level as the incumbent in 2009 was redeployed from the post of Chief of the Public Affairs Section, which was a P-5 level position..
- S.96. The approved national staffing was 13 national posts (1 NO-D, 1 NO-B, 1 NO-A, 10 GS) for the Victims Unit. The revised national staffing for 2010 for the Victims Support Section is proposing to 27 national posts as follows:
- a) Processing Team (12 positions -- 1 Complaints/Applications Manager, 10 Complaint Assistants, 1 Analyst);
 - b) Outreach Team (11 positions -- 1 Outreach Coordinator, 1 Outreach Planning Officer, 3 Outreach Facilitators, 5 Outreach Assistants, 1 Help Line Operator); and
 - c) Core support staff for all Victims Support Section functions including administrative and other support of the Lead Co-Lawyer and all Civil Party Lawyers (4 positions -- 1 Chief of VSS, 2 Administrative Assistants, and 1 Assistant Legal Officer).

S.97. The approved international staffing of the Victims Support Section in 2009 comprises only one post of Deputy Chief (1 P-3) and in 2010-11, one additional international post is proposed for a new P-2 Associate Information Systems Officer to strengthen the capacity of the Section to establish and maintain a database application for the effective registration and management of complainants and Civil Parties, and to move towards the implementation of various non-legal measures for victims support, including the establishment of the envisaged Victims Register.

(c) Civil Party Lead Co-Lawyers Section

S.98 As mentioned in S.86, the ECCC Internal Rules were amended to establish a Civil Party Lead Co-Lawyers Section. The following proposals are developed to cater for the staffing and resources flowing from the decision which is assumed not to have further financial implications.

S.99 The core functions of the Civil Party Lead Co-Lawyers shall include (a) representing the interests of the consolidated group of Civil Parties, and; (b) ultimate responsibility to the court for the overall advocacy, strategy and in-court presentation of the interests of the consolidated group of Civil Parties during the trial stage and beyond.

S.100. The proposed staffing for this new Section is 3 national posts (1 P-5 National Lead Co-Lawyer, 1 NO-D National Lawyer, 1 NO-B Case Manager) and the international **Lead Co-Lawyer and international legal officer** are to be funded by the international component of the Court. Administrative and other support as appropriate, for this Section is to be provided through the Victims Support Section.

(d) Civil Party Lawyers Team

S.101. The Seventh ECCC Plenary session approved amendment to the ECCC Internal Rules that, at the latest as of the Closing Order, Civil Parties must be represented by Civil party lawyers. Thus, the Internal Rules reflect that the ECCC Office of Administration, may enter into contracts with Civil Party lawyers and provide necessary administrative support to Civil Party lawyers. [To this extent then, a modest legal aid scheme is implemented for Civil Parties, safeguarding the effectiveness of their rights both at pre-trial phase and trial phase where they will be necessary to support, as far as possible, the work of the Victims Lead Co-Counsel.] At trial phase, the Rules provide that the Civil Party Lawyers shall endeavor to support the Civil Party Lead Co-Lawyers in the representation of the interests of the consolidated group. Such support may include oral and written submissions, examination of clients and witnesses and other procedural actions with such support to be mutually agreed between the Civil Party Lead Co-Lawyers and the concerned Civil Party Lawyer. The Civil Party Lead Co-Lawyers shall coordinate actions by the Civil Party Lawyers undertaken by way of such support.

S.102. Provision for these lawyers, as well as support staff upon which all Civil party lawyers can equitably draw, has been made in the creation of a Civil Party

Lawyers Team. The following proposals are developed to cater for the staffing and resources flowing from this decision, which is assumed not to have further financial implications. The proposed staffing for this Team is 8 national posts (4 NO-D Civil Lawyers, and 3 NO-B Case Managers and 1 P-1 Assistant Legal Officer by way of support staff).

Staffing table for all three victim support entities

Posts	Levels	2009 Approved Posts	2010 Additional Posts		Total Posts
			2009 German Funded Posts	New Posts	
1. Victims Support Section					
Chief of Victims Support Section	P-5	1	0	0	1
Outreach Coordinator	NOC	0	1	0	1
National Outreach Planning Officer	NOB	0	0	1	1
Complaints/Application Manager	NOB	1	0	0	1
Assistant Legal Officer	NOA	1	0	0	1
Analyst	P-1	0	1	0	1
Outreach Assistants	GS4	3	3	2	8
Complaints Assistants	GS4	6	2	2	10
Help-line operator	GS4	0	1	0	1
Administrative Assistant	GS4	1	0	1	2
Total 1		13	8	6	27
2. Civil Party Lead Co-Lawyers Section					
National Lead Co-Lawyer	P-5	0	0	1	1
National Lawyer	NOD	0	0	1	1
Case Manager	NOB	0	0	1	1
Total 2		0	0	3	3
3. Civil Party Lawyers Team					
Civil Party Lawyers	NOD	0	2	2	4
Case Manager	NOB	0	2	1	3
Assistant Legal Officer	P-1	0	1	0	1
Total 3		0	5	3	8
Total (1+2+3)		13	13	12	38

B.1 Resource Requirements – United Nations

Posts

- S.103. The proposed budget of \$2,078,200 for 2010-2011 provides for seven posts (1 P-5, 1 P-4, 3 P-3, 1 P-2, 1 FS-3) as follows:
- \$1,531,000 for the continuation of the five approved posts throughout 2010-2011;
 - \$547,200 in 2010-2011 for two new posts (1 P-3, 1 P-2) and
 - the reclassification of one post in the DSS (P-2 to P-3 Legal Officer).

Defence Support Section

- S.104. The proposed budget \$6,641,200 for 2010-2011 is required as follows:

- a) \$4,048,400 for the continuing provision of legal assistance to one accused in Case 001 in 2010 and four accused in Case 002 throughout 2010 and 2011; and
- b) \$2,592,800 for the legal assistance for up to five new defendants in Case 003 throughout 2010-2011.

S.105. The DSS has determined the structure of the defense teams and the amount of funds available so as to ensure that the accused are provided with an effective defense. The experience of other international or hybrid criminal courts, the size and complexity of the cases at the ECCC, and the nature of the (French-inspired civil law) system have been taken into account. Each defense team has a four core personnel (Cambodian Co-Lawyer, Foreign Co-Lawyer, Foreign Legal Consultant, Cambodian Case Manager) and a budget that may be used for *ad hoc* expertise or assistance through consultants.

Victims Support Section

S.106. The proposed budget of \$606,946 for 2010-2011 provides for two posts (1 P3 and 1 P-2) as follows:

- a) \$314,008 for the continuation of one approved P-3 post throughout 2010-2011;
- b) \$292,938 in 201-11 for one new Associate Information Systems Officer (1 P-2);

S.107. The Civil Party Lead Co-Lawyers Section: The proposed budget of \$475,366 for 2010-2011 is required for funding two positions (Lead Lawyer equivalent to P-5 and Legal Officer equivalent to P-4) on consultancy contracts.

S.108: A provision of US\$346,364 for 2010-2011 is required for consultancy services for the funding of Civil Party Lawyers Team. The proposed resources are mainly to support costs on account of consultancy fees and administrative support as directed by OCIJ and the respective chambers.

B.2 Resource Requirements – Cambodia

Posts

S.109. The proposed budget of \$1,961,645 for 2010-2011 provides for 41 posts in 2010, consisting of 3 posts in the Defence Support Section and 38 posts for victims support; and 37 posts in 2011, comprising of 3 posts in the Defence Support Section and 34 posts for victims support. The required funding relates to the following staffing costs:

- a) \$725,441 provides for the continuation of the 16 approved posts throughout 2010-2011; comprising of \$278,899 for the Defence Support Section, and \$446,542 for victims support.
- b) \$1,236,204 relates to the net effect for 22 additional posts, i.e. 3 posts reduced in the Defence Support Section (1 NO-B, 2 GS) and 25 posts

added for victims support, integrating the victims support activities financed in 2009 by the bilateral project grant, namely:

- a. Victims Support Section
 - (i) Processing Team includes 5 positions, 4 GS-4 of Complaint Assistants and 1 P-1 of Analyst.
 - (ii) Outreach Team consists of 8 positions, 1 NO-C of Outreach Coordinator, 1 NO-B of Outreach Planning Officer, 5 GS-4 of Outreach Assistants, 1 GS-4 of Help Line Operator.
 - (iii) Core support staff includes 1 GS-4 of Administrative Assistants.
- b. Civil Party Lead Co-Lawyers Section composed of 3 positions, 1 NO-D of National Lead Co-Lawyer, 1 NO-D of National Lawyer and 1 NO-B of Case Manager.
- c. Civil Party Lawyers Team composed of 8 positions, 4 NO-D of Civil Party Lawyers, 3 NO-B of Case Managers, and 1 P-1 of Assistant Legal Officer.

