# ${\bf EXTRAORDINARY\ CHAMBERS\ IN\ THE\ COURTS\ OF\ CAMBODIA\ (ECCC)}$

# **COMPLETION PLAN**

# **MARCH 2014**

I.	INTRODUCTION	. 2
II.	MEASURES THAT MAY ASSIST EXPEDITIOUS COMPLETION	. 4
III.	JUDICIAL INVESTIGATIONS COMPLETION PLANPLAN	. 4
IV.	TRIALS COMPLETION PLAN	. 5
A	. Case 002/01	5
В	Case 002/02	6
C	Case 003 and Case 004	7
V.	APPEALS COMPLETION PLAN	. 7
VI.	CONCLUSION	. 8

 $\mbox{\sc Annex}$  -  $\mbox{\sc Chart}$  of projected timelines for the completion plan including milestones

#### I. INTRODUCTION

- The Extraordinary Chambers in the Courts of Cambodia ("Extraordinary Chambers") began its operations in February 2006, and became fully operational after the adoption of its Internal Rules in June 2007. The mandate of the Extraordinary Chambers is to prosecute "senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, 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". In a report submitted to the General Assembly of the United Nations in March 2003, the Secretary-General initially indicated that the lifespan of the Extraordinary Chambers would be three years to complete all trials and appeals "once the Prosecutors' Office had commenced operations".<sup>2</sup> The timelines have since been revised, and the Secretary-General formally advised the General Assembly in October 2013 that the Extraordinary Chambers' indicative court schedule "projects judicial activity until 2018, and possibly beyond".3
- This Completion Plan is elaborated by the Extraordinary Chambers in the context of the proposal currently before the resumed sixty-ninth session of the General Assembly, upon the recommendation of its Fifth Committee, which would inter alia mandate the Extraordinary Chamber's preparation of a completion strategy with a clear road-map.<sup>4</sup> The document has been developed by the Extraordinary Chambers through consultation by the Office of Administration with the Judges of the Pre-Trial Chamber, the Trial Chamber and the Supreme Court Chamber; the Co-Investigating Judges; and Co-Prosecutors for their respective responsibilities. The Extraordinary Chambers anticipate updating this Completion Plan on a quarterly basis in the future.
- The document focuses in particular on the recent developments in the three cases pending before the Extraordinary Chambers, and provides information on the status of the cases as well as what steps will have to be completed before the judicial proceedings in respect of the cases currently before the Extraordinary Chambers can come to a definitive legal conclusion.
- The Extraordinary Chambers fully concluded the judicial proceedings in case 001 against Kaing Guek Eav alias Duch when the Supreme Court Chamber issued its appeal judgment on 3 February 2012. Kaing Guek Eav was sentenced to life imprisonment, and was subsequently transferred to Kandal Provincial Prison on 6 June 2013 to serve the remainder of his sentence.
- The Trial Chamber is presently seized with case 002: the joint trial of Khieu Samphan and Nuon Chea. A third accused, Ieng Sary, passed away on 14 March 2013, and proceedings against him were terminated the same day. A fourth accused, leng Thirith, has been found unfit to stand trial due to a condition of progressive dementia, and the proceedings against her have been suspended by way of a formal stay of proceedings. She is currently under a regime of judicial supervision. She is not authorized to leave Cambodia without the approval of the Trial Chamber, she cannot change address without giving advance notice and her legal guardian must submit a monthly report documenting compliance with the terms of the judicial supervision. Ieng Thirith also has to undergo biannual medical examination to assess if there has been any change in her cognitive abilities, possibly impacting her fitness to stand trial.

<sup>1</sup> Agreement between the United Nations and the Royal Government of Cambodia Concerning the Prosecution under Cambodia Law of Crimes Committed during the Period of Democratic Kampuchea.

<sup>&</sup>lt;sup>2</sup> Report of the Secretary-General on Khmer Rouge trials, A/57/769, para 56.

