

EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA (ECCC)

COMPLETION PLAN

REVISION 16

31 March 2018

Summary	2
I. INTRODUCTION	3
II. MEASURES THAT MAY ASSIST EXPEDITIOUS COMPLETION	5
III. JUDICIAL INVESTIGATIONS COMPLETION PLAN	6
<i>A. Office of the Co-Investigating Judges</i>	<i>6</i>
<i>B. Pre-Trial Chamber</i>	<i>8</i>
IV. TRIALS COMPLETION PLAN	8
<i>A. Case 002/02</i>	<i>8</i>
<i>B. Case 003 and case 004</i>	<i>10</i>
V. APPEALS COMPLETION PLAN	10
<i>A. Case 002/02</i>	<i>10</i>
<i>B. Case 003 and case 004</i>	<i>10</i>
VI. CONCLUSION	11

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

Note to the reader:

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

Summary

The Completion Plan for the Extraordinary Chambers in the Courts of Cambodia (“Extraordinary Chambers”) was initially developed in March 2014 through consultation by the Office of Administration with the judges of the chambers, the co-investigating judges and the co-prosecutors for their respective responsibilities. This is the sixteenth quarterly update of the Completion Plan covering the quarter ending 31 March 2018.

During this quarter, the Trial Chamber continued deliberating on the verdict and drafting the trial judgement in case 002/02. In case 004, the co-investigating judges forwarded the case file to the co-prosecutors for their final submissions.

The Completion Plan is updated to reflect the status of the judicial proceedings as of 31 March 2018.

I. INTRODUCTION

1. 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”.¹
2. This Completion Plan is elaborated by the Extraordinary Chambers in the context of the General Assembly resolution A/RES/68/247B, which *inter alia* mandates the Extraordinary Chambers’ preparation of a completion strategy with a clear road map. 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, with the co-investigating judges, and with the co-prosecutors for their respective responsibilities. The Extraordinary Chambers updates this Completion Plan on a quarterly basis. The current document is the sixteenth revision, and it incorporates adjustments based on the developments in the ongoing judicial proceedings between 1 January and 31 March 2018.
3. The document focuses in particular on the recent developments in the remaining cases before the Extraordinary Chambers and provides information on the status of those cases as well as what steps will have to be completed before the judicial proceedings in respect of the cases reaching legal finality. The co-prosecutors have stated publicly that there will be no further cases after cases 003 and 004.² The existing caseload thus represents the totality of the caseload to be addressed by the Extraordinary Chambers.
4. Case 001, against Kaing Guek Eav (alias *Duch*), was the first case tried before the Extraordinary Chambers. On 3 February 2012, the Supreme Court Chamber pronounced its judgement in the appeal against the Trial Chamber judgement which brought the case to a final conclusion. He was sentenced to life imprisonment.
5. The charges in case 002 have been severed into two trials. The Trial Chamber rendered judgement in the first trial, styled by the Extraordinary Chambers as case 002/01, on 7 August 2014, against Nuon Chea and Khieu Samphan. Two further accused in the case, Ieng Sary and Ieng Thirith passed away on 14 March 2013 and 22 August 2015 respectively, and proceedings against them were therefore terminated. The Trial Chamber found Khieu Samphan and Nuon Chea guilty of crimes against humanity committed between 17 April 1975 and December 1977 and sentenced them each to life imprisonment. Both Nuon Chea and Khieu Samphan filed appeals against the trial judgement. In addition, the co-prosecutors filed an appeal limited to seeking declaratory relief on the application of the most extended form of joint criminal enterprise known as JCE III as a mode of liability before the Extraordinary Chambers. The appeal proceedings in the case were concluded on 23 November 2016, with the pronouncement of the Supreme Court Chamber’s judgement, which is final. The Chamber affirmed the sentence of life imprisonment imposed on both accused.

¹ 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.