C. Office of Administration

Table S.2.h

Resource Requirements by object of expenditure

(Thousands of United States

Dollars)

(1) United Nations Funding

Object of expenditure	Budget	Expenditure	Budget	Proposal		Budget
	2005-2009	2006-2008	2009	2010	2011	2005-2009
1 Posts	34,484.4	17,846.8	14,531.7	12,697.7	12,851.2	57,927.4
2 Other staff costs	1,312.9	556.0	457.9	279.5	148.4	1,441.8
3 Consultants and experts	1,670.9	891.2	568.1	815.5	803.1	3,078.0
4 Witness costs	131.1	9.8	59.1	38.7	161.1	268.6
5 Travel of staff	836.3	345.0	389.9	238.6	227.0	1,200.5
6 Contractual services	2,830.9	490.8	476.2	1,513.0	1,622.8	4,102.8
7 Training	533.1	314.9	134.3	201.8	109.1	760.1
8 General operating expenses	1,729.1	760.0	622.4	716.7	724.1	2,823.2
9 Supplies	1,181.8	516.1	457.8	399.5	430.0	1,803.4
10 Furniture and equipment	5,967.3	5,085.4	318.0	1,701.9	478.6	7,583.9
TOTAL	50,677.8	26,816.0	18,015.4	18,603.0	17,555.3	80,989.7

(2) Cambodian Funding

Object of expenditure	Budget	Expenditure	Budget	Proposal		Budget
	2005-2009	2006-2008	2009	2010	2011	2005-2009
1 Posts	9,810.3	5,424.1	3,720.6	4,423.4	4,611.8	18,179.9
2 Other Staff Costs	14.1	3.0	5.7	364.0	307.3	680.1
3 Premises Alteration	1,160.7	997.8	48.4	258.4	85.2	1,389.7
4 Contractual Services	1,159.6	521.7	535.3	742.8	843.9	2,643.7
5 Travel	30.6	32.9	0.0	155.7	104.8	293.3
6 Training	71.5	69.5	0.0	533.6	583.4	1,186.5
7 Operating Expenses	1,092.3	518.3	432.0	835.2	799.2	2,584.7
8 Hospitality	42.9	12.3	19.2	35.3	37.1	103.8
TOTAL	13,382.0	7,579.6	4,761.2	7,348.3	7,372.6	27,061.8

Total requirements (1)+(2)	64,059.8	34,395.6	22,776.6	25,951.3	24,927.9	108,051.5
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Table S.2.i

Post requirements (Office of Administration)

(1) United Nations Staffing

	Offices	Year	D-1	P-5	P-4	P-3	P-2/1 NO. B/A	P- Total	FS6	FS5	FS4	FS3	FS-Total	General Services	Grand Total
1	Office of the Director	2009	1	1	1			3				1	1		4
		2010	1	1	2			4				1	1		5
		2011	1	1	2			4				1	1		5
2	Public Affairs Section	2009			1	1		2					-		2
		2010			1	1		2					-		2
		2011			1	1		2					-		2
3	Court Management Section	2009		2	8	22		32	1	2	7		10		42
		2010		1	7	19		27	1	3	3		7		34
		2011		1	8	18		27	1	3	3		7		34
4	Budget & Finance Section	2009			1	1		2		1	2		3	1	6
		2010			1	1		2		2	1		3	1	6
		2011			1	1		2		2	1		3	1	6
5	Personnel Section	2009			1	1		2		1	2		3		5
		2010			1	1		2		1	2		3	1	6
		2011			1	1		2		1	2		3	1	6
6	General Services Section and Procurement Unit	2009			1	1		2		3			3		5
		2010			1	1		2		3			3	2	7
		2011			1	1		2		3			3	2	7
7	ICT Section	2009			1	1		2		2	2		4		6
		2010			1	1		2		2	2		4	2	8
		2011			1	1		2		2	1		3	2	7
8	Security Section	2009			1			1	1	3	4	17	25		26
		2010			1			1	1	4	3	17	25		26
		2011			1			1	1	4	3	17	25		26
Office of Administration Total	2009	1	3	15	27	-	46	2	12	17	18	49	1	96	
	2010	1	2	15	24	-	42	2	15	11	18	46	6	94	
	2011	1	2	16	23	-	42	2	15	10	18	45	6	93	

(2) Cambodian Staffing

	Offices	Year	D-1	P-5	NO-D	NO-C	NO-B/A	NO- Total	FS6	FS5	FS4	FS3	FS-Total	General Services	Grand Total
1	Office of the Director	2009	1		1	1		4					-	5	9
		2010	1	1	1		1	4					-	3	7
		2011	1	1	1		1	4					-	3	7
2	Public Affairs Section	2009		1		1	1	3					-	3	6
		2010			1	1	2	4					-	2	6
		2011			1	1	2	4					-	2	6
3	Court Management Section	2009		1	5	27	10	43					-	33	76
		2010		1	8	28	11	48					-	33	81
		2011		1	8	28	12	49					-	33	82
4	Budget & Finance Section	2009			1	2		3					-	4	7
		2010			1	2	1	4					-	3	7
		2011			1	2	1	4					-	3	7
5	Personnel Section	2009			1	1	1	3					-	4	7
		2010				1	2	3					-	2	5
		2011				1	2	3					-	2	5
6	General Services Section	2009				2	2	4					-	55	59
		2010			1	1	1	3					-	52	55
		2011			1	1	1	3					-	52	55
7	ICT Section	2009					1	1					-	6	7
		2010			1	1		2					-	7	9
		2011			1	1		2					-	7	9
8	Security Section	2009			1			1					-	77	78
		2010			1		1	2					-	68	70
		2011			1		1	2					-	68	70
9	Procurement Unit	2009						-					-		-
		2010					1	1					-	1	2
		2011					1	1					-	1	2
Office of Administration Total	2009	1	2	9	34	16	62	-	-	-	-	-	-	187	249
	2010	1	2	14	34	20	71	-	-	-	-	-	-	171	242
	2011	1	2	14	34	21	72	-	-	-	-	-	-	171	243

SUMMARY (1)+(2)

	Total Requirements	2009	2	5	24	61	16	108	2	12	17	18	49	188	345
		2010	2	4	29	58	20	113	2	15	11	18	46	177	336
		2011	2	4	30	57	21	114	2	15	10	18	45	177	336

S.110. The staffing changes in the Office of Administration will be explained in detail for each office/section:

- (a) **The Office of Director** (national) - The approved staffing was composed of 9 posts: 1 D-1, 1 P-4, 1 P-3, 1 P-2, 3 GS-6, 2 GS-4. Four posts are abolished [1 Internal Auditor (P-3), 1 Internal Audit Assistant (GS-6), 2 Support Staff (GS-4)]. 1 P-5 is newly created to undertake additional tasks from the Office of Administration and Human Resources Section. At the same time, 1 Protocol/Liaison Assistant who was with the Human Resources Section is shifted to the Office of the Director. The total number of staffing plunges to 7 posts in 2010-11.
- (b) **Office of the Deputy Director** (international) – The approved staffing comprised 4 posts (1 D-1, 1 P-5, 1 P-4, 1 FS-3). One new P-4 Liaison Officer, located in New York, will be established. The creation of the post has already been endorsed by the Steering Committee in 2009.
- (c) **Public Affairs Section** – The approved staffing was six national and two international posts. No changes are proposed for the international side. The approved national staffing was made up of 6 posts (1 P-5, 1 P-3, 1 P-2, 3 GS-4). There is a change in grades and posts such as 1 P-5 is downgraded to NO-D/P-4, 1 Support Staff (GS-4) is abolished. 1 Assistant to Chief of PAS (GS-5) is transferred to Outreach Assistant post (GS-5). 1 Outreach Coordinator (P-2) is newly created in order to respond to the enlargement of the outreach, dissemination, and advocacy activities. The number of staffing requirement remains unchanged (1 P-4, 1 P-3, 2 P-2, 1 GS-5, and 1 GS-4).
- (d) **Court Management Section** – Court Management, accounts for 42 international posts and 76 national posts within the Office of Administration from an overall total of 96 international and 249 national posts, or roughly one third of the administrative posts. This reflects the central importance of court management in running efficient judicial proceedings. The section is responsible for managing case-related records, archives and evidence, for managing the Court’s library, for providing witness support and protection services, for assisting the planning and coordination of hearings and providing audio / visual and transcription support, for providing interpretation and translation services, and for liaising with the ECCC detention facility. This is a broad range of crucial support services. The new staffing structure was determined through a rigorous assessment of existing workloads and tied to the case projections contained in the budget.

