

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

**PROPOSED BUDGET FOR 2012-2013**

17 February 2012

## Table of Contents

Table of Contents .....	2
Overview .....	4
Introduction .....	5
Indicative Resource Requirements .....	15
Resource Requirements by component .....	15
Resource Requirements by object of expenditure .....	16
Post requirements by office and summary .....	17
A. The Judicial Offices, Chambers, and Office of the Co-Prosecutors .....	18
Resource Requirements by object of expenditure .....	18
Post requirements for Judicial Offices, Chambers, and the Office of the Co-Prosecutors .....	19
Post requirements for Supreme Court, Trial and Pre-Trial Chambers .....	21
<i>Office of the Resident Judge</i> .....	22
Post requirements for Office of the Co-Prosecutors .....	27
Post requirements for Office of the Co-Investigating Judges .....	30
A.1 Resource Requirements – United Nations .....	32
<i>Posts-excludes judges</i> .....	32
<i>Non-staff compensation – salaries and allowances of Judges</i> .....	32
<i>Travel of judges</i> .....	32
<i>Judicial Meetings</i> .....	32
A.2 Resource Requirements – Cambodia .....	32
<i>Posts excluding judges</i> .....	32
<i>Non-staff compensation – salaries and allowances of Judges</i> .....	33
<i>Office of the Resident Judge</i> .....	33
B. Defence and Victims Support .....	35
Resource Requirements by Object of Expenditure .....	35
Post Requirements for Defence and Victims Support .....	36
Defence Support Section .....	36
Victims Support Section .....	37
Civil Party Lead Co-Lawyers Section .....	40
B.1 Resource Requirements – United Nations .....	40
<i>Posts</i> .....	40
B.2 Resource Requirements – Cambodia .....	41
<i>Posts</i> .....	41
Resource Requirements by object of expenditure .....	42
Post requirements (Office of Administration) .....	43
C.1 Resource Requirements – United Nations .....	50
<i>Posts</i> .....	50
<i>Other staff costs</i> .....	51
<i>Consultants and experts</i> .....	51
<i>Travel of staff</i> .....	51
<i>Contractual services</i> .....	51
<i>Training</i> .....	52
<i>General Operating Expenses</i> .....	53
<i>Supplies and Materials</i> .....	53
<i>Furniture and equipment</i> .....	53

C.2 Resource Requirements – Cambodia .....	54
<i>Posts</i> .....	54
<i>Contractual Services</i> .....	55
<i>Travel of staff</i> .....	57
<i>Training</i> .....	60
<i>General Operating Expenses</i> .....	60
<i>Hospitality Costs</i> .....	62
D. Legacy/Residual Component .....	63
Resource Requirements by object of expenditure .....	63
Post requirements (Legacy/Residual Team) .....	64
D.1 Resource Requirement (United Nations) .....	<b>Error! Bookmark not defined.</b>
D.2 Resource Requirements (Cambodia) .....	
<i>Posts</i> .....	67
<i>Premises Alteration</i> .....	68
<i>Training and Meeting Costs</i> .....	68
<i>General Operating Expenses</i> .....	68
<i>Furniture and Equipment</i> .....	69

ANNEXES:

Annex A.....	Indicative Court Schedule
Annex B.1.....	Organizational Chart (UNAKRT)
Annex B.2.....	Organizational Chart (National Side)
Annex C.1.....	International Staffing Table
Annex C.2.....	National Staffing Table
Annex D.....	Participant Statistics in the Public Hearings of Case 001 & Case 002

## **Overview**

- S.1. This document represents the budget request for the Extraordinary Chambers in the Courts of Cambodia (ECCC) for 2012 and 2013. 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 \$89.6 million, of which \$45.7 million is for 2012 and \$43.9 million is for 2013 inclusive of contingency.
- S.2. The international component of the ECCC (UNAKRT) accounts for \$69.6 million, of which \$35.4 million is for 2012 and \$34.2 million is for 2013
- S.3. The national component of the ECCC accounts for \$20.0 million of which \$10.3 million for 2012 and \$9.7 million for 2013.
- S.4. While it is currently expected that the Court's timeline will run until 2018 this document presents the overall resource requirements for the period 2012-2013 for consideration by donors, with detailed explanations of the activities planned over the next two years. Projected resource estimates for the period 2014 -2015 will be the same level as 2013 which is \$43.9 million each year for international and national component.

## **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 that regulates the cooperation between the RGC and the UN in bringing to trial the senior leaders 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. The Agreement 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 (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, and the hearing of the evidence in the trial concluded in mid-September 2009. On 26 July 2010, the Trial Chamber pronounced the verdict in Case 1. The Co-Prosecutors, Defence and 41 Civil Parties filed appeals against the verdict for consideration before the Supreme Court Chamber. The Supreme Court Chamber completed its installation with a second international judge taking up residence in January 2011. By the end of the first quarter of 2011, the Supreme Court Chamber had held a three-day public hearing on the appeals. These remain under consideration and the Chamber has announced that it will issue the appeal judgment on 3 February 2012. Since its installation, the Supreme Court Chamber has issued 10 other decisions disposing of incidental submissions and immediate appeals.

- 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. The court-initiated investigations in Case File 002 were completed at the end of 2009 followed by requests for additional investigations from the parties (i.e. the prosecution, defence and civil parties). On 16 August 2010, the Co-Prosecutors filed a final submission to the Co-Investigating Judges. On 16 September 2010, the Office of the Co-Investigating Judges issued a Closing Order indicting four persons, Ieng Sary, Ieng Thirith, Nuon Chea and Khieu Samphan and sent the case for trial. Charges against the fifth person, Kaing Guek Eav were dismissed as he had been tried in Case 1. Following issuance of the Closing Order, the parties lodged appeals and requests for additional investigative requests in October 2010. On 13 January 2011, the Pre-Trial Chamber decided on the appeals, partially amended the Closing Order and sent the case for trial. The trial commenced with the start of the initial hearing on 27 June 2011. From 29-31 August 2011, the Trial Chamber conducted a preliminary hearing on fitness to stand trial relating to the accused persons Ieng Thirith and Nuon Chea. Further initial hearings took place on 19-20 October 2011. The Chamber announced that opening statements in the trial will commence on 21 November 2011 and hearings on evidence from 28 November 2011 onwards. In terms of conduct of the trial, the Trial Chamber announced that the case will be divided into a series of smaller trials which will be tried and adjudicated separately, resulting in earlier verdicts. The first trial is likely to have a duration of two years with additional second and third trials following with multiple verdicts. On this projection, a first verdict could be expected by the end of 2013 while the last verdict may be issued in 2016.

- S.14. Case 003 and Case 004: 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.

The Co-Investigating Judges established joint working groups that focused their work on examining and analyzing the documents available on the Case Files, particularly the existing documents in the previous Cases Files 001 and 002, limiting the need for field investigation. On 29 April 2011, the Co-Investigating Judges concluded the investigations in Case 003 after reviewing more than 2,000 pieces of evidence, comprising of more than 48,000 pages. The International Co-Prosecutor requested further investigative actions which were rejected by the Co-Investigating Judges. The international Co-Prosecutor appealed the decision which is being considered by the Pre-Trial Chamber. Following the departure of the international Co-Investigating Judge in October 2011, the reserve Co-investigating Judge has assumed office. He has filed a disagreement with the PTC. Following a decision of the PTC on the disagreement, which is expected sometime in the first quarter of 2012, it will be possible to estimate more realistic timelines for cases 003 and 004, in consultation with the national and international Co-investigating Judges.