<sup>&</sup>lt;sup>3</sup> Request for a subvention to the Extraordinary Chambers in the Courts of Cambodia, A/68/532, para 38. <sup>4</sup> The Advisory Committee on Administrative and Budgetary Questions, in respect of the same proposal, has

also recommended that "a funding plan beyond the period 2014-2015 is developed, based on a rigorous forecast of the workload associated with the timely completion of the three remaining cases and the development and implementation of a disciplined case-management methodology...". See thirteenth report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2014-2015, A/68/7/Add.12, para 32 (e).

- 6. The charges in case 002 have been severed into two or more trials. The presentation of evidence in the first trial, styled by the Extraordinary Chambers as case 002/01, concluded on 23 July 2013, and closing statements ended on 31 October 2013. The Chamber is working towards issuing the judgment in this trial in the second quarter of 2014. Concurrently with the process of judgment drafting, the Trial Chamber is also engaged in preparatory proceedings in respect of commencement of the next trial of this case, styled as case 002/02, which will focus on some or all of the remaining charges against the two remaining accused. The initial hearing in this second trial is anticipated to be held by the third quarter of 2014, depending on the precise evolution of remaining preparatory proceedings, with evidentiary hearings expected to commence by the last quarter of 2014.
- 7. Cases 003 and 004 are currently in the phase of judicial investigation. The International Co-Investigating Judge is actively investigating these cases, involving allegations against five unnamed suspects. No suspect has been arrested or formally charged, and their identities remain confidential. It is expected that the investigations in these cases will conclude by the second quarter of 2014, and a decision, in the form of a Closing Order, on whether any suspect(s) will be indicted and sent for trial is expected by the fourth quarter of 2014.
- 8. The Co-Prosecutors have stated publicly that there will be no further cases after cases 003 and 004.<sup>6</sup> The existing caseload thus represents the totality of the caseload to be addressed by the Extraordinary Chambers.
- 9. This Completion Plan of the Extraordinary Chambers identifies 14 milestones for the three remaining cases. The remaining milestones in case  $002^7$  and associated indicative forecasts are:
  - (i) the delivery of a trial judgment in case 002/01 (by second quarter of 2014);
  - (ii) deadline for filing appeals against the trial judgment in case 002/01 (by third quarter of 2014);
  - (iii) the delivery of an appeal judgment in case 002/01, if any (by first quarter of 2016);
  - (iv) the issuance of a decision on scope of case 002/02 (April 2014);
  - (v) holding an initial hearing in case 002/02 (by third quarter of 2014);
  - (vi) commencement of substantive/evidentiary hearings in case 002/02 (by fourth quarter of 2014);
  - (vii) conclusion of substantive/evidentiary hearings in case 002/02 (by third quarter of 2016);
  - (viii) closing statements in case 002/02 (by fourth quarter of 2016);
  - (ix) the delivery of a trial judgment in case 002/02 (by third quarter of 2017);
  - (x) deadline for filing any appeals against the trial judgment in case 002/02 (by fourth quarter of 2017); and
  - (xi) the delivery of an appeal judgment in case 002/02, if any (by second quarter of 2019).
- 10. In cases 003 and 004, distinct milestones have been identified for the remainder of the judicial investigation phase, and in case of indictments, additional milestones will be identified for the trial and appellate phases.<sup>8</sup> The milestones for the remainder of the judicial investigation phase are:
  - (xii) notification of conclusion of judicial investigations (by second quarter of 2014);
  - (xiii) issuance of closing orders, with a decision either to send the cases for trial or to end

(www.eccc.gov.kh/sites/default/files/media/ECCC Act Int Co Prosecutor 8 Sep 2009 (Eng).pdf).

(www.eccc.gov.kh/sites/default/files/media/ECCC%20OCP%205%20June%202012%20En.pdf).