Significant experiences and lessons have been gathered and learnt over last 3 years, and reliable statistics are now available for systematic analysis in most areas of court management issues, such as court proceedings, translation & interpretation, AV & record archives. This has led to a number of proposals for internal changes and redeployments of funds/positions (e.g. reduction in the number of international posts), combined with retention of the overall staffing levels.

On the international side, with the deployment of additional staff approved in 2008 and the increased experience and routing in discharging its responsibilities, several positions are proposed to phase out during 2010-2011. This includes the Court Management Officer (P-5), whose functions will be distributed to the respective unit team leaders in CMS and the Legal Officer in the Office of the Deputy Director. The position of Case file/CMS Liaison Officer (P-3) will phase out by 2011.

Other main changes, for the national and international side, are summarized below.

Records related functions

No change on the international component.

Under the national component, an additional Records and Archives Officer post and a new Information Systems Administrator post are added to the Records and Archives Unit in response to the overlapping workloads of Case 001, Case 002, and/or eventual Case 003.

Seven national reproduction clerk posts are re-classified as Records & Archives Clerks from the GS2 to GS4 level, to reflect the higher level of responsibility and more complex tasks.

Interpretation and Translation Unit (ITU)

International component Post Changes:

- a) Three translator posts (P-3) are abolished as a result of outsourcing translation contracts.
- b) One international reviser (P-4) is changed over to a P-4 interpreter post to reflect the operational needs of the court (recruitment is not required until 1 January 2011, in time for the second trial).
- c) The job-descriptions and title of three international translator posts (P-3) have been changed to three interpreter positions (P-3) to reflect the core functions of these posts.

National component Post Changes:

- a) Creation of two posts (NO-D): one reviser and one senior interpreter,
- b) Sixteen national translator posts (NO-C) have been changed to 16 interpreter positions (NO-C) in order to reflect the core functions of these posts.
- c) One national interpreter post (NO-C), currently located in the Office of the Co-Investigating Judges, is redeployed to the ITU.
- d) One national Junior Reviser (NO-C) is proposed to be upgraded to NO-D to reflect the duties and responsibilities associated with the post.
- e) One national post of Administrative Assistant is redeployed from the Office of the Director to the ITU to help coordinate and streamline interpretation assignments and requests.

- f) One new national post (NO-D), a Khmer Reviser required by the Office of Co-Prosecutors is budgeted in the ITU, but assigned to work on translations for the Office of Co-Prosecutors.

The level of proposed resources for the ITU reflects a high operational workload arising from the size of the cases, and from the use of three working languages. The ITU's strategy to meet the ECCC's translation needs continues to be based on a combination of use of staff translators and outsourcing. The workload assumptions for 2010-2011 proceed on the basis of an extrapolation of actual translation volumes in 2008 and 2009 and the documents in the case-files, currently unavailable in one or two of the Court's official languages. The structure of the ITU has been revised as to reflect a clear division of responsibility between the national and international staff. National staff takes the lead for all translations into Khmer and the vast majority of translations from Khmer into the other working languages. International staff handles all the work between English and French and takes the lead with respect to training, alignment of linguistic versions, quality control, outsourcing, etc.

The 2010/2011 budget request for 29 interpretation staff (11 international and 18 national) is based on the following work projections⁵ :

- a) One simultaneous team providing English, French and Khmer interpretation (without relay) – 14 interpreters
- b) One simultaneous team providing English, French and Khmer interpretation (with English as relay between Khmer and French) – 10 interpreters
- c) One consecutive interpretation team for meetings and missions (English-Khmer) – 4 interpreters
- d) One national interpreter to support the Office of the international Co-Investigative Judge (Khmer-French).

The 2010/2011 budget of 29 translation staff (12 international and 17 national) is based on the following work projections:

- a) One team providing English into Khmer: two revisers, four translators
- b) One team providing Khmer into English: two revisers, four translators
- c) One team providing English into French: two revisers, six translators
- d) One team providing French into English: two revisers, one translator.

⁵ All interpreters are expected to translate when not interpreting.

- e) One team providing Khmer into French: one reviser, two translators.
- f) One team providing French into Khmer: one reviser, two translators.

Transcription Unit

The Transcription Unit produces a verbatim transcript of all court proceedings in each of the official court languages: Khmer, English and French. The transcript is an increasingly appreciated working tool for the Chambers and parties to the cases, an important resource for trial monitors and the public, and will last as the historical record of the daily court proceedings.

A draft transcript of proceedings in all three official working languages is distributed to parties on the following day, with a final version filed after three working days.

The Transcription Unit is comprised of:

- a) A team of 12 staff under the national component, who in addition to producing the Khmer transcript of Court proceedings, accompany OCIJ investigators on missions to interview potential witnesses (initial witness statements are prepared on site in Khmer, the language of the witnesses)
- b) A team of four transcribers under the international component (two for the English language and two for the French language). The 2008 budget revision allocated seven posts to this team, but a decision was made in 2009 to outsource the bulk of the English and French transcription work while retaining four in-house posts to deal with redactions and editing of externally prepared transcripts, and a limited production of in-house transcripts. This has resulted in a full transcription service being provided at less than the cost of employing seven staff who would not have had the required output capacity during the trial.⁶

Witness and Expert Support Unit (WESU)

WESU key tasks and responsibilities: Witness Logistics and Operations, including the delivery of Summonses, provision of safe transportation, arrangement for accommodations, payment of entitlements and logistical arrangements to meet the judicial schedules. Witness Support, including ensuring the psychological, emotional, physical and practical well-being of witnesses. Witness Protection, including confidential consultation with Chambers on protective measures for witnesses and civil parties, secure movement of witnesses, recommendation of judicial protective measures, witness risk assessment, capacity for international relocations, development of witness protection plans including those for

⁶ The 2010-2011 budget includes a provision of \$464,723 for contractual transcription services, compared to \$721,755 that the 3 abolished transcriber posts would cost for the 2 year period.

implementation by Cambodian Police authorities, and capacity building activities with the Royal Cambodian Government.

The international component of WESU comprises 3 staff (1 P-4, 1 P-3, 1 FS-4). The post of the WESU FS4 Witnesses/Experts Support Assistant is proposed to be reclassified to the FS-5 level to take into account the increase in responsibility particularly related to Case 002. The tasks and duties performed by WESU generally have substantially increased since that time, including responsibility for a much higher number of witnesses than anticipated, the assumption of responsibility for the delivery of Summonses, the administration of independent Legal Counsel, and the responsibility for all risk and psycho-social assessments for civil parties. The administrative and logistical management of witness activities is correspondingly much more complex and involves significant financial allotments. The FS-5 grade is required in order to accept higher level necessary tasks and responsibilities as delegated by the Coordinator.

Under the national component, the WESU approved staffing consist of 7 posts (3 NO-B, 1 GS-6, 3 GS-5). The revised staff in 2010 is reduced to 5 posts (2 NO-B, 3 GS-5) in 2010 through the abolition of 1 Witness/Expert Support Officer (NO-B) and 1 Witness Field Operations Coordinator (GS-6). With the begin of the trial in 2011, the Witness/Expert Support Officer (NO-B) is re-created resulting in a revised staffing table of 6 posts in 2011 (3 NO-B, 3 GS-5).

AV unit

No change on the international component.

Under the national component, a new AV Technician-Assistant (GS-5) post is introduced in the AV Unit in order to accommodate the workload of Case 002. This post is budgeted 3 months in 2010 and 12 months in 2011.