- 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 increased substantially due to appeals of the decisions of OCIJ rejecting additional investigations and the appeal of the Closing Order and in anticipation of Civil Party appeals. It was accordingly decided to constitute the PTC on a full-time basis as of 20 January 2010. Case 002 provided a full workload for the PTC for the entire year 2010 into early 2011, dealing with 1747 Civil Party appeals from individual civil party applicants, which grouped into 94 appeals, and an additional 57 other substantive appeals and applications up to September 2011.

Following the announcement of the conclusion of the judicial investigations in case 003 and the ongoing investigations in Case 004, the workload will require the PTC to remain resident during 2012. During 2010 and 2011 the Reserve Judge was appointed to a number of the Civil Party appeals and other appeals and applications, working remotely. With the focus in 2013 on case 004, the workload is expected to gradually decline allowing the repatriation of the international Judges in early 2013. During 2013, the PTC would be constituted as and when required to consider a motion or appeal, in accordance with the modality applicable prior to January 2010.

- 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 ECCC Internal Rules (Rev. 5) established a Civil Party Lead Co-Lawyers' Section to be set up under the Office of Administration. The Civil Party Lead Co-Lawyer Section is to be administratively supported by the Victims' Support Section. 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 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 001 and 002 including the Office of the Co-Prosecutors, Office of the Victims Support Section, Civil Party Lead Co-Lawyers Section, Office of the Defence Support Section, and all Judicial Offices. As indicated in S.14, the realistic timelines for case 003 and 004 can be estimated only after the decision of the PTC on the disagreement of OCIJ which is expected sometime in the first quarter of 2012.
- S.18. In accordance with the salary scale approved for the international judges and the prosecutor, the salary will be adjusted to step 2 of the D-2 level, plus post adjustment applicable to Cambodia effective January 2012. (\$155,598 D2/2 salary, plus \$39,833 post adjustment based on the salary scale of Dec 2011) The salary will remain constant for two years, but would be adjusted in January of 2014 to the next step of the D-2 salary scale, plus the post adjustment applicable at that point in time.
- S.19. The UN budget proposes an overall increase from \$30.8 million in 2011 to \$32.9 million in 2012 reflecting an overall net increase of \$2.1 million in annual requirements mainly related to the following requirements:
- a) Increase in the requirement for Defence Support Section including Cases 003 and 004 (US\$1.4 million )
  - b) Increase in the consultancy expenditures (US\$0.8 million)
  - c) Increase in requirements for victims support to fund additional lawyers in the Civil Party Co-Lawyers Section (US\$0.1 million).
  - d) Increase in overall staffing costs (US\$0.2 million). Please refer to S.21 and S22 for details.



- e) Increase in Judicial meetings (US\$0.08 million); General Operating Expenses (US\$0.09 million); Supplies (US\$0.03 million), Other staff Cost (0.04) .
  - f) The above increases are partially offset by decreases in non-staff compensation (US\$0.2 million); staff travel for official business (US\$0.09 million) contractual services (US\$0.06 million) and furniture & equipment (US\$0.1 million); training (US\$0.08); witness cost (US\$.0.004)
- S.20. The overall United Nations staffing level increases from 168 posts in 2011 to 175 posts in 2012 and decreases to 161 posts in 2013, as a result of revised requirements both in the Judiciary Offices and the administrative support services. The posts requested to be established are set forth in paragraph S.21, and those to be abolished are set forth in paragraph S.22.
- S.21. An additional 18 posts are proposed to be established in the Judiciary Offices and the Office of Administration in 2012 (5 international positions and 13 local positions) as follows:
- a) Judicial Offices and Chambers (2 posts):
    - i. 1 P-4 Legal Officer to support the work of the Trial Chamber in view of the increased workload due to the trial in Case 002;
    - ii. 1 GS Legal Assistant in the Office of the Co-Prosecutor in view of the increased need for legal translations.
  - b) The Office of Administration (16 posts):
    - i. 1 new P-4 reviser in the Interpretation and Translation unit in view of the anticipated increase in workload;
    - ii. 1 new national Human Resources Officer (NO-B) to assist with the workload related to recruitment of national personnel, and other related HR functions;
    - iii. 1 new national Travel Assistant post (GS) to manage travel activities of UNAKRT;
    - iv. 10 national Security officers (GS) in the Safety and Security Section to replace international security staff;
    - v. 3 Security Officers (FS-4) in the Safety and Security section – 1 Information Analyst, 1 Detail Leader, 1 Staff Security Officer.
- S.22. The costs for the additional 18 positions outlined above are partially offset by the abolition of 11 posts, as follows:
- a. 8 FS-3 international Close Protection Officers in Security Services Section.
  - b. 1 FS-3 international Control Center Officer in Security Services Section.
  - c. 1 GS-4 post in the Office of the Co-Investigating Judges.
  - d. 1 P-2 Associate Legal Officer of the Supreme Court Chamber

The net change in the staffing level in 2012 is an increase of 7 posts (Establishment of 18 posts offset by abolition of 11 posts).

S.23. Based on the anticipated progress in trial proceedings in Case 002 and investigations in Case 003 and Case 004, 14 posts are proposed to be further abolished in 2013 as follows:

- a. Office of the international Co-Investigating Judges - 6 P-3, 3 P-2/1 and 3 GS posts in view of the completion of investigation in Case 003 and progress in Case 004.
- b. Office of the Co-Prosecutors - 2 P-3 legal Officers (Researchers / Analysts) due to reduced workload.

The budget for international posts is estimated at \$19.9 million in 2012 and \$18.9 million in 2013, as compared to the approved budget of \$19.7 million dollars in the 2011 revised budget.

#### United Nations Staffing Changes

Office	International posts			Local Posts		
	2011	2012	2013	2011	2012	2013
Judicial Offices and Chambers	54	54	44	13	13	9
Defense Support Section and Victims	6	6	6	3	3	3
Office of Administration	82	77	77	10	22	22
Total	142	137	127	26	38	34

S.24 The 2013 international budget proposes an amount of \$31.8 million which reflects a decrease of \$1.1 million from the 2012 international budget of \$32.9 million.

The decrease of \$1.1 million is attributable to the decrease in overall staffing cost of (US\$1.3 million); other-staff cost (US\$0.08 million); consultants and experts (US\$0.24 million); official travel (US\$0.03 million); training (US\$ 0.001 million); general operating expenses (US\$ 0.004 million); supplies (US\$0.01 million); furniture and equipment (US\$0.3 million) which is partially offset by an increase in contractual services of (US\$0.06 million) and defense support expenses (US\$0.8 million)

S.25. The national budget proposes an overall increase from \$9.9 million in 2011 to \$10.3 million (including \$0.5 million for Legacy/Residual) in 2012 reflecting an overall net increase of \$0.4 million in annual requirements mainly related to the following requirements:

- (a) Increase in Judicial Meetings (\$0.03million)
- (b) Increase in Other Staff Costs component for (i) two short-term legal staff for Trial Chamber, (ii) four short-term legal and investigative staff

for Office of Co-Investigating Judges, (iii) five short-term translation and/or interpretation staff for ITU of the Court Management Section. (\$0.12million)

- (c) Increase in the costs for contractual services. (\$0.08million)
- (d) Increase in the travel costs due to increased number of PAS missions for outreach and dissemination work, and increased number of WESU missions for facilitating the public hearings of Case 002. (\$0.01million)
- (e) New component for Consultants and Experts for the Lead Co-Lawyer Section, Civil Party Lawyers Teams, VSS, and GSS consultants. (\$0.2million)
- (f) New requirements for Legacy/Residual issues in preparation for the period beyond the duration of the Tribunal, particularly related to the Virtual Tribunal (VT) a digital multimedia library and archive of content about the Khmer Rouge, the work of the ECCC and the contribution to the transitional justice process. (\$0.49million)
- (g) The above increases were partially offset by decreases in overall staffing costs (\$0.44million); training and meeting costs (\$0.1million); and operating expenses (\$0.02million).