² 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](http://www.eccc.gov.kh/sites/default/files/media/ECCC_Act_Int_Co_Prosecutor_8_Sep_2009_(Eng).pdf)); Public statement by the co-prosecutors regarding investigation in case 003, 5 June 2012 (http://www.eccc.gov.kh/sites/default/files/media/ECCC_OCP_5_June_2012_En.pdf); and Statement by the International Co-Prosecutor regarding ECCC caseload, 26 November 2014 (<http://www.eccc.gov.kh/en/articles/statement-international-co-prosecutor-regarding-eccc-caseload>).

6. The second trial in this case, styled as case 002/02, focuses on a representative selection of the remaining charges against Nuon Chean and Khieu Samphan. These comprise charges of genocide, war crimes and crimes against humanity on topics including the treatment of the Cham and the Vietnamese, the Tram Kak Cooperatives (including Kraing Ta Chan Security Centre and the treatment of Buddhists), 1st January Dam Worksite, the Kampong Chhnang Airport Construction site, Trapeang Thma Dam worksite, the Au Kanseng, Phnom Kraol and S-21 security centres, internal purges, and the regulation of marriage. Evidentiary hearings commenced on 8 January 2015 and concluded on 11 January 2017. The Chamber sat for 274 hearing days and heard the testimony of 114 witnesses, 63 civil parties and 8 experts. The parties submitted their closing briefs on 2 May 2017. The civil party lead co-lawyers submitted their final claim for reparations on 30 May 2017 and their supplemental submission on funding issues on 30 November 2017. The Trial Chamber heard closing statements between 13 and 23 June 2017. The Chamber is currently deliberating on its verdict and drafting a reasoned judgement which is expected by the third quarter of 2018.
7. On 27 February 2017, the Trial Chamber issued a ruling by which it decided to terminate the proceedings concerning the facts set out in the closing order in case 002 which were not included in case 002/01 or case 002/02. Therefore, the judicial proceedings in case 002 will be completed upon the final adjudication of case 002/02.
8. The investigations in case 003 and 004 stand as follows,
 - a) On 10 July 2017, the co-investigating judges issued the closing order with the full reasons for the dismissal of case 004/01. The closing order is on appeal before the Pre-Trial Chamber.
 - b) On 25 July 2017, the international co-investigating judge forwarded the case file 003 to the Office of the Co-Prosecutors for final submissions. The co-prosecutors filed their final submissions in November. The closing order in this case is expected during the third quarter of 2018.
 - c) On 18 and 21 August 2017, the co-investigating judges received the final submissions in case 004/02 of the national and international co-prosecutor, respectively. On 30 October the co-investigating judges received the response by the defence. The closing order in this case is expected during the third quarter of 2018.
 - d) On 5 September 2017, the investigation in case 004 was closed for the second time after dealing with a number of additional requests from the parties. On 25 October 2017, the international co-prosecutor filed an appeal against a decision regarding an additional investigative request in case 004. The case file was forwarded to the co-prosecutors for their final submissions on 1 March 2018. The closing order in this case is expected during the fourth quarter of 2018.
9. In view of progress over the last quarter, this Completion Plan identifies 10 remaining milestones for the cases of which the Extraordinary Chambers are seised. The remaining milestones in case 002 and associated indicative forecasts are:
 - (i) issuance of a trial judgement in case 002/02 (by third quarter of 2018);
 - (ii) deadline for filing any appeals against the trial judgement in case 002/02 (by fourth quarter of 2018); and
 - (iii) if appealed, issuance of an appeal judgement in case 002/02 (by second quarter of 2020).
10. In cases 003, 004, 004/01 and 004/02 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.³ The milestones for the remainder of the judicial investigation phase are:

³ The closing order will confirm whether there is an indictment or a dismissal of the cases. Given the current state of proceedings, it is premature at this point to forecast specific time points in respect of eventual trial milestones.