- (e) **Budget and Finance Section (international)** – The approved staffing of the international Budget and Section comprises six posts (1 P-4, 1 P-3, 1 FS5, 2 FS-4, 1 GS). One of the existing FS-4 posts has been reclassified to the FS-5 level to reflect the actual level of responsibility of the position and the delegated authority. This is especially important to maintain the minimal level of segregation of financial duties in compliance with the United Nations Financial Regulations and Rules. The incumbent will discharge dual functions as Cashier and as Certifying Officer for central funds controlled by BFS. Finally, the incumbent will also act as back-up for the P-3 Budget Officer. The revised staffing table for 2010-2011 hence comprises 1 P-4, 1 P-3, 2 FS5, 1 FS4 and 1 GS post.
- (f) **Budget and Finance Section (national)** – The approved staffing for 2005-2009 was seven posts (1 P-4, 2 NO-C, 3 GS-5, 1 GS-3). 3 posts are abolished (1 P-3–Disbursement Officer, 1 GS-5–Assistant and 1 GS-3–

Finance Clerk). 2 Assistant posts are reclassified from GS-5 to GS-6. 1 Associate (P-1) is created to replace the abolished Disbursement Officer post. The total staffing requirement reduces to 5 posts (1 P-4, 1 P-3, 1 P-1, and 2 GS-6) in 2010-11. However, 2 posts of NO-C and GS-6 devoted to victims support are posted in the Budget and Finance Section to be financed by the bilateral project grant.

- (g) **Personnel Section (international)** – The approved staffing of the Personnel Section comprises five posts (1 P-4, 1 P-3, 1 FS5, 2 FS-4). One new GS position is requested to add strength to the existing team of four staff members. The volume of work created by the increase in the overall number of staff to be serviced by the Personnel Section, as well as the diversity of tasks necessitates the addition of one more member to the team.
- (h) **Personnel Section (national)** - was composed of 7 posts (1 P-4, 1 P-3, 1 P-2, 3 GS-5, 1 GS-3). 2 posts are shifted: 1 GS-6 to the Office of the Director and 1 P-4 upgraded to P-5 with new functional title as Senior Administrative Officer/HR Chief to the Office of Administration. A Learning Manager post (P-2) was created in September 2009 to strengthen the function of Human Resources Section and to play a crucial role in ensuring ECCC national staff learning and development program have clear outcomes, particularly to enhance individual and ECCC effectiveness and performance, and more importantly to ensure ECCC national staff are equipped with relevant skills, expertise and knowledge in terms of competencies in specific skill areas so as to enable them to undertake full responsibility for technical capabilities after the pullout of the UN. The total staffing requirement drops to 5 posts (1 P-3, 2 P-2, and 2 GS-6) in 2010-11.
- (i) **General Services Section and Procurement Unit** -The General Services Section will continue to provide the services in the areas of Building Management, Travel, Transport and shipping, assets management, supply as well as mail, pouch and messenger services.

The national staffing changes from 59 posts approved in 2009 to 53 posts in 2010-2011, with net reduction of 4 posts. The reduction of four posts comprises, one space planning/alterations (NO-B), one procurement assistant (GS-6), one technical and clerical support (GS-4), and one warehouse & supply clerk. One post of Co-Chief of the Section (NO-D) is newly created. One post (GS5) is reclassified from mail messenger to administrative assistant. One post of Space Planning Alterations (NO-B) is reassigned as Building Supervisor. One post of Procurement Officer (NO-C) is reassigned to the Procurement Unit. One post of Property control/maintenance clerk (GS-5) is renamed as Mail Messenger Supervisor.

National Procurement Unit is newly created to ensure clear roles and responsibilities within the ECCC. The unit is composed of two posts

shifted from GSS, namely Procurement Officer is reclassified as Associate Procurement Officer (NO-A) given the actual requirement of duties and responsibilities of the post and GS-6–Procurement Assistant.

The international staffing changes from five posts (1 P-4, 1 P-3, 3 FS-5) to seven posts (1 P-4, 1 P-3, 3 FS-5, 2 GS local staff) in 2011 as follows:

- a) 1 new Store/Supply assistant (GS local staff) to strengthen the timely management of supplies and the stores;
- b) 1 new Procurement Assistant (GS local staff) to replace contracted personnel that had been budgeted under ‘Other Staff Costs’ in 2009. The increase in post costs is hence offset by an equivalent decrease under ‘Other Staff Costs’.

- (j) **ICT Section** – The approved international staffing component of the ICT Section comprises five posts (1 P-4, 1 P-3, 2 FS5, 2 FS-4) and is proposed to be revised to six posts (1 P-4, 1 P-3, 2 FS5, 1 FS-4, 2 GS local posts). One additional GS-6 position of ICT asset assistant is proposed to increase the capacity of the ICT section to manage its assets and supplies and consumables, including replacement plans, and to ensure appropriate stock levels of supplies and consumables. One new GS-6 IT Assistant post is proposed as to transfer capacity to local staff. The existing international FS-4 IT assistant post is proposed to be phased out by 2011.

The approved national staffing for 2005-2009 was 7 posts and the revised staffing increases to 9 posts as 2 posts are newly created (1 Co-Chief/Legacy Manager NO-D and 1 Junior System Administrator GS-6). 1 IT Development Officer (NO-B) is reclassified to Client Services Coordinator (NO-C). The total staffing requirement increases to 9 posts in 2010-11.

- (k) **Security and Safety Section** – On the international side, it is proposed to reclassify the FS-4 Security Training Officer to the FS-5 level. In the original budget there was no provision for a security training officer (STO). Given the urgent need and demand of such a position, an existing FS-4 Security Officer post was utilized to recruit a Security Training Officer. Due to the noticeable increase of staff at the ECCC increased demand has emerged for training, developing additional plans and in particular, requiring the supervision of internal adjunct trainers to facilitate the training coupled with the ongoing need for in-service weapons re/qualifications, etc. Hence, the appropriate level for the post has been determined at FS-5.

The approved staffing on the national side was 78 posts. 16 Close Protection Officers (GS-3) are abolished. 8 posts including 1 Deputy Chief of Security (P-2), 1 Control Center Staff (GS-4), and 6 Guard Platoons (GS-3) are newly created. Total staffing requirement reduces to 70 posts in 2010-11.

C.1 Resource Requirements – United Nations

Posts

- S.111. The proposed budget of \$25,548,900 for 2010-2011 provides for 94 posts in 2010 (1 D-1, 3 P-5, 15 P-4, 24 P-3, 46 FS, 6 GS) and 93 posts in 2011 (1 D-1, 2 P-5, 16 P-4, 23 P-3, 45 FS, 6 GS) as follows:
- c) \$27,377,000 for the continuation of 96 approved posts throughout 2010-2011;
 - d) \$50,800 for the conversion of one GS position previously funded through GTA to posts;
 - e) savings of \$1,878,900 in 2010-2011 as net effect of the creation of 6 new posts (2 P-4, 4 GS), the (phased) abolition of 10 posts (1 P-5, 1 P-4, 4 P-3, 4 FS-4), and the reclassification of three posts (FS-4 to FS-5).

Other staff costs

- S.112. The proposed budget of \$279,500 in 2010 and \$148,400 in 2011 reflects a decrease of \$178,400 in annual requirements from 2009 to 2010. The requirements are reduced by a further \$131,100 in 2011. The amount of \$427,900 required in 2010-2011 provides for:
- a) \$369,800 for international short-term staff such as Legal Officers to assist the Chambers and the Office of the Co-Prosecutor during peak workload periods. In particular, additional capacity will be required by the Pre-trial Chamber in 2010 around the conclusion of the judicial investigation in Case 002, particular in case of a possible appeal of the Closing Order. The Supreme Court Chamber may require short-term additional capacity for a possible appeal in Case 001 and depending on the volume of possible appeals from decisions of the Trial Chamber for Case 002 in 2011. The Office of the Co-Prosecutor requires additional expertise at the closure of investigations, Closing Order appeals and during overlaps between the end of an investigation (and/or preparations for the start of a trial) and at the commencement of the investigation for Case 003 when the Office will be engaged concurrently in multiple areas. The Office of the Co-Investigating Judges requires short-term staff such a logistics officer in 2010 in order to ensure timely completion of the Closing Order in Case 002.
 - b) \$58,050 for national short-term staff and contractors for support functions during periods of high workload.

- S.113. The reduction in annual requirements from \$457,900 in 2009 to \$279,500 in 2010 is mainly related to the conversion of 11 positions that were previously funded under “Other Staff Costs” to “Posts” (2 NO, 9 GS). This relates to four posts in OCP, six posts in OCIJ and one post in The Office of Administration.