<sup>&</sup>lt;sup>5</sup> Statement of Acting International Co-Prosecutor, 8 September 2009

<sup>&</sup>lt;sup>6</sup> Statement of Acting International Co-Prosecutor - Filing of Two New Introductory Submissions, 8 September 2009 (www.eccc.gov.kh/sites/default/files/media/ECCC\_Act\_Int\_Co\_Prosecutor\_8\_Sep\_2009\_(Eng).pdf) and Public statement by the Co-Prosecutors regarding investigation in Case 003, 5 June 2012

<sup>&</sup>lt;sup>7</sup> In the event that case 002 is further severed in the Chamber's decision on the scope of case 002/02 expected April 2014, it may be that a case 002/03 will be required.

<sup>8</sup> As noted in paragraph 28 below, given the current state of proceedings it is premature at this point to forecast

<sup>&</sup>lt;sup>6</sup> As noted in paragraph 28 below, given the current state of proceedings it is premature at this point to forecast specific time points in respect of eventual trial milestones. In the event that case proceeded to trial, the substantive milestones would be those set out in paragraph 9, (v) through (xi), above, in respect of case 002/02.

- the proceedings (by fourth quarter of 2014); and
- (xiv) disposal by the Pre-Trial Chamber of any appeals against the closing orders, either sending the cases for trial or ending the judicial proceedings in the cases (by second quarter of 2015).

#### II. MEASURES THAT MAY ASSIST EXPEDITIOUS COMPLETION

- 11. The effective functioning of the Extraordinary Chambers has in the past been hampered by significant and persistent financial insecurity, which resulted in two staff walkouts during 2013 as well as unwarranted staff turnover. The General Assembly's recommendation of a subvention up to US\$15.5 million for the international component of the Extraordinary Chambers is an important measure that has stabilized the funding situation for 2014. Another positive development is the increased contribution from the Royal Government of Cambodia as well as its commitment to fundraising. It is imperative that additional funds are raised to stabilize the national component of the Extraordinary Chambers.
- 12. The projections of the timelines below are made on the basis that the judicial proceedings will not be further disrupted as a result of financial insecurity. Should the financial insecurity persist, there will be a need to revise the timelines accordingly.

#### III. JUDICIAL INVESTIGATIONS COMPLETION PLAN

- 13. The timeline for the end of investigation is influenced by various factors such as: the nature and complexity of the case, the number of witnesses to be interviewed, the number of field missions required, the availability of qualified staff, the logistical and practical impediments to conduct the investigation, the number of motions filed by the parties, the length of time required by the Pre-Trial Chamber to issue decisions on interlocutory appeals from the parties and related considerations. With these variables in mind, predictions on future timelines are based on past experience, both within the Extraordinary Chambers and in similar judicial bodies.
- 14. It may be useful to briefly recall the various procedural steps that are followed by the Co-Investigating Judges in order to fully complete an investigative process. The Co-Investigating Judges shall investigate the facts set out in an introductory submission or a supplementary submission filed by the Co-Prosecutors. In the conduct of such judicial investigations, the Co-Investigating Judges may take any investigative action conducive to ascertaining the truth. In all cases, they shall conduct their investigation impartially. Parties may request the Co-Investigating Judges to carry out specific investigative actions. A refusal to accommodate such a request can be appealed to the Pre-Trial Chamber.
- 15. When the Co-Investigating Judges consider that an investigation has been concluded, they shall notify all the parties. The parties have 15 days to request further investigative actions, unless they waive such period. If the Co-Investigating Judges decide to reject such requests, they shall issue a reasoned order. All the parties may, within 30 days from notice of such order, file appeals to the Pre-Trial Chamber. Once this period has expired, been waived, or the abovementioned appeals heard, the Co-Investigating Judges shall immediately forward the case file to the Co-Prosecutors for their final submission. The Co-Prosecutors shall issue a written, reasoned final submission and return the case file to the Co-Investigating Judges, within 45 days if a charged person is detained, and within 3 months in other cases. Only after all the above mentioned steps have been concluded, the Co-Investigating Judges will issue a Closing Order, either indicting a charged person, sending him or her for trial, or dismissing the case. The Co-Prosecutors can file an appeal against the Closing Order to the Pre-Trial Chamber, whereas Civil Parties can file an appeal only if the Closing Order contains dismissal of charges and only in cases where also the Co-Prosecutors have appealed against such dismissal. The Pre-Trial Chamber has in addition granted the charged person a right to challenge the jurisdictional elements of a Closing Order through an appeal. Appeals against the Closing Order