S.26. At present, the national component uses the UN Salary Scale effective 1st October 2007 used by UNDP and other UN Agencies in Cambodia, to compensate the ECCC national staff members with annual salary (within-grade) increment subject to satisfactory services.

With the principle of providing a competitive remuneration package for similar services, current remunerations scale has been reviewed to ensure that ECCC present salary scales are reflective of current market conditions, and the ECCC national staff members are compensated based on the best prevailing conditions of service in the locality.

Based on the following table and in the spirit of cost savings, it is recommended that the ECCC's current salary scale for General Service Category (GS) and National Officer Category (NO) remains the same. Only a nominal increase is proposed to provide for one step increment for each level. The below table reflects the proposed ECCC staff salary scale for the period 2012–2013.

<b>Comparison of ECCC Staff Salary Scales per Month (US\$)</b>					
<b>Level</b>	<b>Salary Scale 2011</b>	<b>Salary Scale 2012</b>	<b>% Increase (2012/2011)</b>	<b>Salary Scale 2013</b>	<b>% Increase (2013/2012)</b>
<b>Increase of Professional Levels</b>					
<b>D-1</b>	5,525	5,525	0.0%	5,525	0.0%
<b>P-5</b>	4,451	4,607	3.5%	4,768	3.5%
<b>NOD/P-4</b>	3,668	3,786	3.2%	3,905	3.1%

<b>NOC/P-3</b>	3,041	3,139	3.2%	3,237	3.1%
<b>NOB/P-2</b>	2,525	2,610	3.4%	2,694	3.2%
<b>NOA/P-1</b>	2,165	2,238	3.4%	2,311	3.3%
<b>Increase of General Service Levels</b>					
<b>GS7</b>	1,829	1,891	3.4%	1,953	3.3%
<b>GS6</b>	1,370	1,414	3.2%	1,458	3.1%
<b>GS5</b>	1,030	1,063	3.2%	1,096	3.1%
<b>GS4</b>	774	799	3.2%	824	3.1%
<b>GS3</b>	614	634	3.3%	654	3.2%
<b>GS2</b>	488	504	3.3%	519	3.0%

S.27. The overall national staffing level decreases by 19 posts, from 311 in 2011 to 292 in 2012, which is the result of 19 new posts and the abolition of 38 posts. The additional posts requested the posts that are to be abolished and the proposed reclassifications are listed in the following paragraphs.

S.28. The proposed 19 new posts are requested due to the foreseen requirements in the following sections/offices:

- a) Two additional posts for the Trial Chamber:  
1 Legal Officer (NO-C) and 1 Investigator (NO-C) are required in the Trial Chamber due to the additional investigation, and increased workload during the full trial hearings in Case 002;
- b) One additional post for Lead Co-Lawyers Section :  
1 Legal Officer (NO-C) in the Lead Co-Lawyer Section is required to deal with the upcoming workload surges of the Section regarding the legal representation issue. The staffing table reflects 1 NOC and 1 GS4. The NOC is a new post proposed under Lead Co-Lawyers Section, but one support staff (GS4) is a redeployment from the Civil Party Lawyer Team to Core team under the VSS.
- c) 11 additional posts for Office of the Administration:
  - i. 2 posts in the Public Affairs Section - 1 Public Affairs Officer (NO-C) and 1 Khmer Writer (GS6) to enhance the PAS manpower and support an increase in the production of written materials in the main official language of Khmer;
  - ii. 8 posts in the CMS - 4 Junior Translators (GS-7) to deal with the huge increase in the translation workload (Khmer-English and English-Khmer), 2 Editorial Assistants to provide services including translation of basic administrative documents such as references, footnotes and evidentiary documents, 1 additional Document Control Assistant (GS5) to timely respond to requester's need, and 1 additional Assistant to Witness Expert (GS5) to facilitate witness appearance.

- iii. 1 System Administrator (NO-A) in the ICT Section to assist with the increased activity during the hearings.
    - d) Five new posts to address the work-programme under the New Legacy/Residual Component :
      - 1 Legal/Legacy Officer (NO-C), 1 Legacy Assistant (GS6), 1 Content Management Officer (NO-A), 1 Content Developer (NO-A), and 1 Content Management Associate (GS6) are required for the introduction of the Legacy and Virtual Tribunal Development Project.
- S.29. The increase in the posts being requested are offset by the abolition of 38 posts in 2012, which are listed below:
- a) 1 post of Greffier/Legal Officer (NO-C) in the Pre-Trial Chamber;
  - b) 1 post of Associate Legal Officer/Assistant (NO-B) in the Supreme Court Chamber;
  - c) 7 posts in the Office of the Co-Investigating Judges: 1 Investigator Team Leader (NO-D), 4 Investigator Researcher Analyst (NO-C), 1 Greffier (NO-B), and 1 Associate Legal Officer/ Assistant (NO-B) in 2012.
  - d) 13 posts in the Victims Support Section: 1 Lead Co-Lawyer (P-5) and 3 Civil Party Lawyers (NO-D) are converted to GTA, 1 Foreign Analyst (P-1), 1 Foreign Assistant Legal Officer (P-1), 1 Outreach Facilitator (GS-6), 2 Complaint Application Assistant (GS5), and 4 Data Entry Clerk (GS4);
  - e) 16 posts in the Office of Administration: 2 Reviser/Senior Interpreters (NO-D), 4 Interpreter Translators (NO-C), 1 Witness Expert (NO-B), 2 Reference Assistants (GS5), 3 Transcriber (GS5), 1 Chief of Building Management Unit (NO-C), and 3 Drivers (GS2).
- S.30. In addition, reclassification of 12 posts are proposed for the following sections/office:
- a) 3 Posts in the Defence and Victims Support
    - i) 1 Legal Officer (Deputy Head) of Defence Support Section is proposed to be reclassified to lower level from NO-D to NO-C,
    - ii) 1 Finance/Administrative Officer of Victims Support Section is proposed to be reclassified to lower level from NO-C to NO-B, and
    - iii) 1 Program Manager of Victims Support Section is proposed to be reclassified to a higher level from NO-B to NO-C.
  - b) 9 posts in the Office of the Administration as follows:

- i. 1 Chief of Budget and Finance (NO-D) is reclassified to P-5 due to the increased responsibilities,
- ii. 8 posts in the Court Management Section are reclassified: 2 Document Control Assistants from GS-4 to GS-5 due to the change in functional responsibility, 5 Record Archives Assistants from GS-4 to GS-5 due to increased and additional responsibilities, 1 Detention Facility Liaison Senior Assistant from GS-6 to GS-7 due to increased responsibilities.
- c) One Support Staff GS-4 is proposed to be transferred from the Civil Party Lawyers Team to the Core team of Victims Support Section.