Consultants and experts

- S.114. The proposed budget of \$1,618,600 for 2010-2011 is required as follows:

- a) A provision of \$697,300 is estimated for expert witnesses. Medical and forensic experts will be called by the Trial and Supreme Court Chamber for Case 001, by the Trial Chamber Judges for Case 002 and by the Investigating Judges for Case 003 during 2010-2011. As the investigations and trials gain momentum, it is projected that 6 expert witnesses will be called in for Case 001 in 2010. In relation to Case 002, it is anticipated that 16 experts will be requested by the judges in 2010 and 28 in 2011. In relation to Case 003, it is anticipated that 10 experts will be requested by the judges in 2010 and 22 in 2011. A provision of \$20,300 has been included for the services of a Duty Counsel during Court hearings as required on matters of witness self-incrimination.
- b) A provision of \$280,700 is requested for consultancy services in the area of investigations, including a provision of \$196,300 for four legal consultants in 2010 to ensure the timely finalization of the Closing Order for Case 002. The provision of \$84,400 is required for consultants, such as historical experts, for the ongoing investigations.
- c) A provision of \$126,800 is required for consultancy services to support the Office of the Co-Prosecutor during peak periods, particularly at the closure of investigation and during potential closing order appeals and other interlocutory appeals. The short-term engagements envisage the use of lawyers for preliminary reviews of complaints, legal research and drafting, as well as preparation of evidence briefs and submissions to the Court.
- d) A provision of \$243,900 in 2010 and \$269,900 in 2011 for consultancy services, in particular for short-term legal consultants to assist the Judicial Offices (\$74,800 in 2010 and \$149,500 in 2011) and for freelance interpreters and translators (\$169,100 in 2010 and \$120,400 in 2011).

Witness costs

S.115. The proposed budget of \$199,800 required in 2010-2011 for 11 witnesses in Case 001, 214 witnesses in Case 002, and 355 witnesses for Case 003.

Travel of staff

S.116. The proposed budget of \$465,600 for 2010-2011 is required as follows:

- a) Estimated cost of investigative related travel is \$42,900 for approx 80 domestic trips. Investigation travel is for a team of five, consisting of 2 investigators, one national, one international, one interpreter, one transcriber and one driver. The cost for the international staff will be covered by the UN funding, while national personnel will be covered from the Cambodian funding.
- b) An amount of \$35,900 is required for domestic outreach activity in 2010 and 2011, such as organization and attendance of regional forums (10 forums in 2010 and 8 forums in 2011);
- c) An amount of \$63,900 is required for domestic travel of security staff to support and accompany UNAKRT staff and judiciary officials (estimated 15 travel per annum, each requiring 6 Security Officers in accordance with the standard operating procedures for Personal Protection);
- d) An amount of \$12,400 is required for travel of staff to support visits to crime scenes by Judges, and by prosecutions staff for trial preparation.
- e) An amount of \$155,100 (\$77,500 p.a.) is required for travel of UNAKRT staff to participate in work related conferences including the travel of the UNAKRT Coordinator to New York for consultation, briefings and donor meetings, attendance of the international Co-Prosecutor at the annual Prosecutors' conference, travel of the Head of the Defence Support Section at the Defence Counsel Associations meetings, as well as travel of Chiefs of Sections to New York for meetings on specific administrative aspects of UNAKRT's work program.
- f) An amount of \$155,400 (\$77,700 p.a.) is required for travel of Headquarters staff (NY-based Liaison Officer, OLA, Controller, Procurement Division, DESA, etc.) to Phnom Penh for support and consultations.

S.117. The annual requirements of \$238,600 in 2010 and \$227,000 in 2011 reflect a decrease of \$151,300 in 2010 compared to the 2009 budget. The decrease is mainly related to funding the travel of national personnel in 2010-2011 by the national component of the budget while in 2008-2009 the travel of all personnel (national and international) was funded by the United Nations.

Contractual services

S.118. The proposed budget of \$3,135,800 for 2010-2011 is required as follows:

- a) \$53,800 for external audit fees covering the cost of an annual audit in 2010 and 2011 to be conducted by the UN Board of Auditors.
- b) \$1,470,600 for contractual translation. The requirement is based on an estimation that about 25% (or 32,000 pages) of documents on the file and currently unavailable in one or two of the Court's languages (128,000) will require translation. About \$0.9 million of the required resources relate the unspent balances allocated for translation of backlog documents included in the 2005-2009 budget.
- c) \$464,700 for contractual transcription services for an estimated 90 court days of the Supreme Court and Pre-Trial Chamber in 2010 and 140 days of the Trial, Supreme Court and Pre-Trial Chamber in 2011. A decision was made in 2009 to outsource the bulk of the English and French transcription work and to abolish three of the seven transcribers' posts. The remaining four in-house staff handle redactions and editing of externally prepared transcripts, and a limited production of in-house transcripts. This has resulted in a full transcription service being provided at less than the cost of employing seven staff who would not have had the required output capacity during the trial.
- d) \$792,300 is required to cover contractual requirements for public affairs for court-related materials, production of TV and radio programs, printing of information materials, and production cost of various public information items such as stickers, posters, t-shirts and caps. The requirements represent an increase of about \$500,000 compared to the biennium 2008-2009 particular required for the preparation for the trial of Case 002.
- e) \$315,700 for miscellaneous contractual services such as pathology services, medical advisory services for the detention facilities, subscription to on-line data services such as LexisNexis, rental of interpretation equipment, and other miscellaneous services such as customs clearance.
- f) \$38,700 is budgeted for the contribution of the United Nations to the function of Independent Counsellor that has been established by the United Nations and the Royal Government of Cambodia⁷.

Training

S.119. The proposed budget of \$310,900 for 2010-2011 is required as follows:

- a) \$104,400 for judiciary training, such as training on international criminal law, in court advocacy, defence strategy in civil law systems, fair trial rights and training in support of ongoing judicial activities of the Chambers..
- b) \$12,900 for an annual strategic planning workshop to set the strategic milestones for the court's program of work for the forthcoming year.

⁷ \$36,000 p.a. to be borne equally between the international and the national component of the ECCC plus 7.5% PSC

- c) \$28,000 for ICT training, including certification courses on system administration, training on satellite communication technology and training for all ECCC staff on standard software applications.
- d) \$66,200 for security training, including travel of firearms instructor to the USA for recertification, driving instructor course, local fees for usage of the firing range in Phnom Penh, Funds have also been budgeted for training on Information Security in the US.
- e) \$99,400 for substantive skills training, procurement training, supervisory skills, competency-based interviewing, and psycho-social support services for the witness support section.

General Operating Expenses

S.120. The proposed budget of \$1,440,800 for 2010-2011 provides for the following operational requirements:

- a) \$667,600 is estimated for the communication systems of the Court. This includes satellite communication links through the UN system for internet access, video conferencing link which will be used to interview remote witnesses, telephone connectivity, mobile phones, diplomatic pouch services and postage.
- b) \$729,200 is required for the following services:
 - a. Medical evacuation insurance policy costs for internationally recruited personnel at a cost of \$250,476 for the two year period for an average of 363 persons including dependents residing at the duty station;
 - b. Insurance costs for UN vehicles and UN assets amounting to \$55,900 for 2 years;
 - c. Maintenance of equipment has been budgeted at an estimated amount of \$360,400 for 2010-2011. This includes maintenance of IT equipment (\$185,970), maintenance of Security equipment (\$48,590), maintenance of vehicles (\$74,240) and other equipment (51,600).
 - d. Remaining miscellaneous operating expenses cover expenses for bank charges, common services charges and office cost for the NY-based liaison officer.

Supplies and materials

S.121. The proposed budget of \$829,500 for 2010-2011 consists of \$176,800 for office supplies, consumables and stationeries, \$162,400 for fuel, \$107,600 for

ICT supplies, \$200,900 for Court Management supplies such as archival supplies, tapes, CDs and DVDs for recording Court hearings, library books and periodicals; \$181,800 for security supplies such as ammunition, uniforms, access cards and safety supplies.