- (iv) issuance of closing order in case 003, with a decision either to send the case for trial or to end the judicial proceedings (by third quarter of 2018);
- (v) disposal by the Pre-Trial Chamber of any appeals against the closing order in case 003, either sending the case for trial or ending the judicial proceedings in the case (by second quarter of 2019);
- (vi) issuance of closing order in case 004, with a decision either to send the case for trial or to end the judicial proceedings (by fourth quarter 2018);
- (vii) disposal by the Pre-Trial Chamber of any appeals against the closing order in case 004, either sending the case for trial or ending the judicial proceedings in the case (by third quarter of 2019);
- (viii) disposal by the Pre-Trial Chamber of the appeals against the closing order in case 004/01, either sending the case for trial or ending the judicial proceedings in the case (by second quarter of 2018);
- (ix) issuance of closing order in case 004/02, with a decision either to send the case for trial or to end the judicial proceedings (by third quarter of 2018); and
- (x) disposal by the Pre-Trial Chamber of any appeals against the closing order in case 004/02, either sending the case for trial or ending the judicial proceedings in the case (by second quarter of 2019).

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 approval of subventions for the calendar years 2014 through 2017 for the international component of the Extraordinary Chambers were essential measures that stabilized the funding situation and enabled concentrated focus on progressing the court's judicial mandate. On the national side, cash-flow difficulties led to repeated delays in payment of national staff salaries in the course of the second half of 2015, with attendant impact on staff focus and morale.
12. Following the expression of support from the Royal Government of Cambodia, the General Assembly authorized the Secretary-General on 24 December 2017, as an exceptional measure, to enter into commitments in an amount not to exceed \$8 million to supplement the voluntary financial resources of the international component of the Extraordinary Chambers for the period from 1 January to 31 December 2018. This timely action greatly facilitates the uninterrupted operations of the Extraordinary Chambers for the first four months of 2018, opening space for continued solicitation of voluntary contributions. In addition, the Royal Government's commitment of direct contribution of \$4.0 million, to cover, as in 2017, the first six months of national staff costs as well as operational costs arising in 2018 is a key measure facilitating the ongoing operation of the Extraordinary Chambers national component. In combination, these measures have ensured that the ongoing phase of peak workload in the Extraordinary Chambers' work continues to receive sustained attention. Voluntary contributions are currently projected to amount to \$10.24 million for the international and \$1.57 million for the national component, against the approved budget for 2018 of \$18.89 million for the international and \$5.79 million for the national component, respectively.⁴ Of these projected contributions, the international component has received \$2.19 million and the national component has received \$0.09 so far. The respective balances are expected during the year. Fund raising efforts are ongoing to raise these and additional funds.

⁴ Net of \$43,000 originally budgeted for furniture and equipment, deducted for the international component in line with para 31 of the ACABQ report A/72/7/Add.7.

13. The projections of the timelines are made on the basis that all Chambers and offices are adequately staffed, and that the judicial proceedings will not be disrupted as a result of financial insecurity. Should financial insecurity emerge, there may be need to revise the timelines accordingly.
14. In January 2015, the Plenary of the Extraordinary Chambers adopted amendments to the court's Internal Rules that permit a reduction of the scope of judicial investigation, so long as the reduced scope of the investigation is representative of the charges and alleged criminal responsibility of the suspect.⁵ The international co-investigating judge reduced the scope of the judicial investigations in relation to Meas Muth in case 003, Ao An in case 004/02 and Yim Tith in case 004 pursuant to this provision. Similarly, the Trial Chamber is authorised to reduce the scope of a trial by excluding certain facts set out in the indictment, as long as the remaining facts subject to trial are representative of the scope of the indictment.⁶ On this basis, the Trial Chamber terminated the proceedings concerning the facts set out in the closing order in case 002 which were not included in case 002/01 or case 002/02. Therefore, the final adjudication of case 002/02 will bring to a conclusion the proceedings in case 002.
15. With the aim of augmenting the investigative capacity of the Office of the Co-Investigating Judges, nine international legal officers were at the relevant time accredited by the Ministry of Justice to conduct investigative interviews, a task normally falling to the investigators. The international co-investigating judge also benefitted from additional qualified personnel under non-reimbursable loan arrangements and additional interns allocated to the Office. This enhanced capacity accelerated the pace of the investigations. Further, the Office of Administration has retained the services of a number of additional linguistic personnel to support the judicial offices, to ensure timely translation and transcription services.