- must be filed within 30 days after the notification of the order. The Pre-Trial Chamber may amend or confirm the Closing Order.
- 16. Judicial investigations in cases 003 and 004 were initiated following an introductory submission filed by the International Co-Prosecutor in September 2009. The Co-Investigating Judges have, in accordance with the Internal Rules of the Extraordinary Chambers, recorded disagreements between the National and International Co-Investigating Judges regarding the investigation of these cases. The two Co-Investigating Judges are therefore pursuing separate approaches in these cases. The International Co-Investigating Judge is actively investigating the commission of alleged crimes at more than 10 different crime scenarios in case 003, and alleged crimes at 55 different crime scenarios in case 004. Since the current Judge assumed his duties in October 2012, an excess of 50 field missions have been conducted and more than 170 witness interviews have been completed. The best time-projection that can be given at this moment is (i) that the investigations into case 003 and 004 will conclude by the end of the second quarter 2014, (ii) that the closing orders will be issued by the end of the fourth quarter of 2014, and (iii) that any appeals against the closing orders will be decided by the Pre-Trial Chamber by the end of the second quarter of 2015.

#### IV. TRIALS COMPLETION PLAN

- 17. The timeline for the completion of trials is influenced by various factors such as: the nature and complexity of the case, the health of the aging accused, the number of witnesses called and the length of their testimonies, the logistical and practical impediments to the conduct of proceedings, the number of motions filed by the parties and other administrative considerations. With these variables in mind, predictions on future timelines are based on past experience, both within the Extraordinary Chambers and in similar judicial bodies.
- 18. One or more trial management meetings are usually held before the commencement of a trial. The trial commences with an initial hearing. At this hearing, the Trial Chamber shall consider the lists of potential witnesses and experts submitted by the parties and preliminary objections raised by the parties, and the civil parties may give an initial specification on the reparation awards they are seeking. The substantive hearing will commence with opening statements from the Co-Prosecutors and the accused, before the Trial Chamber starts the questioning of the accused, civil parties and witnesses and hear evidence presentation. The onus is on the Co-Prosecutors to prove the guilt of the accused. In order to convict the accused, the Chamber must be convinced of the guilt of the accused beyond reasonable doubt. After examining all the evidence, the Chamber will hear closing statements from the parties before it retires to deliberate on a judgment. If the accused is convicted, the Trial Chamber will also decide on the appropriate sentence in this judgment. It is on the basis of the above procedural steps that the different milestones for each of the trials have been identified.

#### A. Case 002/01

- 19. The initial hearing in case 002 was held on 27 through 30 June 2011. In September 2011, the Trial Chamber severed the charges in case 002 into two or more trials in accordance with the Internal Rules, to be adjudicated in such order as the Trial Chamber deems appropriate. The charges in the first trial, case 002/01, focus on alleged crimes against humanity related to the forced movement of the population from Phnom Penh and regional towns, as well alleged execution of Khmer Republic soldiers at Tuol Po Chrey execution site immediately after the Khmer Rouge takeover in April 1975. The Chamber also heard evidence related to the history of the Communist Party of Kampuchea, the organizational structure of Democratic Kampuchea and the roles of the accused in relation to the policies of the Democratic Kampuchea regime relevant to all charges in case 002.
- 20. The substantive trial commenced with opening statements on 21 November 2011. Some 58 witnesses, 31 civil parties and 3 experts gave testimony during the trial, and the conclusion of closing statements on 31 October 2013 marked the end of 222 days of trial proceedings. The Trial

Chamber is currently working towards rendering a judgment on the merits in the second quarter of 2014.