Furniture and equipment

- S.122. The proposed budget of \$2,180,500 for 2010-2011 consists of:
- a) \$67,200 for furniture for offices, meeting rooms, witness waiting room and for the records and archives unit.
 - b) \$1,308,800 for IT equipment, particularly for LAN equipment, disaster recovery, replacement of PCs and printers, renewals of software licenses, and for reproduction equipment for the records and archives Unit.
 - c) \$172,000 for the replacement of eight vehicles
 - d) \$106,100 for security and safety equipment, including access control
 - e) \$117,700 for office equipment such as photocopiers
 - f) \$162,500 for communications equipment, such as PABX upgrades, VHF radio equipment, vehicle tracking systems, replacement of mobile phones, and other miscellaneous communication equipment items.
 - g) \$246,200 for audio-visual equipment, including replacement of parts of the Courts AV system and \$215,000 for the installation of video-delay equipment in the main courtroom.

C.2 Resource Requirements – Cambodia

Posts

- S.123. The proposed budget of \$9,035,186 for 2010-2011 relates to the staffing costs, namely:
- a) \$8,299,451 provides for continuation of 226 posts until end of 2011, comprising of \$546,937 for the Office of Director, \$318,109 for the Public Affairs Section, \$4,077,457 for the Court Management Section, \$331,357 for the Budget and Finance Section, \$311,820 for the Personnel Section, \$986,206 for the General Services Section, \$226,268 for the ICT Section, and \$1,412,026 for the Security and Safety Section and \$89,271 for the Procurement Unit.
 - b) \$735,734 is for net effect of addition, abolishment and reclassification of professional and general support posts, of which an increase of \$1,108,089 for 16 additional posts, a decrease of \$655,408 for 23 abolished posts and an increase of \$283,053 for reclassification posts.

Other Staff Costs

- S.124. The proposed budget of \$671,314 for 2010-2011 provides for judicial and legal short term consultants & expert, temporary interpretation, advocacy and dissemination services, temporary workers, and legacy development costs, as follows:

General Technical Assistance

- a) \$116,396 is budgeted for 3 national short term consultants and experts (NO-C level) for flexible deployment for a maximum period of 6 months in the Chambers where they would be required to deal with temporary workload surges.
- b) \$56,709 is provisioned for 3 junior legal consultants (GS-7) for flexible deployments of a maximum period of 10 months in 2010.
- c) \$32,100 is estimated for 1 freelance Khmer-English interpreter with a fee of \$250/day for maximum 20 times per year.
- d) \$32,100 is planned for 5 temporary workers such as drivers and helpers, costing \$300 each for a maximum period of 10 months, in the General Services Section to avoid increase of staffing posts.
- e) \$164,583 is estimated for 2 International Consultants equivalent to P-3 for flexible deployment of a maximum period of 6 months per year for the Victim Support Section, Civil Party Lead Co-Lawyers Section, and Civil Party Lawyers Team.

Advocacy and Dissemination

- f) \$162,426 is budgeted for new activities relating to advocacy and dissemination which comprises television spot productions and purchases of airtime for broadcasting the ECCC-produced programs on television and radio; and, advertisement of ECCC events in newspapers. These activities are deemed necessary for implementation in 2010 and 2011, so as to promote the work of the ECCC and to further the public's understanding of the institution.

Legacy Development Project

- g) \$107,000 is for developing and supporting implementation of the ECCC legacy project as agreed by both sides in the Legacy Secretariat's meeting held in August, 2009.

Improvement of Premises

S.125. The proposed budget of \$343,577 for 2010-2011 provides funding for the following physical projects, which are considered critical for the ongoing operation of the Court: enhanced access control, maintenance work for the detention facility, and network cabling for new offices, as recommended by the Security and Safety Section and the General Services Section:

- a) \$69,550 is budgeted for 8 and 5 physical projects in 2010 and 2011 to be respectively implemented in the Court room renovation.
- b) \$110,210 is planned for 6 and 4 projects in 2010 and 2011 under the Office Building renovation and installation to be respectively implemented.
- c) \$85,600 is reserved for 7 and 4 projects in 2010 and 2011 under the Site and Ground Works in the ECCC compound to be respectively implemented.
- d) \$18,190 is for 4 and 2 projects in 2010 and 2011 at the Detention facility renovation and supply to be respectively implemented.

- e) \$60,027 is provisioned for 5 projects under the network cabling and installation for both 2010 and 2011.

Contractual Services

S.126. The proposed budget of \$1,586,724 for 2010-2011 would cover the costs of transportation, fees of annual audit and regular spot check, rental fees of town office, provision of medical services for detainees, cleaning and gardening services, other reimbursable expenses as broken down below:

- a) \$572,442 is estimated for bus services to transport both national and international staff from Phnom Penh to the ECCC location (a distance of approximately 20 km). Total current staff size is 350 (250 national staff and 100 international staff) and it is anticipated that staffing numbers will increase to approximately 520 persons at full deployment. The above costs also include the allowance of vehicle use for all judicial officers and senior administrative members to compensate for the use of their private vehicles for official business purposes; and rental fee of 1 vehicle for the media, public and civil party groups who attend the hearings. This budget also anticipates annual inflation rate 5%.
- b) \$87,740 is planned for financial spot checks and annual audit services which was not included in the original budget. The financial spot checks of \$44,075 are conducted every four months and also include areas of procurement and human resources management from 2008 onwards. Other amount of \$44,075 is budgeted for an external audit. The above figures include program support costs and an annual inflation rate of 5%.
- c) \$59,040 is budgeted for the rental fee of a town office mainly for the Victims Support in Phnom Penh. This office will facilitate the victims' ability to obtain additional information with respect to victims' rights and who wish to lodge a complaint in town. The office will be also used by the Public Affairs Section to enable the public to access information on the ECCC. Thirdly, it will be a departure location for the free-bus services for the public who will attend the court proceedings. The rental fee for the Phnom Penh office in is approximately \$2,400 per month, which has been adjusted for annual inflation of 5%.
- d) \$298,152 is estimated for (a) provision of medical treatment and evacuation services in 24hours/7days for detainees, given their advanced age, (b) emergency services for all ECCC national and international staff as well as members of the public attending court proceedings, and (c) provision for medical equipment and materials. The above figure is included the annual inflation rate of 5%.
- e) \$110,700 is planned for the outsourcing services of cleaning and gardening for the ECCC office buildings, court room and the compound⁸ after having phased out the 13 staffing posts in the General Services Section since 2008. The average cost is \$4,500 per month and newly proposed budget is also envisaged annual inflation rate of 5% per year.

⁸ The cleaning area comprises 12,375 square meter office space, 236 rooms, 198 toilettes, and 41,239 square meters in gardening area.

- f) \$6,150 is for other reimbursable services costs such as miscellaneous fees and contribution allowances for gratuity expert provided bilaterally from the development partners.
- g) \$416,500 is budgeted for new outreach activities regarding the transportation of villagers from provinces to attend the ECCC trial hearings and provision of snack refreshments for them. It is expected that 350 participants with an average costs of \$5 per person (transportation & refreshment costs) are attended the hearings of 98 days and 140 days in 2010 and 2011, respectively.

For the ECCC public hearings of Case 001 from March to November, 2009, the total public attendees are cumulative to 31,349 persons. It is expected that more interested public throughout the country will attend the hearings of Case 002.

- h) \$36,000 is budgeted for the contribution of the Royal Government of Cambodia (RGC) to the function of Independent Counsellor that has been established by the United Nations and the RGC.

Travel of staff

- S.127. Following the decision made by the ECCC and UNAKRT Management meeting in May 2009, the travel costs are to be separately budgeted in the national and international sides for better management in 2010-2011; in order to reflect to their needy requirement of travels by respective offices and sections; and to comply with respective rules and regulations.
- S.128. The proposed budget of \$260,457 for 2010-2011 covers the travel activities to be performed by the ECCC, including for victims support being proposed for bilateral project grant, as-follows:

ECCC Domestic Travels-\$154,335

- a) \$3,082 provides for travel costs of the legal staff of the Trial Chamber to join the trips with judges regarding the visit of crimes scenes for Case 002.
- b) \$4,242 is estimated for travel of the Office of Co-Prosecutors to join the investigation field trips for Case 002 and 003.
- c) \$93,411 is budgeted for 50 field trips in 2010 and 13 missions in 2011 to be conducted judicial investigation of Case 003.
- d) \$4,686 is for the travel of the Office of Administration to attend outreach activities, other related meetings and forums.
- e) \$2,936 is provisioned 14 trips of the PAS staff to go down and bring the villagers from provinces to attend the hearings.
- f) \$9,373 is budgeted for the PAS staff to perform 24 outreach meetings at the community levels.
- g) \$11,197 is to cover the travel costs of 12 relevant staff who go and attend the 6 ECCC public forums in 2010-2011 at the provincial levels.
- h) \$10,936 is for travel costs of 7 relevant staff who go and attend the 12 NGOs forums held by PAS, VU and NGOs in 2010-2011.
- i) \$4,802 is planned for the travel costs of 20 WESU follow-up visits in 2010-2011 to meet with witnesses.