S.31. In 2013, the national staffing level will be reduced to 287 due to the abolition of the following 5 posts: 1 Legal Team Leader (NO-D), 1 Analyst Team Leader (NO-D), 1 Data Coder (NO-B), and 1 Associate Legal Officer (NO-B) in the Office of the Co-investigating Judges and 1 Assistant Legal Officer (NO-A) in the Victims Support Section.

S.32 The 2013 national budget proposes an amount of \$9.7 million inclusive of \$0.4 million for Legacy/Residual Component which reflects a net decrease of \$0.6 million from the proposed 2012 national budget of \$10.3 million.

The decrease of \$0.6 million is attributable to (i) a decrease in staffing costs due to reduced workload level is projected for both the Pre-Trial Chamber and the Office of Co-Investigating Judges in 2013, which will result in the phasing out the PTC and the OCIJ from the middle of 2013; (ii) the lower costs related to supporting the office for legacy/residual component; (iii) a reduction of VSS costs relating to general temporary assistance and training and meeting costs with civil party applicants and complainants; and (iv) reduced premises alteration requirements and general operating expenses.

#### Cambodian Staffing Changes

	<b>2011</b>	<b>2012</b>	<b>2013</b>
Judicial Office and Chambers	55	48	44
Defence and Victims Support	33	21	20
Office of Administration	223	218	218
Legacy/Residual Component	0	5	5
<b>Total</b>	<b>311</b>	<b>292</b>	<b>287</b>

## Indicative Resource Requirements

Table S.1.a

### Resource Requirements by component<sup>1</sup>

(Thousands of United States

Dollars)

#### (1) United Nations Funding

	Component	Budget*	Expenditure	Budget	Proposal			Budget
		2005-2011	2006-2010	2011	2012	2013	Total	2005-2013
A	Judicial Office	35,547.4	26,306.2	9,241.2	9,190.8	7,477.8	16,668.6	52,216.0
B	Defence and Victims Support	13,471.7	8,811.3	4,660.4	6,257.4	7,109.5	13,366.9	26,838.6
C	Office of Administration	66,773.8	49,840.7	16,933.1	17,502.8	17,253.8	34,756.6	101,530.4
	<b>Sub-total</b>	<b>115,792.8</b>	<b>84,958.1</b>	<b>30,834.7</b>	<b>32,951.0</b>	<b>31,841.1</b>	<b>64,792.1</b>	<b>180,585.0</b>
D	Legacy/Residual Issues						0.0	0.0
	<b>TOTAL</b>	<b>115,792.8</b>	<b>84,958.1</b>	<b>30,834.7</b>	<b>32,951.0</b>	<b>31,841.1</b>	<b>64,792.1</b>	<b>180,585.0</b>

Contingency					2,471	2,388	4,859.4	4,859.4
-------------	--	--	--	--	-------	-------	---------	---------

<b>Total (1)</b>	<b>115,792.8</b>	<b>84,958.1</b>	<b>30,834.7</b>	<b>35,422.3</b>	<b>34,229.2</b>	<b>69,651.5</b>	<b>185,444.4</b>
------------------	------------------	-----------------	-----------------	-----------------	-----------------	-----------------	------------------

#### (2) Cambodian Funding

	Component	Budget*	Expenditure	Budget	Proposal			Budget
		2005-2011	2006-2010	2011	2012	2013	Total	2005-2013
A	Judicial Office	8,799.2	6,315.6	2,483.6	2,290.6	1,861.4	4,152.0	12,951.2
B	Defence and Victims Support	1,452.3	744.0	708.2	459.0	466.9	925.9	2,378.2
C	Administration	23,684.1	17,018.0	6,666.1	6,999.7	6,991.9	13,991.6	37,675.6
	<b>Sub-total</b>	<b>33,935.5</b>	<b>24,077.6</b>	<b>9,857.9</b>	<b>9,749.3</b>	<b>9,320.2</b>	<b>19,069.5</b>	<b>53,005.0</b>
D	Legacy/Residual Issues		-	-	492.5	412.5	905.0	905.0
	<b>TOTAL</b>	<b>33,935.5</b>	<b>24,077.6</b>	<b>9,857.9</b>	<b>10,241.8</b>	<b>9,732.6</b>	<b>19,974.4</b>	<b>53,909.9</b>

Contingency								
-------------	--	--	--	--	--	--	--	--

<b>Total (2)</b>	<b>33,935.5</b>	<b>24,077.6</b>	<b>9,857.9</b>	<b>10,241.8</b>	<b>9,732.6</b>	<b>19,974.4</b>	<b>53,909.9</b>
------------------	-----------------	-----------------	----------------	-----------------	----------------	-----------------	-----------------

SUMMARY (1)+(2)							
<b>Total requirement</b>	<b>149,728.4</b>	<b>109,035.8</b>	<b>40,692.6</b>	<b>45,664.1</b>	<b>43,961.8</b>	<b>89,626.0</b>	<b>239,354.3</b>

\* Budget 2005-2011 includes actual recorded expenditures for the period 2006-2010 plus revised budget for 2011.

<sup>1</sup> The estimated requirements in all tables and throughout the budget document 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 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Posts	77,912.9	58,249.0	19,663.9	19,886.2	18,849.1	38,735.3	116,648.2
2	Non-staff compensation	6,112.0	3,814.2	2,297.8	2,057.0	1,768.3	3,825.3	9,937.3
3	Other staff costs	1,279.2	1,130.8	148.4	193.2	111.9	305.1	1,584.2
4	Consultants and experts	3,278.5	2,241.1	1,037.4	1,788.7	1,545.2	3,333.8	6,612.3
5	Witness costs	180.9	56.9	124.0	120.0	120.0	240.0	420.9
6	Travel	1,339.6	1,070.3	269.3	177.9	152.3	330.2	1,669.8
7	Contractual services	3,333.2	1,764.6	1,568.6	1,505.4	1,569.9	3,075.3	6,408.5
8	Defence support	8,802.8	5,403.2	3,399.6	4,757.3	5,576.9	10,334.2	19,137.0
9	Victims support	299.3	3.2	296.1	414.1	414.1	828.2	1,127.5
10	Judicial meetings	1,199.9	1,118.7	81.2	159.1	159.1	318.2	1,518.1
11	Training	527.8	418.2	109.5	29.3	28.1	57.4	585.2
12	General operating expenses	2,391.9	1,683.3	708.5	802.1	798.3	1,600.4	3,992.2
13	Supplies	1,541.2	1,178.4	362.8	397.5	387.9	785.3	2,326.5
14	Furniture and equipment	7,593.8	6,826.2	767.6	663.3	360.2	1,023.5	8,617.3
	<b>SUB-TOTAL</b>	<b>115,792.8</b>	<b>84,958.1</b>	<b>30,834.7</b>	<b>32,951.0</b>	<b>31,841.2</b>	<b>64,792.2</b>	<b>180,585.0</b>
D	Legacy/Residual Issues	0.0	0.0	0.0			0.0	0.0
	<b>TOTAL</b>	<b>115,792.8</b>	<b>84,958.1</b>	<b>30,834.7</b>	<b>32,951.0</b>	<b>31,841.2</b>	<b>64,792.2</b>	<b>180,585.0</b>