III. JUDICIAL INVESTIGATIONS COMPLETION PLAN

16. Judicial investigations in cases 003 and 004 were initiated following introductory submissions filed by the international co-prosecutor in 2009 and following supplementary submissions. Case 004 was subsequently severed into three case files: case 004/01 regarding Im Chaem; case 004/02 related to Ao An; and with case 004 remaining the case against Yim Tith. The investigation stage encompasses the jurisdictions of (a) the Office of the Co-Investigating Judges; and (b) of the Pre-Trial Chamber at appellate instance.

A. Office of the Co-Investigating Judges

17. During the investigations in cases 003 and 004, 269 field missions were carried out and 1,411 witness statements taken. Investigative missions have now ceased in all cases. More than 2,500 civil party applications were scrutinized in preparation for the decision on admission or rejection, with only updating work remaining.
18. By the end of this quarter, the cases stand as follows:
 - a) In case 003, the response from the defence in English to the co-prosecutors' submissions is expected by 12 April 2018, with the Khmer translation as soon as possible thereafter; preliminary drafting preparations are under way to reduce the time needed after the filing of the defence response. One annulment motion based on allegedly torture-tainted evidence on the case file is still pending before the Pre-Trial Chamber at the time of writing.

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

⁶ Rule 89*quater*.

- b) In case 004/02, the co-investigating judges are at an advanced stage of drafting a closing order, however, recent turnover of core staff on the international team may yet cause further delay (see below).
- c) In case 004, the case file was forwarded to the co-prosecutors for their final submissions on 1 March 2018. The international co-prosecutor has advised the judges that based on his own resource restrictions he will not be able to submit his final submissions in Khmer and English within the three months allotted by the Internal Rules; similar logistical concerns have been voiced by the defence team about the time needed for their response to the co-prosecutors' final submission. The co-investigating judges deemed those concerns legitimate and granted the international co-prosecutor leave to file his submission within three months in English, with a Khmer translation to follow as soon as possible. The defence will be given adequate time to respond. Two annulment motions, one based on allegedly torture-tainted evidence on the case file and one relating to certain civil party documents are still pending before the Pre-Trial Chamber at the time of writing. The case file was nonetheless forwarded to the co-prosecutors for their final submissions, because the co-investigating judges already held previously that they will not use torture-tainted evidence, even if it is formally still on the case file, and should the Pre-Trial Chamber decide to annul certain evidence, the parties will be given an opportunity to address this to the extent necessary.
19. Any response periods begin only once the Khmer version of a document is notified. Furthermore, the national co-investigating judge and his team work mainly with the Khmer versions of any document filed.
20. The progress of all cases continues to depend substantially on sufficient funding, adequate staffing, timely recruitment for vacant posts and expeditious translations.
21. Based on internal communications from staff to the judge, staff attrition on the international side of the Office is likely to rise in the coming months due to the uncertain funding and employment situation at the ECCC and the ensuing increased job-seeking activity by all staff, which has been ongoing for some time now. As an example, one core P-3 staff member of Team 004/02, who was also in charge of handling and updating all civil party applications across all cases, recently resigned and will leave in mid-April 2018. A second member of Team 004/02, who worked on site as a consultant, is also leaving. Both replacements will lead to a loss of drafting capacity. The previous timeline for case 004/02 will thus be compromised. Though still unclear to which extent a spill-over into the third quarter is now unavoidable. Any further extensions will be advised to the Office of Administration as soon as the picture has become clearer.
22. Generally, given the increasingly threadbare staffing cover of the Office, even minor staff turnover poses a serious risk to ensuring the Office's institutional memory and keeping to the projected timelines. New staff need time to familiarise themselves with the proceedings and the evidence in order to work effectively on the case; this will have an unavoidable impact on the progress of the cases, especially at this late stage.⁷
23. The above-mentioned factors result in the issuance of the closing orders as follows (these timelines cannot and should not in any event be considered as anything more than a fair-weather estimate):
- In *case 003*, by the third quarter of 2018.
 - In *case 004*, by the fourth quarter of 2018.
 - In *case 004/02*, by the third quarter of 2018.