- j) \$4,277 is provisioned for 6 trips of Close Protection Officers to escort the judicial officers to attend the ECCC public forums.
- k) \$5,393 is budgeted for 5 trips in 2010-2011 for the judges of Trial Chamber and Supreme Court Chamber to visit crime scenes at the provincial levels.

Domestic Travel for Victims Support-\$50,396

- l) \$50,396 is planned for 33 outreach trips in 2010 and 32 trips in 2011 in order for staff to meet with Civil Party applicants, primarily admitted Civil Parties and their lawyers, and complainants.

ECCC Overseas Travels-\$49,306

- m) \$13,675 is planned for the travel costs of the national co-prosecutor to attend the annual conference of prosecutors in Europe.
- n) \$32,678 is for travel costs of the senior staff of the Office of Administration to attend meetings with the Steering Committee and the Group of Interested States (GIS) in New York, participate in regional meetings and for the Director to attend annual meetings of related courts.
- o) \$2,953 is reserved for the head of ITP to attend a regional meeting concerning translation and interpretation.

Overseas Travel for Victims Support -\$6,420

- p) \$6,420 is budgeted for travel costs for the international staff on two trips. In the proposed budget 4 international staff will be hired to support the Civil Party legal representation teams, thus requiring the costs to cover their air tickets.

Training

S.129. As with travel costs, participation in general, specific, specialized training sessions are deemed necessary to transfer knowledge and skills to the Cambodian side, in order to improve building capacity of staff; to further develop their required skills to take over the tasks being performed by international staff whose posts are being phased out; and, to facilitate a seamless development of the ECCC legacy program. The joint trainings mainly in legal and translation/interpretation areas are still budgeted under the UNAKRT side.

S.130. The proposed budget of \$1,116,930 for 2010-2011 covers the costs of training, outreach and Civil Party meetings, of which \$291,254 belongs to the ECCC generally, and \$825,676 is for victims support, as follows:

ECCC Staff Training-\$246,314

- a) \$4,494 is planned for training fees on the financial management issues by the budget and finance staff.
- b) \$4,280 is budgeted for training fees on the human resources management.

- c) \$139,100 is provisioned for general training costs for all ECCC staff relating to the communication skills, and English writing and conversational training.
- d) \$72,118 is for the ECCC relevant sections to attend academic and practical trainings of legal and specialized skills in the regions and in Europe, in order to build needy capacity for their respective staff to take over the tasks after the UNAKRT operations are phased out.
- e) \$22,791 is to cover the training fees and training costs of the ICT staff to arrange in-house training and to attend various oversea trainings with respect to ICT related systems and application and certification of software.
- f) \$3,531 provides for training costs of security regarding the first aid training/recertification and certification.

ECCC Meetings and Outreach Costs-\$44,940

- g) \$44,940 is planned to cover the meetings costs of the ECCC to organize 6 public forums at the provincial levels with 1,621 targeted participants from local authorities.

Training for Victims Support -\$254,296

- h) *\$42,800 is for Qualitative impact study:* As required by the current donor supporting victims support activities, the Victims Support Section plans to engage two external evaluation consultants. The consultants will interview as many stakeholders as possible to determine the effectiveness and impact of the victims support work. They will then make recommendations to the as to how to improve this work. This is considered an important aspect of accountability to the donor and to the victims. The total cost for this activity is \$21,400 for each year which will be a lump sum payment to the consultants based on an outputs contract. The consultants will work for approximately 20 days. Fees will cover costs of all travel, DSA, meetings and materials.
- i) *\$145,520 is budgeted for lawyers and legal staff training:* Civil Party lawyers face a number of challenges in representing their clients. Following the decision of the ECCC Plenary in September 2009, there will also be a need for civil party lawyers to adjust to new modes of operation and to ensure that they are familiar with international standards of courtroom procedure. Additionally, the sheer numbers of Civil Parties for Case 002 (to the end of November 2009 over 2900 applications have been received) will present huge challenges. Many of these applicants have low levels of education and suffer from ongoing trauma. Therefore the VU plans to provide support in the form of three training courses, using international legal experts as well as some with expertise in psychology.
- j) *\$29,596 is provisioned for the training of Civil Party volunteers:* In order to maintain contact with the large number of civil party applicants and complainants, which together already exceed 6,500 persons, the VU plans to establish a network of civil party (CP) volunteers. The planned number of volunteers is at least 40. Their role will be to help to distribute non-sensitive information, to facilitate visits by lawyers and other court staff and to organize up to 400 small meetings with CPs and complainants to provide news of the processing of claims and other information relevant to

the court. This network will be essential to ensuring the large number of CPs feel they are genuinely participating in the ECCC processes. They will also be crucial to facilitating contact between lawyers and their clients. As such they will need to be trained in basic issues of accountability and confidentiality as well as victims rights and the operations of the court. Therefore 4 training sessions for 40 volunteers are planned throughout the year. Costs will cover travel of volunteers to Phnom Penh, their accommodation, venue hire and a small amount of training fees.

- k) *\$9,630 is allocated for the outreach and paralegal staff:* Staff of the VU must have a good understanding of issues related to confidentiality, protection and the significance of judicial decisions related to victims rights. Therefore the VU has allocated a small budget for staff training including venue hire and training fees.
- l) *\$26,750 is for the training for youth groups:* Youth groups, particularly university students, currently play an active role in discussing and dissemination information about the ECCC. Their work focuses very much on victim participation and reconciliation. The VU feels it is important to provide some training to these groups on the basic legal issues as well as sensitivity in working with victims. It is envisaged that such training will be done in conjunction with Public Affairs and other sections of the court.

Meetings and Outreach Costs for Victims Support-\$571,380

- m) *\$181,033 is planned for the Civil Party forums:* In 2009 the VU started organizing a series of regional forums for civil party applicants (up to 6 each year). The purpose of the forums is to allow the applicants to hear information about the processing of their applications, the workings of the court and to meet with their lawyers. They participants also have the opportunity to provide feedback to court officers regarding their perceptions of the court. Each forum includes up to 400 applicants from 4-5 neighboring provinces.

These events will require staff travel to each of the provinces for approximately 10 days to organize the forums and make contact with invitees who cannot be reached by telephone and a further 4 days by up to 15 staff to participate in each forum (a total of approximately 350 person days of staff travel for each year is planned for the Civil Party forums).

- n) *\$118,288 is for the bus trips for the Civil Party and complainants:* As part of its work to involve Civil Parties and complainants, the Victims Support Section will continue its program of arranging visits to the court. These visits are different from other trips organized by the Public Affairs as they last for several days and provide participants with a more detailed program of information about the court and the ability to meet with lawyers and intermediary organisations. Costs include a small allowance for each participant. There will be six such trips in 2010 and 5 in 2011.

Organization of the visits also requires a total of approximately 50 days of staff travel during each year as the participants are located across one or

more provinces rather than coming from one commune or city as is the case with the PAS trips.

- o) \$128,678 is allocated for Civil Parties to attend hearings: The Victims Support Section will continue its work, started in 2009, to ensure that civil parties are able to attend hearings of the Chambers as often as possible. Costs include domestic travel to Phnom Penh and DSA for a full week of hearings. During 2010 it is anticipated that there will be up to 3 hearings relevant to Case 001 and that approximately 60 civil parties will attend each session. During 2011 it is estimated there will be 30 weeks of hearings with 20 civil parties observing each week.

- p) \$143,380 is budgeted for the workshops & small meetings with the Civil Party: In order to maintain even a minimum of contact between the Victims Support Section and the CP applicants and complainants, which number over 8,000 persons, the Victims Support Section proposes to establish a network of volunteers who it hopes to recruit from amongst the ranks of civil parties (see training budget). There will be at least 40 volunteers and each one will be requested to organize one meeting per month in their local area to keep other applicants and complainants informed of recent and upcoming events relevant to the ECCC proceedings and to facilitate visits by court staff and lawyers. Costs involve travel for the volunteers when contacting participants, meeting venue hire and communications with the Victims Support Section . In Phnom Penh there will also be some planning meetings with intermediary organizations to ensure these activities are harmonized with outreach work of other organizations and other sections of the court.