Contingency					2,471.3	2,388.1	4,859.4	4,859.4
-------------	--	--	--	--	---------	---------	---------	---------

<b>Total (1)</b>	<b>115,792.8</b>	<b>84,958.1</b>	<b>30,834.7</b>	<b>35,422.3</b>	<b>34,229.3</b>	<b>69,651.6</b>	<b>185,444.5</b>
------------------	------------------	-----------------	-----------------	-----------------	-----------------	-----------------	------------------

**(2) Cambodian Funding**

	Object of expenditure	Budget 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Posts	22,069.0	15,836.3	6,232.7	5,787.7	5,664.1	11,451.9	33,520.8
2	Non-staff Compensation	3,135.5	2,142.3	993.2	993.2	815.8	1,809.0	4,944.5
3	Judicial Meeting	242.1	242.1	-	30.8	38.8	69.5	311.7
4	Office of Resident Judge	366.7	238.7	128.0	129.8	131.7	261.5	628.2
5	Other Staff Costs	269.2	113.9	155.3	279.9	139.3	419.2	688.4
6	Premise Alteration	1,507.8	1,393.4	114.3	115.1	101.7	216.8	1,724.6
7	Contractual Services	3,534.1	2,341.4	1,192.7	1,277.0	1,303.7	2,580.7	6,114.8
8	Travel	246.2	108.7	137.4	149.5	125.8	275.3	521.5
9	Training and Meeting Costs	471.0	149.8	321.2	221.6	239.3	460.9	931.9
10	Operating Expenses	1,993.2	1,447.3	545.9	526.6	542.3	1,068.9	3,062.1
11	Hospitality Costs	100.8	63.7	37.1	38.1	38.1	76.2	177.0
12	Consultants and Experts	-	-	-	200.0	179.5	379.5	379.5
	<b>SUB-TOTAL</b>	<b>33,935.5</b>	<b>24,077.6</b>	<b>9,857.9</b>	<b>9,749.4</b>	<b>9,320.2</b>	<b>19,069.6</b>	<b>53,005.1</b>
D	Legacy/Residual Issues				492.5	412.5	905.0	905.0
	<b>TOTAL</b>	<b>33,935.5</b>	<b>24,077.6</b>	<b>9,857.9</b>	<b>10,241.9</b>	<b>9,732.7</b>	<b>19,974.5</b>	<b>53,910.0</b>

Contingency								
-------------	--	--	--	--	--	--	--	--

<b>Total (2)</b>	<b>33,935.5</b>	<b>24,077.6</b>	<b>9,857.9</b>	<b>10,241.9</b>	<b>9,732.7</b>	<b>19,974.6</b>	<b>53,910.1</b>
------------------	-----------------	-----------------	----------------	-----------------	----------------	-----------------	-----------------

<b>SUMMARY (1)+(2)</b>							
<b>Total requirements</b>	<b>149,728.4</b>	<b>109,035.8</b>	<b>40,692.6</b>	<b>45,664.2</b>	<b>43,961.9</b>	<b>89,626.1</b>	<b>239,354.6</b>



## Post requirements by office and summary

### (1) United Nations Staffing

Offices	Year	JO/D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Services	Grand Total
A Judicial Offices & Chambers	2011	12	-	2	6	21	9	50	-	3	-	3	6	11	67
	2012	12	-	2	7	21	8	50	-	3	-	3	6	11	67
	2013	12	-	2	7	13	5	39	-	3	-	3	6	8	53
B Defence and Victim Support Section	2011	0	-	1	1	2	4	8	-	-	-	1	1	-	9
	2012	0	-	1	1	2	4	8	-	-	-	1	1	-	9
	2013	0	-	1	1	2	4	8	-	-	-	1	1	-	9
C Office of Administration	2011	0	1	2	14	24	-	41	2	13	10	18	43	8	92
	2012	0	1	2	15	24	1	43	2	13	13	9	37	19	99
	2013	0	1	2	15	24	1	43	2	13	13	9	37	19	99
D Legacy/Residual Team	2011							-					-		-
	2012							-					-		-
	2013							-					-		-
Grand Total	2011	12	1	5	21	47	13	99	2	16	10	22	50	19	168
	2012	12	1	5	23	47	13	101	2	16	13	13	44	30	175
	2013	12	1	5	23	39	10	90	2	16	13	13	44	27	161

### (2) Cambodian Staffing

Offices	Year	D-2	D-1	P-5	NO-D	NO-C	NOB/A	NO-Total	FS-6	FS-5	FS-4	FS-3	FS-Total	General Services	Grand Total
A Judicial Offices	2011		15	1	8	14	12	50					-	5	55
	2012		15	1	7	11	9	43					-	5	48
	2013		15	1	5	11	7	39					-	5	44
B Defence and Victim Support Section	2011		-	1	4	4	6	15					-	18	33
	2012		-	-	-	6	4	10					-	11	21
	2013		-	-	-	6	3	9					-	11	20
C Office of Administration	2011		1	2	16	27	16	62					-	161	223
	2012		1	3	13	23	16	56					-	162	218
	2013		1	3	13	23	16	56					-	162	218
D Legacy/Residual Team	2011	-	-	-	-	-	-	-					-	-	-
	2012	-	-	-	1	-	2	3					-	2	5
	2013	-	-	-	1	-	2	3					-	2	5
Grand Total	2011	-	16	4	28	45	34	127	-	-	-	-	-	184	311
	2012	-	16	4	21	40	31	112	-	-	-	-	-	180	292
	2013	-	16	4	19	40	28	107	-	-	-	-	-	180	287

SUMMARY (1)+(2)															
Total Requirements	2011	12	17	9	49	92	47	226	2	16	10	22	50	203	479
	2012	12	17	9	44	87	44	213	2	16	13	13	44	210	467
	2013	12	17	9	42	79	38	197	2	16	13	13	44	207	448

## 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 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013	Difference
				2012	2013	Total		
1 Posts	27,961.9	21,105.9	6,856.0	6,934.8	5,510.5	12,445.3	40,407.2	12,445.3
2 Non-staff compensation	6,112.0	3,814.2	2,297.8	2,057.0	1,768.3	3,825.3	9,937.3	3,825.3
3 Travel	273.6	267.5	6.1	39.9	39.9	79.7	353.3	79.7
4 Judicial meetings	1,199.9	1,118.7	81.2	159.1	159.1	318.2	1,518.1	318.2
<b>TOTAL</b>	<b>35,547.4</b>	<b>26,306.2</b>	<b>9,241.2</b>	<b>9,190.8</b>	<b>7,477.8</b>	<b>16,668.5</b>	<b>52,215.9</b>	<b>16,668.5</b>

#### (2) Cambodian Funding

Object of expenditure	Budget 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013	Difference
				2012	2013	Total		
1 Posts	5,054.9	3,692.5	1,362.4	1,136.9	875.2	2,012.0	7,066.9	2,012.0
2 Non-staff compensation	3,135.5	2,142.3	993.2	993.2	815.8	1,809.0	4,944.5	1,809.0
3 Judicial meetings	242.1	242.1	0.0	30.8	38.8	69.5	311.7	69.5
4 Office of Resident Judges	366.7	238.7	128.0	129.8	131.7	261.5	628.2	261.5
<b>TOTAL</b>	<b>8,799.2</b>	<b>6,315.6</b>	<b>2,483.6</b>	<b>2,290.6</b>	<b>1,861.4</b>	<b>4,152.0</b>	<b>12,951.2</b>	<b>4,152.0</b>