⁷ When the investigations were still ongoing, new (legal) staff had a sort of buffer period because drafting on the closing orders had not begun to the same degree; now, however, every loss of staff and new recruitment means loss of drafting time and capacity. In other words, the impact on the closing order timelines is now direct and immediate.

B. Pre-Trial Chamber

24. In the first quarter of 2018, the Pre-Trial Chamber issued one judgment on an appeal and conducted deliberations on the appeal against the closing order in case 004/01.
25. By the end of the reporting period, the Pre-Trial Chamber was seized of six appeals, annulment motions and requests, two having been filed since the last revision of the Completion Plan:
 - a) In *case 003*, one annulment motion.
 - b) In *case 004*, two annulment motions.
 - c) In *case 004/01*, one appeal against the substance of the closing order, one appeal related to its classification, and one new request for reclassification.
26. Concerning the completion of the procedures, the Pre-Trial Chamber stays committed to dispose of any potential appeals against closing orders in cases 003 and 004 within a reasonable time which, subject to the nature of the submissions, staffing and translation constraints, is currently estimated at six months from the time the appeal is “fully briefed” – i.e. when all parties have exercised their right to file written submissions. In case 004/01, for instance, the filing of all written submissions on appeal was completed on 14 November 2017 and thus took four months from the issuance of the reasons of the closing order. The current projections are as follows:
 - a) In *case 003*, disposal of any appeal against the closing order by the second quarter of 2019.
 - b) In *case 004*, disposal of any appeal against the closing order by the third quarter of 2019.
 - c) In *case 004/01*, disposal of two appeals against the closing order by the second quarter of 2018.
 - d) In *case 004/02*, disposal of any appeal against the closing order by the second quarter of 2019.
27. All projections are also dependent on the available staffing of the Pre-Trial Chamber and on the expeditious translation of the parties’ submissions and judgements in the three languages of the Court.
28. Finally, in the event that appeals against orders of the Office of Co-Investigating Judges on civil party applications are filed, the Pre-Trial Chamber would also need an approximate time of about three months after the judgements on any appeals against closing orders are issued to dispose of all such appeals.

IV. TRIALS COMPLETION PLAN

29. 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 ageing accused, the number of witnesses, civil parties and experts called, their availability 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, including accuracy of interpretation and timely translation of documents. With these variables in mind, predictions on future timelines are based on past experience, both within the Extraordinary Chambers and in similar judicial bodies.
30. One or more trial management meetings are usually held before the commencement of a trial. The trial hearings commence with an initial hearing. At this hearing, the Trial Chamber considers the lists of potential witnesses and experts submitted by the parties and preliminary objections raised by the parties, and the civil parties give an initial specification on the reparation awards they are seeking. The substantive hearing commences 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 hears 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 hears closing statements from the parties before it retires to deliberate on a judgement. If the accused is convicted, the Trial Chamber also decides on the appropriate sentence in this judgement. It is on the basis of the above procedural steps that the different milestones for each of the trials have been identified.