There will also be up to 100 days of staff travel to observe some of these meetings and to monitor the work of the volunteers.

General Operating Expenses

- S.131. The proposed budget of \$1,634,395 for 2010-2011 covers the costs of general operations (electricity, water, diesel fuel, general maintenance and cleaning of premises, detention) and equipment, outreach materials, database for the ECCC and for victims support. The costs of \$901,795 belongs to the ECCC and \$732,600 supports the victims support activities, as follows

ECCC General Operational Costs-\$788,266

- a) \$618,034 is estimated for (a) electricity consumption (office building, court room, town office); (b) electrical transmission line from Phnom Penh to the ECCC compound to provide an internal electrical network for continuous electricity supply; and (c) rental fees for three back-up generators including a 25 kVA for ICT, a 500 kVA for office building and a 250 kVA for the court room proceedings which are being leased.

- b) \$18,450 is for water distribution system from Phnom Penh to the ECCC that includes a sub-distribution and water reservoir tank to adequately supply water for the office building, court room and grounds. Funding is required to cover costs related to water consumption and other costs of water distributing and generating system.
- c) \$45,510 is reserved to cover building maintenance and repairs for 350 rooms in the court room and ECCC office buildings; as well as the room partitions to accommodate the staffing needs by relevant offices and sections on the periodic basis.
- d) \$7,380 is planned for cleaning/ground keeping costs in the entire ECCC compound, namely the cleaning materials and supplies for 350 rooms in the court room and office building
- e) \$61,500 is estimated for (a) pure drinking water for all ECCC staff, (b) refreshments of the judicial interviews with detainees, (c) official meetings, training and other seminars held at the ECCC, and (4) daily snack and refreshment for 50 members of all involved parties who take part in the ECCC public hearings.
- f) \$37,392 is for (a) miscellaneous expenses including banking charges & unforeseen costs and (b) rental fees of chairs and table for the villagers, press and media who attend the daily public hearings.

ECCC Judges' Prime Benefits-\$8,282

- g) \$7,667 is budgeted for replacement costs of 2 sets/year for 17 judges' robes.
- h) \$615 is reserved for costs of stamp-making and other related costs for all chambers.

ECCC Supplies & Material for Detainees and for Detention Facility - \$81,139

- i) \$492 is for supplies and material required for 5 detainees.
- j) \$27,675 is planned for provision of daily foods for 5 detainees.
- k) \$1,722 is estimated for replacement costs of furniture and equipment in the detention facility.
- l) \$51,250 is budgeted for evacuation costs for emergency medical treatment and for death of detainees in custody.

ECCC Supplementary Allowance for Detention Staff -\$24,108

- m) \$24,108 is for supplementary allowance for 18 detention staff who are required to work 24hours/7days at the Detention Center.

General Equipment for Victims Support-\$195,000

- n) \$60,000 is estimated for purchase of 2 vehicles to facilitate the teams of outreach and legal representation.
- o) \$30,000 is provisioned for outreach equipments and materials, including the 1 fireproof safe.
- p) \$65,000 is planned for purchase of 20 sets of office equipment such as computers, printers, UPS.
- q) \$10,000 is for equipment of training room.
- r) \$10,000 is allocated for spare parts of car and of photocopy machine.

- s) \$20,000 is provisioned for library resources for all civil parties and lawyers.

Outreach Material and Database for Victims Support-338,000

- t) *\$60,000 is planned for audiovisual production (\$30,000 each year):* The Victims Support Section has a mandate to reach out to all victims of the Khmer Rouge, including those who do not directly participate in the proceedings. This is mainly done through support for PAS activities. However, the Victims Support Section also uses the mass media to convey important information to Civil Parties, applicants and potential applicants. Therefore the VU proposes a budget for producing audio visual material each year. These will include:
- design of up to 4 short TV announcements which will also reach out to victims living abroad (\$12,000 each year)
 - Design of radio spots and sponsoring a regular program providing psychological support to victims of the Khmer Rouge (\$8000 per year)
 - Production of short educational film/s that use footage of the trial to update and inform ordinary people about the progress of the trials. (\$10,000 each year)
- u) *\$44,000 is budgeted for development & upgrade of printed materials (\$22,000 each year):*
- The Victims Support Section will design and print a simple booklet targeted at people with a low level of literacy that explains the role and objectives of the ECCC as well as the rights of victims. This will be used for mass distribution during outreach activities. (\$11,000 in each year)
 - In 2010 the Victims Support Section plans to develop a simple newsletter to keep Civil Parties, applicants and complainants informed. This will be a supplement to other outreach activities conducted by the Victims Support Section. (\$5000 each year).
 - The VU has developed a range of useful outreach tools including notebooks and a flyer that carry general information about the ECCC, as well as specific information for victims who are contacted during the outreach activities. These will be upgraded and revised to reflect progress of the ECCC proceedings. (\$6000 each year)
- v) *\$136,000 is provisioned for production and Printing of information and outreach materials (\$68,000 each year)*
- The Victims Support Section will have to buy radio, TV and print media space to fulfil its obligations to keep victims informed. For example during 2009 the VU not only used the mass media to inform victims of their rights but also to publicise the changed deadline for submission of applications for civil party status in Case 002. They are also planning to publicise the current scope of investigations for Case 002. (\$20,000 each year)

- The Victims Support Section will use various means, including the EMS, private courier system to deliver up to 4000 copies of its newsletter to applicants and complainants throughout the country, four times a year. (\$24,000 each year)
 - As decided by the February Plenary Session the VU is now mandated to become involved in the development of non-legal measures including possibly a register of victims. The details of this concept will be finalized during early 2010 and will start to be implemented during that year. (\$24,000 each year).
 - The development and implementation of this register will require up to 100 days of staff travel.
- w) *\$98,000 is for database of victims information and development of relevant applications (\$78,000 in 2010 and \$20,000 in 2011):* The current victims database must be redesigned to allow for Khmer language records and more accessible search mechanisms, while at the same time maintaining data in the form requested by the OCP and OCIJ. A review of the model developed for the VU by a consultant will be undertaken, and a decision made as to whether this model is suitable for implementation both for the original and expanded mandates of the Victims Support Section, including the proposed Victims Register. During 2011 the database will require ongoing maintenance and upgrades.

General Costs for Victims Support-\$199,600

- x) \$24,000 is for operational costs of vehicle such as gasoline, maintenance and repairs.
- y) \$24,000 is budgeted for car rental to facilitate the complainants and Civil Party applicants.
- z) \$43,200 is planned for internal and public communications.
- aa) \$22,000 is provisioned for insurance costs of staff and vehicles.
- bb) \$14,400 is for miscellaneous expenses to be incurred during bringing Victims and Civil Party to attend forums, meetings.
- cc) \$12,000 is budgeted for the annual audit fee.
- dd) \$48,000 is for office supplies, cartridge and toners of photocopy machines.
- ee) \$12,000 is for office meeting and refreshment costs.

Hospitality Costs

- S.132. The proposed budget of \$72,365 for 2010-2011 covers the following items of expenditures:
- a) \$10,045 is estimated for hospitality and protocol costs for VIPs, as needed, formal meetings of judges, prosecutors and their reserves as well as for judicial training and seminar events.
 - b) \$16,400 is reserved for expenses of signing ceremonies and official functions/events.
 - c) \$13,776 is budgeted for reception and meeting costs for senior management to conduct coordination meetings with stakeholders of the

Court (Royal Government of Cambodia, United Nations, donors, and civil society, etc.).

- d) \$22,960 is budgeted for the Public Affairs Section for its coordination meeting costs with the press and media, especially the live-broadcasting of the Court public hearings through the radio and TV stations. This is envisaged for Case 001 (Verdict and Appeal) in 2010 and an increase in activities for Case 002 (trial hearings) in 2011.
- e) \$9,184 is budgeted for reception and hosting costs for national guests, especially judges and prosecutors in the domestic courts, as well as international guests who pay official visits to learn and/or share experiences regarding the functioning of the ECCC.