<b>Total requirements (1)+(2)</b>	<b>44,346.5</b>	<b>32,621.8</b>	<b>11,724.8</b>	<b>11,481.4</b>	<b>9,339.2</b>	<b>20,820.6</b>	<b>65,167.1</b>	<b>20,820.6</b>
-----------------------------------	-----------------	-----------------	-----------------	-----------------	----------------	-----------------	-----------------	-----------------

Table S.2.b

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

### (1) United Nations Staffing

	Offices	Year	D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Service	Grand Total
1	Office of Resident Judge	2011							-					-		-
		2012							-					-		-
		2013							-					-		-
2	Trial Chamber	2011	3		1	-	4	1	9		1			1	1	11
		2012	3		1	1	4	1	10		1			1	1	12
		2013	3		1	1	4	1	10		1			1	1	12
3	Supreme Court Chamber	2011	4				1	1	6				1	1		7
		2012	4				1		5				1	1		6
		2013	4				1		5				1	1		6
4	Pre-Trial Chamber	2011	3				2	1	6				1	1		7
		2012	3				2	1	6				1	1		7
		2013	3				2	1	6				1	1		7
5	Office of the Co-Prosecutors	2011	1		1	3	6	1	12		1			1	4	17
		2012	1		1	3	6	1	12		1			1	5	18
		2013	1		1	3	4	1	10		1			1	5	16
6	Office of the Co-Investigating Judges	2011	1			3	8	5	17		1		1	2	6	25
		2012	1			3	8	5	17		1		1	2	5	24
		2013	1			3	2	2	8		1		1	2	2	12
Judicial Offices Total	2011	12	-	2	6	21	9	50	-	3	-	3	6	11	67	
	2012	12	-	2	7	21	8	50	-	3	-	3	6	11	67	
	2013	12	-	2	7	13	5	39	-	3	-	3	6	8	53	

### (2) Cambodian Staffing

	Offices	Year	D-2	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	Office of Resident Judge	2011		1		1			2					-	1	3
		2012		1		1			2					-	1	3
		2013		1		1			2					-	1	3
2	Trial Chamber	2011		4			2	2	8					-	1	9
		2012		4			4	2	10					-	1	11
		2013		4			4	2	10					-	1	11
3	Supreme Court Chamber	2011		4			-	2	6					-	-	6
		2012		4			-	1	5					-	-	5
		2013		4			-	1	5					-	-	5
4	Pre-Trial Chamber	2011		4			2	1	7					-	1	8
		2012		4			1	1	6					-	1	7
		2013		4			1	1	6					-	1	7
5	Office of the Co-Prosecutors	2011		1	1	4	3	2	11					-	1	12
		2012		1	1	4	3	2	11					-	1	12
		2013		1	1	4	3	2	11					-	1	12
6	Office of the Co-Investigating Judges	2011		1		3	7	5	16					-	1	17
		2012		1		2	3	3	9					-	1	10
		2013		1		-	3	1	5					-	1	6
Judicial Offices Total	2011	-	15	1	8	14	12	50	-	-	-	-	-	-	5	55
	2012	-	15	1	7	11	9	43	-	-	-	-	-	-	5	48
	2013	-	15	1	5	11	7	39	-	-	-	-	-	-	5	44

SUMMARY (1)+(2)																
Total Requirements	2011	12	15	3	14	35	21	100	-	3	-	3	6	16	122	
	2012	12	15	3	14	32	17	93	-	3	-	3	6	16	115	
	2013	12	15	3	12	24	12	78	-	3	-	3	6	13	97	

S.33. The chambers will be affected in various ways by the progress of the ongoing cases and investigations, which are outlined in the following paragraphs.

S.34. Case File 001: The judgment on the appeal has been announced for delivery on 3 February 2012, concluding the judicial proceedings for the case.

S.35. Case File 002: Opening statements in the trial took place on 21 November 2011 with hearings on evidence commencing on 28 November 2011. Given the size and complexity of Case 002, it is estimated that the trials in this case

would run until 2016. The first of the multiple verdicts is expected by 2013. On 22 September 2011, the Trial Chamber ordered the division of Case 002 into a series of smaller trials which will be tried and adjudicated separately. A new rule on severance was adopted by the ECCC Plenary in February 2011 enabling the Chamber to proceed to trial on a more limited segment of the indictment, where this is considered to be in the interests of justice. The advantage of separation of proceedings into segments is that each trial will take an abbreviated time for the Chamber to complete. A verdict, and appropriate sentence in the event of conviction, will be issued at the conclusion of each trial.

- S.36. 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.37. Case 003: The reserve Investigating Judge has filed a disagreement with the PTC which may have an impact on the closing order in case 003 and investigations in case 004 as well as the future workload of PTC which is appellate body for decisions of the Co-investigating Judges. It will be possible to determine realistic timelines in case 003 and case 004 only after a decision of PTC in consultation with the national and international Co-investigating Judges.

(I) SUPREME COURT CHAMBER, (II) TRIAL CHAMBER AND (III) PRE-TRIAL CHAMBER

Table S.2.c

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

(1) United Nations Staffing

Offices	Year	D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Service	Grand Total
1 Office of Resident Judge	2011							-					-		-
	2012							-					-		-
	2013							-					-		-
2 Trial Chambers	2011	3		1	-	4	1	9		1			1	1	11
	2012	3		1	1	4	1	10		1			1	1	12
	2013	3		1	1	4	1	10		1			1	1	12
3 Supreme Court Chamber	2011	4				1	1	6				1	1		7
	2012	4				1		5				1	1		6
	2013	4				1		5				1	1		6
4 Pre-Trial Chambers	2011	3				2	1	6				1	1		7
	2012	3				2	1	6				1	1		7
	2013	3				2	1	6				1	1		7
Judicial Offices Total	2011	10	-	1	-	7	3	21	-	1	-	2	3	1	25
	2012	10	-	1	1	7	2	21	-	1	-	2	3	1	25
	2013	10	-	1	1	7	2	21	-	1	-	2	3	1	25

(2) Cambodian Staffing

Offices	Year	D-2	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	2011		1		1			2					-	1	3
	2012		1		1			2					-	1	3
	2013		1		1			2					-	1	3
2 Trial Chambers	2011		4			2	2	8					-	1	9
	2012		4			4	2	10					-	1	11
	2013		4			4	2	10					-	1	11
3 Supreme Court Chamber	2011		4			-	2	6					-	-	6
	2012		4			-	1	5					-	-	5
	2013		4			-	1	5					-	-	5
4 Pre-Trial Chambers	2011		4			2	1	7					-	1	8
	2012		4			1	1	6					-	1	7
	2013		4			1	1	6					-	1	7
Judicial Offices Total	2011	-	13	-	1	4	5	23	-	-	-	-	-	3	26
	2012	-	13	-	1	5	4	23	-	-	-	-	-	3	26
	2013	-	13	-	1	5	4	23	-	-	-	-	-	3	26

SUMMARY (1)+(2)															
Total Requirements	2011	10	13	1	1	11	8	44	-	1	-	2	3	4	51
	2012	10	13	1	2	12	6	44	-	1	-	2	3	4	51
	2013	10	13	1	2	12	6	44	-	1	-	2	3	4	51

I. SUPREME COURT CHAMBER

S.38. The Chamber is the most recently established Chamber of the ECCC, and has had the least opportunity to develop its internal working relations and jurisprudence. It is the final decision making Chamber of the ECCC, expected to produce decisions which provide legal guidance and lasting legacy and which contribute to build capacity within the national judicial system.