#### Case 002/02

- 21. In its decision on appeals against the Trial Chamber's severance decision in case 002/01, the Supreme Court Chamber ordered that evidentiary hearings in the second case 002 trial, case 002/02, should commence as soon as possible after the conclusion of closing statements in case 002/01. The Supreme Court Chamber also ruled that the scope of case 002/02 be representative of the indictment; as such, the Supreme Court Chamber directed that it should, at a minimum, include the charges related to genocide, the S-21 security center in Phnom Penh, a cooperative and a worksite.<sup>9</sup>
- 22. The Trial Chamber convened a trial management meeting on 11 and 12 December 2013 in preparation for this next trial. Following this meeting, the Chamber issued a detailed work-plan and invited the parties to make submissions on charges to be included in case 002/02. 10 An adversarial hearing was held on 11 February 2014, where the parties presented oral arguments related to their submission on scope of charges as well their position on the additional submission from one defense team (Khieu Samphan) as to the existence of a legal bar against the commencement of evidentiary hearings in case 002/02 until a final judgment has been rendered in case 002/01. The Trial Chamber is expected to issue a decision on both of these issues in April 2014.
- 23. In formal submissions to the Trial Chamber as to the scope of case 002/02, the Co-Prosecutors have proposed inclusion of the charges related to the treatment of Vietnamese and Cham, four security centers, one cooperative and two worksites. They also seek to include the charges related to the treatment of Buddhists and forced marriage at one cooperative and one security center. The Co-Prosecutors have expressly estimated that it is possible to conclude the hearing of evidence for the prosecution's own proposed witnesses in 100 trial days, while acknowledging that further trial days will be required to hear additional witnesses proposed by other parties. In addition to the sites proposed by the Co-Prosecutors, the Civil Party Lead Co-Lawyers have requested to include one additional worksite and two additional security centers. They also propose to include charges related to the third phase of the forced transfer of population, with related purges in the East Zone, and they seek to include the charges relating to forced marriage and treatment of Buddhists on a nationwide basis. One defense team (Khieu Samphan) has submitted that the entire remaining closing order should be included in case 002/02. A second defense team (Nuon Chea) has argued that irrespective of the crime sites included in case 002/02, they should be able to present any evidence from the case 002 case file relevant to present a defense for the accused. If the Chamber decides to limit the scope of trial to specific sites and charges, the defense for Nuon Chea insists on including one additional worksite and one additional security center, as well as the alleged policy of internal purges and the third phase of the population movement. Furthermore, the Nuon Chea defence team had no objections to the additional sites and charges proposed by the civil parties.
- 24. It will be possible to project the number of hearing days required to complete the trial in case 002/02 only when (i) a decision on its scope is made by the Trial Chamber; and (ii) the number of witnesses, civil parties and experts to be called to testify is fixed by the Trial Chamber following submissions by the parties. The current projection as to the case 002/02 timeline is therefore based on the assumption that the second trial will be equally complex and time consuming as the first trial, but may vary considerably once these two factors are determined. The Trial Chamber has additionally already decided that "the evidence already put before the Chamber in Case 002/01 shall serve as a foundation for Case 002/02", without having to go through once more the formal

<sup>9</sup> Decision on Immediate Appeals against Trial Chamber's Second Decision on Severance of Case 002

<sup>(</sup>www.eccc.gov.kh/sites/default/files/documents/courtdoc/2013-07-23%2016:57/E284\_4\_7\_EN.PDF). Trial Chamber work plan for Case 002/02 (www.eccc.gov.kh/sites/default/files/documents/courtdoc/2014-01-02%2010:19/E301 5 EN.PDF).

procedure of being admitted during the forthcoming trial. <sup>11</sup> This measure will have a positive impact on the time required to complete the trial.