A. Case 002/02

31. Evidentiary proceedings commenced on 8 January 2015, with the Trial Chamber initially sitting for three days per week. Medical assessments of the accused in January 2015 indicated that a four-day per week schedule was appropriate with a slightly shorter morning session. The Chamber therefore commenced on a four days per week schedule in February 2015, accelerating the pace of trial. Evidentiary hearings concluded on 11 January 2017 after a total of 274 hearing days. In total, the Trial Chamber heard the testimony of 114 witnesses, 63 civil parties and 8 experts on the Tram Kak Cooperatives (including Kraing Ta Chan Security Centre and the treatment of Buddhists), 1st January Dam Worksite, the Kampong Chhnang Airport Construction site, Trapeang Thma Dam worksite, the treatment of the Cham and the Vietnamese, the Au Kanseng, Phnom Kraol and S-21 security centres and internal purges, the regulation of marriage, nature of the armed conflict and, finally, the roles of the accused.
32. In preparation for the close of proceedings, the Chamber held a Trial Management Meeting in December 2016 to hear submissions with respect to closing briefs and statements, among other issues. Noting the main issues raised by the parties, in particular the extraordinary length and complexity of the case, the Chamber subsequently established the deadline for the filing of the parties' final trial briefs on 24 April 2017 and the start of closing statements on 5 June 2017. The Chamber later granted the parties a one-week extension of time to file closing briefs in view of the ongoing revision of transcripts of hearings by the Transcription Unit, which had created difficulties for the parties in relying upon the court record in the closing briefs. Closing statements were accordingly rescheduled and took place between 13 and 23 June 2017. Following this, the Chamber adjourned to deliberate and prepare a trial judgement in this case.
33. The original projection of time required to issue a judgement in case 002/02 was made prior to the beginning of the trial based on the experience in case 002/01, without yet knowing how many witnesses, civil parties and experts would be heard. This projection was revised in the twelfth revision of the Completion Plan taking into account the fact that twice as many witnesses, civil parties and experts were heard in case 002/02 as in case 002/01, creating a significantly larger evidentiary base for consideration and analysis during deliberations and the judgement drafting process. At this stage of judgement preparation, having already completed a significant amount of work, the Chamber is better able to assess the practical effect of this significantly larger evidentiary base; whereas the trial judgement in case 002/01 totalled approximately 670 pages (including annexes), the Chamber expects the trial judgement in case 002/02 to surpass 2,000 pages in order to ensure that all charges are properly addressed.
34. The projected length of the judgement has increased the importance of the Trial Chamber remaining fully staffed. However, the Trial Chamber has continued to be negatively impacted by staff turnover combined with the relative lengthiness of the UN recruitment process. Given the time that would be required to conduct recruitment and install a staff member (a minimum of five months), at this stage the Chamber has no expectation that any suitably qualified staff member could be recruited in time to assist with the preparation of judgement. The Chamber notes in this regard that more staff turnover may be expected in view of the uncertain financial situation of the court, the associated short-term contracts and the imminent completion of the case 002/02 trial judgement, which has increasingly motivated staff to look for more secure and longer-term employment.
35. The Trial Chamber has previously expressed to the Office of Administration concerns regarding the timely delivery of final translations, which could potentially extend the time needed to issue a

judgement. Given the volume of translation required over a short period of time, the Chamber is not confident that it will be possible to issue the judgement in three languages simultaneously. While it will focus necessarily on English and Khmer in order to ensure that judgement is issued within a reasonable time, it will also progress with French translation insofar as possible, noting that the availability of the judgement in French may impact appeal deadlines.

36. The Trial Chamber continues to monitor the health conditions of the accused on an ongoing basis. The accused's fitness to continue to participate in the trial was evaluated at the end of January 2018 and they were both found to be fit to stand trial. The medical reports noted, however, several medical conditions suffered by the accused and recommended that their cognitive functions continue to be evaluated on a quarterly basis.
37. In view of the above factors, the Chamber assesses that it is necessary to extend the deadline for trial judgement at this time by one quarter, to third quarter 2018. The Chamber's ability to meet this new deadline will continue to depend in the first instance on other support units remaining fully staffed, and the Chamber maintaining current staffing levels. Due to the projected length of the trial judgement, the Chamber plans to issue the judgement in Khmer and English, with French to follow. However, it notes that issues including financing, staffing and translation of the judgement into Khmer may yet necessitate an extension until the fourth quarter of 2018.