The ECCC Internal Rule 104(4) provides that the following decisions by the Trial Chamber are subject to immediate appeal to the Supreme Court Chamber: (a) decisions which have the effect of terminating the proceedings; (b) decisions on detention and bail under Rule 82; (c) decisions on protective

measures under Rule 29(4)(c); and, (d) decisions on interference with the administration of justice under Rule 35(6).

S.39. The Chamber's workload during the next budgetary cycle is difficult to predict in detail, however, it is crucial that the Chamber's ability to operate throughout this period is ensured. There are likely to be immediate appeals in Case 002 in 2012 and in 2013, including an appeal against a partial trial judgment in Case 002. The vast scale and complexity of Case 002 in contrast to Case 001 means that the parties will resort to immediate appeals more frequently and intensely than in Case 001. In anticipation of its main workload as consisting of immediate appeals, the Chamber in the next budget cycle must be fully resourced in order to be able to respond expeditiously and with the requisite standard.

S.40. The International Component of the Chamber is currently staffed with 3 international judges and 1 reserve judge (2 resident judges and 2 non-resident judges), 1 Legal Officer at P-3 level and 1 Associate Legal officer at P-2 level. The court is assisted by one Administrative Assistant at FS-3 level to facilitate the daily operations of the Chamber.

During this budget period of 2012-13, one P-2 Associate Legal Officer post is proposed to be abolished. The same working methodology will be maintained in the budget period (2 resident judges and 2 non-resident judges). The reserve judge will be called as needed.

On the national side, the Chamber is currently staffed by 3 judges and 1 reserve judge (D-1), and 1 Greffier/ Associate Legal Officer (NO-B). The national Supreme Court Chamber judges are resident in Phnom Penh and all national staff positions are presently encumbered and required for the duration of Case 002 unless otherwise indicated.

S.41. The Supreme Court Chamber is expected to be seized of at least 4 appeals from each of the 4 Defence teams, for a total of 16 appeals in 2012 and another 16 appeals in 2013. These appeals include a range of immediate appeals under the Internal Rules and appeals against judgment.

The Supreme Court Chamber's national judges (3 judges and 1 reserve judge) are required to be fully on board for 12 months in 2012 and 2013, so as to issue timely appeals in response to new tight deadlines that the Supreme Court Chamber must comply with in issuing its decisions on immediate appeals (Revision 8 of Internal Rules 104 and 108). The vacant post of Associate Legal Officer (NO-B) is proposed to be abolished.

#### ***Office of the Resident Judge***

S.42. As adopted during the 3rd Plenary in January 2008, the President of the Supreme Court Chamber has been full time at the Court since 2009 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.

To carry out these functions, the Office of Resident Judge is to be staffed with 3 permanent posts, consisting of 3 national posts: 1 D-1 of Resident Judge, 1 NO-D of Legal Officer and 1 GS-4 of Administrative Assistant.

- S.43. In early August 2011, the tenth session of the ECCC Plenary amended its Internal Rules in order to promote efficient trial management and more expeditious trial proceedings. The rules relating to immediate appeals to the Supreme Court Chamber were amended to include provisions requiring the Chamber to issue a decision with a summary of its reasons within three months. In relation to immediate appeals against Trial Chamber decisions which have the effect of terminating proceedings, the Supreme Court Chamber may, in exceptional circumstances, extend the period for issuing such decisions by a further month. If the Supreme Court Chamber does not issue a decision within the limited time prescribed or if it is unable to reach a super-majority on any immediate appeal, the decision of the Trial Chamber becomes final.

## II. TRIAL CHAMBER

- S.44. The Chamber judges are resident in Phnom Penh and all staff positions are presently encumbered and required for the duration of the trial activities in Case 002 unless otherwise indicated. The Trial Chamber underwent a period of sustained growth in 2011 in support of early trial activities in Case 002. Retention of the Trial Chamber's current staffing complement is therefore necessary to sustain activities during the 2012-2013 budgetary cycle.
- S.45. The International Component of the Trial Chamber is currently staffed with two judges and one reserve judge (D-2), one Senior Legal Officer (P-5), four Legal Officers/Greffiers (P-3), one Greffier/Associate Legal Officer (P-2), a Case Manager (FS-5) and one Administrative Assistant GS-4.

On the National side, the Chamber is currently staffed with three judges and one reserve judge (D-1), two Greffiers/Legal Officers (NO-C/P-3), two Greffiers/Associate Legal Officers (NO-B/P-2) and one Administrative Assistant (GS-4). It also benefits from the assistance of an additional legal officer, provided at no cost by the German Centre for International Migration, whose tenure ended in July 2011 and for whom a replacement has since been identified. The Legal Officer is expected to join the court later in 2011.

Additional resource requirements, pertaining to the investigative and legal support to the Chamber, are identified below:

### International

- a) One P-4 Legal Officer to deal with simultaneous trial-management and verdict delivery.

With the complexity of the trial in Case 002, the Trial Judges requested a P4 Deputy to the Senior Legal Officer to address the tremendous

workload of the Senior Legal Officer, who is instrumental in the timely delivery of decisions and memoranda, both in terms of legal analysis, as well as editing (she is the only English native speaker in the Chamber and hence reviews and corrects all documents). As such, with only one senior level person (the other posts are P3 and P2), there is a need for a more seasoned lawyer to address bottlenecks which occur due to the editing responsibility, and to allow the Senior Legal Officer to devote more time to strategic matters. In addition, the P4 position would provide operational flexibility when the second mini-trial commences in Case 002, with the P4 managing the ongoing trial while the Senior Legal Officer focuses on the verdict drafting for the first trial.

#### National

- a) One NO-C Legal Officer to manage the significantly increased documentary workload for Case 002;
- b) One NO-C Investigator to provide the Chamber with modest investigative capacity.

These new posts will need to become operational as soon as possible in order to maximize their impact on the implementation of the trial in Case 002. In this regard, the Chamber welcomed the interim lateral assignment to the Chamber of a suitably-qualified investigator from the Co-Investigating Judges earlier this year.

- S.46. In addition, the present German-funded legal advisor was replaced in November 2011. He/she is of little additional cost to the ECCC and is supported financially during the next budgetary cycle by the German Centre for International Migration. This legal advisor will offer significant international legal experience and expertise by assisting the national Judges
- S.47. A significant workload before the Chamber throughout the next budgetary cycle is inevitable. Core and critical functions will be met through the above staffing. It nevertheless cannot be excluded that unanticipated workload surges may require the short-term engagement of temporary staff. Therefore, funding for two staff under GTA of international component (three months each in 2012) is requested on a contingency basis.

For national component, two positions under GTA are proposed for six months each for 2012-2013.