- 25. The projected length of the trial will also be affected by any determination by the Trial Chamber as to the need to reduce the number of hearing days per week, and the length of the hearing days, due to the health condition of the accused. Both defense teams have filed formal submissions to this effect, which has led to the Trial Chamber ordering medical experts to examine the fitness of the accused during the last week of March 2014. In case the parties request a fitness hearing, the Trial Chamber will convene such a hearing the same week.
- 26. In light of these factors, the best projection that can be currently given for the trial in case 002/02 is that the Trial Chamber will hold (i) at least one further trial management meeting at an appropriate point in 2014, depending on procedural posture of the case; (ii) if necessary, a hearing on the fitness of the accused in late March 2014; (iii) a decision on the scope of case 002/02 in April; and (iv) an initial hearing by the third quarter of 2014. The Trial Chamber is accordingly working towards commencing the substantive hearing by the last quarter of 2014.
- 27. After a decision has been made on the scope of case 002/02 in April 2014, the parties will be given an opportunity to make submissions to the Trial Chamber on the fate of any facts and/or charges, that have not been included in case 002/01 and case 002/02. The legal framework governing the proceedings before the Extraordinary Chambers contains no explicit provision to drop charges or facts included in an indictment. Nevertheless, the Supreme Court Chamber has noted that withdrawal of charges may be authorized under international jurisprudence "as long as the matter is approached transparently, in consideration of the interests of justice and fair trial rights involved, with the agreement of both the Co-Prosecutors and the Trial Chamber". The Trial Chamber would need to assess the precise scope of such powers, as applicable to the present case.

### C. Case 003 and Case 004

28. Until a decision is made on whether case 003 and/or case 004 is sent for trial, it is not possible to make a projection on the required time to complete these trial(s). An assessment of the time required would depend on the number of defendants, as well as the number and legal and factual complexity of the charges and crime sites included in the indictment.

#### V. APPEALS COMPLETION PLAN

29. In order to provide estimates of the length of appeal proceedings, the following three phases of an appeal have to be distinguished. The first phase is the time needed for the filing of all required submissions by the parties. In accordance with the Internal Rules, a party must file a notice of appeal within 30 days after the pronouncement of the Trial Chamber judgment. Where a party appeals, other parties have an additional 15 days to file their own notice(s) of appeal. Each party must file its appeal brief within 60 days of their respective notice of appeal. Parties will have 10 days to file their own response(s) to other parties' appeal brief(s), however the Chamber has in the past granted modest additional time for submission of such responses. During this time, the Supreme Court Chamber will research the relevant legal and factual issues in preparation for the hearing of the appeal(s), which marks the second phase. The appeal hearing can be ordered once all filings by the parties have been submitted. The third phase follows the hearing and consists of the deliberations, preparation and issuance of an appeals judgment.

<sup>&</sup>lt;sup>11</sup> Trial Chamber memorandum entitled "Clarification regarding the use of evidence and the procedure for recall of witnesses, civil parties and experts from Case 002/01 in Case 002/02"

<sup>(</sup>www.eccc.gov.kh/sites/default/files/documents/courtdoc/2014-02-07%2016:14/E302\_5\_EN.PDF).

Decision on Immediate Appeals Against Trial Chamber's Second Decision on Severance of Case 002, E284/4/8, 25 November 2013, para 62

<sup>(</sup>www.eccc.gov.kh/sites/default/files/documents/courtdoc/2014-01-03%2012:17/E284 4 8 EN-2.PDF).