B. Case 003 and case 004

38. Until decisions are made on whether case 003 and/or case 004 are sent for trial, it is premature to make a projection on the required time to complete these trials. An assessment of the time required would depend on the number of defendants and legal and factual complexity of the charges included in the indictment.

V. APPEALS COMPLETION PLAN

A. Case 002/02

39. The Supreme Court Chamber projects at this time that the appeal(s), if filed, against the judgement of the Trial Chamber in case 002/02 will be at least as time and resource intensive as the appeal in case 002/01. Until the Trial Chamber judgement in case 002/02 is rendered, it is possible for parties to file immediate appeals against decisions of the Trial Chamber in that case, which must be decided within the statutory three-month deadline, extended to four months in exceptional circumstances.

B. Case 003 and case 004

40. Should case 003 and/or 004 proceed to trial, immediate appeals as well as appeals against eventual judgements of the Trial Chamber may arise. Nevertheless, given that it is currently not known which cases, if any, will proceed to trial and on which charges, it is premature to provide any estimate for time required to dispose of any appeal arising therefrom.

VI. CONCLUSION

41. For *2018*, it is expected that two milestones will be reached in case 002/02: (i) the issuance of the trial judgement; and (ii) the deadline for any appeals against the trial judgement. In respect of cases 003, 004/01, 004/02 and 004, four milestones are expected: (i) issuance of a closing order in case 003 against Meas Muth, with a decision of the co-investigating judges either to send the case for trial or to terminate the proceedings; (ii) issuance of the closing order in case 004/02 against Ao An, with a decision of the co-investigating judges either to send the case for trial or to terminate the proceedings; (iii) issuance of the closing order in case 004 against Yim Tith, with a decision of the co-investigating judges either to send the case for trial or to terminate the proceedings; and (iv) disposal of appeals against the closing order in case 004/01 in respect of Im Chaem, with a decision of the Pre-Trial Chamber either to send the case for trial or to terminate the proceedings.
42. For *2019*, it is expected that three milestones will be reached, disposal of any appeals against the closing orders in (i) case 004/02 in respect of Ao An, (ii) case 003 in respect of Meas Muth and (iii) case 004 in respect of Yim Tith, with decisions of the Pre-Trial Chamber either to send these cases for trial or to terminate their respective proceedings.
43. For *2020*, it is expected that one milestone will be reached, namely (i) issuance of an appeal judgement in case 002/02.
44. In the event that any of case 003 and case 004 are sent for trial, in whole or in part, timelines in these cases will then be projected.
45. The various projected milestones are reflected in a chart attached to this plan.

Chart of projected timelines, including milestones

Completion Plan, revision 16 - 31 March 2018

Case	2017				2018				2019				2020			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Case 002/02				Trial phase (a)												
(a) Closing statements																
(b) Trial judgement																
(c) Deadline for appeals against trial judgement																
(d) Appeal judgement																
Case 003 Meas Muuth																
(e) Closing order in case 003, 004, 004/02																
(f) Pre-Trial Chamber decision on closing order																
Case 004/01 Im Chaem																
(g) Full reasons for closing order in case 004/01 issued on 10 July 2017																
(e) Closing order in case 003, 004, 004/02																
(f) Pre-Trial Chamber decision on closing order																
(g) Full reasons for closing order in case 004/01 issued on 10 July 2017																
Case 004/02 Ao An																
(e) Closing order in case 003, 004, 004/02																
(f) Pre-Trial Chamber decision on closing order																
(g) Full reasons for closing order in case 004/01 issued on 10 July 2017																
Case 004 Yim Tith																
(e) Closing order in case 003, 004, 004/02																
(f) Pre-Trial Chamber decision on closing order																
(g) Full reasons for closing order in case 004/01 issued on 10 July 2017																

(e) Closing order in case 003, 004, 004/02

(f) Pre-Trial Chamber decision on closing order

(g) Full reasons for closing order in case 004/01 issued on 10 July 2017