- 30. It is not possible to make accurate predictions in the absence of a trial judgment, and accordingly, any indication as to whether some or all of parties intend to appeal, and if so, to what extent. The current projection is therefore based on a hypothetical case scenario, where all findings in the case 002/01 trial judgment are appealed by one or more of the parties, including appeals from trial decisions which could not be raised during the trial proceedings, as well as any alleged fair trial rights violations. Taking into account the various deadlines set out in the Internal Rules of the Extraordinary Chamber and the corresponding jurisprudence for cases of comparable size and complexity, the best estimate that can be presently provided in the event that the trial judgment in case 002/01 is appealed in this fashion, is that it would likely take some 18 months to complete. The first 8 to 9 months would involve the preparation and submission of all filings by the parties followed by the preparation and holding of any appeal hearings. The Supreme Court Chamber would then require a following 9 to 10 months to complete its deliberations and prepare and issue its judgment in case 002/01.
- 31. For case 002/02, based on the Trial Chamber's current projection that the second trial will likely be equally complex and time consuming as the first trial, the Supreme Court Chamber similarly projects at this time that the second appeal will be as complex and time-consuming as the first appeal.
- 32. It should be noted, however, that a number of factors, such as requests for extensions of time to file submissions or motions proposing additional evidence, may have a prolonging effect on the duration of the appeal proceedings and will need to be factored into planning after appeals have been filed. Furthermore, possible immediate appeals from case 002/02 that must be decided within a statutory 3-month deadline may stretch the limited resources of the Supreme Court Chamber.

#### VI. CONCLUSION

- 33. For 2014, it is expected that seven milestones will be reached: (i) the delivery of a trial judgment in case 002/01; (ii) the deadline for filing appeals against the trial judgment in case 002/01; (iii) the issuance of a decision on the scope of case 002/02; (iv) holding an initial hearing in case 002/02; (v) commencement of substantive/evidentiary hearings in case 002/02; (vi) notification of conclusion of the judicial investigation in case 003 and case 004; and (vii) issuance of closing orders in case 003 and case 004, with a decision of the Co-Investigating Judges either to send these cases for trial or to dismiss the proceedings.
- 34. For 2015, the trial proceedings in case 002/02 will continue throughout the year, and it is expected that one new milestone will be reached in respect of case 003 and 004, namely; (i) disposal of any appeals against the closing orders in these cases with a decision of the Pre-Trial Chamber either to send these cases for trial or to dismiss the judicial proceedings. In the event that either or both cases are sent for trial, in whole or in part, projections of trial timelines in these cases can then be assessed.
- 35. For 2016, it is expected that that three milestones will be reached: (i) the delivery of an appeal judgment in case 002/01; (ii) the conclusion of substantive/evidentiary hearings in case 002/02; and (iii) conclusion of closing statements in case 002/02.
- 36. For 2017, it is expected that two milestones will be reached, namely; (i) the delivery of a trial judgment in case 002/02; and (ii) the deadline for filing appeals against the trial judgment in case 002/02.
- 37. During 2018 the Supreme Court Chamber will, in case of appeal against the trial judgment in case 002/02, be fully occupied with appeal hearings and deliberations.

- 38. For 2019, it is expected that one milestone will be reached, namely; (i) the delivery of an appeal judgment in case 002/02.
- 39. These various projected milestones are reflected in a chart attached to this plan.

# Chart of projected timelines, including milestones

Case	2014				2015			2016			2017			2018				2019						
Case	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Case 002/01	Trial ph	nase (i)	(ii)	Appeals	against Trial	Chamber Ju	dgement		(iii)															

- (i) Trial Judgment, case 002/01
- (ii) Deadline for appeals against Trial Judgment, case 002/01
- (iii) Appeal Judgment, case 002/01

Case 002/02	Preparatory work (iv)	(v)	(vi)	Trial phase	(vii) (viii)	(ix)	(x)	Appeals against Trial Chamber Judgement	(xi)
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- (iv) Trial Chamber decision on scope of case 002/02
- (v) Initial Hearing, Case 002/02
- (vi) Commencement of Substantive Hearings, case 002/02
- (vii) Conclusion of Substantive Hearings, case 002/02
- (viii) Closing Statements, Case 002/02
- (ix) Trial Judgment, case 002/02
- (x) Deadline for appeals against Trial Judgment, case 002/02
- (xi) Appeal Judgment, case 002/02

Case 003	Judicial investigation (xii) (xiii)	Appeals against Closing Order (xiv)
Case 004	Judicial investigation (xii) (xiii)	Appeals against Closing Order (xiv)

- (xii) Notification of conclusion of investigation
- (xiii) OCIJ Closing Order
- (xiv) PTC Closing Order