- S.48. The additional post requirements are based on the workload projections for the Trial Chamber in 2012 and 2013 as follows:
- a) *Trial on the substance and judgment drafting in Case 002.* The Initial Hearing in Case 002 took place on 27 June 2011, and constituted the official commencement of the trial in Case 002. On 18 October 2011, the Chamber



announced the date of the hearing on substance in this case as commencing on 21 November 2011 with opening statements and on 28 November with hearings on evidence. The hearing of evidence and judgment drafting in this complex, voluminous case is likely to engage the Chamber for the duration of 2012 and 2013. An amendment to the Internal Rules by the February 2011 Plenary Session enabled the Chamber, where necessary in the interests of justice, to sever portions of the Closing Order and proceed to more limited, sequential trials regarding the charges in Case 002. The Chamber issued a severance order in Case 002 on 22 September 2011, indicating that the first trial in Case 002 would concern population movement and related crimes against humanity charges. Other charges and factual allegations are deferred to later stages of the proceedings. The Chamber might ultimately decide to work in parallel on both drafting the judgments on the first trial while hearing portions of the subsequent trial in Case 002.

b) *Possible pre-trial preparations in future cases before the ECCC.* Should a Closing Order be issued in either or both Cases 003 or Case 004, the possibility that the Trial Chamber will be seized of subsequent cases for trial during the 2012-2013 periods cannot be excluded. Although trial-related activities in these cases are not anticipated in the early phases of the next budgetary cycle, any overlap between future cases and Case 002 may also require additional resources.

- S.49. The Closing Order (indictment) in Case 002 spans more than 700 pages, and the parties have requested a cumulative total of 1,054 witnesses or experts at trial. Although the Chamber expects to hear a significantly reduced number of witnesses over the course of the trial, it is clear that Case 002 will be of a significantly greater scale and complexity than Case 001. (Although exact comparators are difficult to identify, cases of comparable size and complexity to Case 002 before the International Criminal Tribunal for Rwanda typically heard around 250 witnesses over several hundred trial days).
- S.50. The complexity of Case 002 has meant that a significant number of immediate (interlocutory) decisions on a range of legal and procedural issues are required before, and during, the course of trial. Whilst witness numbers and trial length may be less in relation to ECCC proceedings (due to differences in legal frameworks and procedures between the ECCC and the *ad hoc* tribunals, and present efforts by the Chamber to ensure an expeditious trial), the complexity of the resultant judgments before both tribunals may nonetheless be similar. To minimize delays to the conclusion of Case 002 (in particular, in the judgment-writing phase), the Chamber must remain fully resourced for the duration of the next budgetary cycle. In this regard, supplementary resources may be required should the Chamber, in parallel with the sequential hearing of the evidence or judgment drafting in Case 002, also be seized with trial-related activities in Case 003 during the next budgetary cycle, or should severance decisions require the Chamber to utilize its existing resources simultaneously in verdict writing and the management of an ongoing trial (above).

### III. PRE-TRIAL CHAMBER

- S.51. The International Component of the Chamber is currently staffed with 2 judges, 1 reserve judge (D-2), 2 Legal Officer/Greffier (P-3), 1 Associate Legal Officer (P-2), and 1 Administrative Assistant (FS-3). There is no change proposed in the staffing of international component during 2012-2013.

On the national side, the Chamber is currently staffed with 3 national judges and 1 reserve judge (D-1), 2 Greffier/Legal Officer (NO-C/P-3), 1 Associate Legal Officer (NO-B/P-2) and 1 Administrative Assistant (GS-4). One Greffier/Legal Officer (NO-C/P-3) post is proposed to be abolished in 2012-2013 due to the anticipated decrease of workload.

- S.52. The Chamber's workload during the next budgetary cycle is likely to consist of appeals of Case 003 and 004 and other appeals from victims' complainants regarding their status of civil party applicants that have been rejected by the Office of the Co-Investigating Judges. Following the announcement of the conclusion of the judicial investigation in Case 003 by the Co-Investigating Judges, the Chamber has begun to receive appeals from several Parties.

Due to the significance of the Chamber's workload to the overall ECCC judicial timelines during 2012 and 2013, the Chamber (national) will be deployed on a full-time basis in 2012 and 6 months in 2013, in line with the workload projections below. The international Judges will be resident on a full-time basis in 2012, whereas only 4 work months are budgeted for 2013 to allow the Chamber to be constituted as and when required to consider a motion or appeal, thus re-assuming the modality applicable prior to 2010, when the Chamber was constituted on a full time basis. However, given the unclarity surrounding the timelines in case 003 and 004, this will have to be reviewed in 2012 and changes if any are necessitated, they will be presented in the budget revision exercise.

Future staffing needs based on workload projections for 2012 and 2013 are as follows:

- S.53. The Chamber's workload during 2012-2013 is likely to be, but not exclusively, limited to:
- a) Annulment proceedings and appeals from denials of investigative actions;
  - b) Likely appeals in respect of Closing or Dismissal Orders; and
  - c) Appeals from challenges to Civil Party applications.

- S.54. Due to the nature of Case 003, it is expected that the Chamber will also receive requests for adjudication of disputes throughout 2012 and the possible impact on the Chamber's workload by the disputes procedure described in Internal Rule 72 cannot be excluded. The current number of Civil Parties Applicants in Case 003 is 320, which, given the current requests by the Co-Prosecutors for an extension of time for Civil Parties to file applications, may increase significantly. Currently, three of the Civil Party applicants have been considered for admission by the OCIJ and rejected and have filed appeals.

S.55. Further judicial investigations, as a by-product of requests made by the Co-Prosecutor in Case 003 and the ongoing investigations in Case 004 during 2012 and 2013, would be likely to produce a workload for the Pre-Trial Chamber similar to current levels of activity in Case 002. A number of parties have applied to be joined in Case 004. The Chamber's workload will also significantly increase with renewed appeals should the Closing Orders in Cases 003 and 004 be handed down. As currently considered, there could be in excess of 330 appeals and applications before the Chamber in respect of Case 003. In the meantime, it appears likely that the Chamber's workload will remain full in relation to Case 003 and possibly Case 004 during 2012 with the latter case expected to be the focus by 2013.

(IV) OFFICE OF THE CO-PROSECUTOR, (V) OFFICE OF THE CO-INVESTIGATING JUDGES

IV. OFFICE OF THE CO-PROSECUTOR

Table S.2.d

**Post requirements for Office of the Co-Prosecutors**

(1) United Nations Staffing

Offices	Year	D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Service	Grand Total
Office of the Co-Prosecutors	2011	1		1	3	6	1	12		1			1	4	17
	2012	1		1	3	6	1	12		1			1	5	18
	2013	1		1	3	4	1	10		1			1	5	16

(2) Cambodian Staffing

Offices	Year	D-2	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	2011		1	1	4	3	2	11					-	1	12
	2012		1	1	4	3	2	11					-	1	12
	2013		1	1	4	3	2	11					-	1	12

<b>SUMMARY (1)+(2)</b>															
Total Requirements	2011	1	1	2	7	9	3	23	-	1	-	-	1	5	29
	2012	1	1	2	7	9	3	23	-	1	-	-	1	6	30
	2013	1	1	2	7	7	3	21	-	1	-	-	1	6	28

S.56. The Office of the Co-Prosecutors (OCP) of the ECCC has 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.57. The International Component of the Office of the Co-Prosecutors (OCP) is currently staffed with 17 posts in 2011: 1 Co-Prosecutor (D-2), 1 Deputy Co-Prosecutor (P-5), 3 Senior Assistant Prosecutor (P-4), 4 Assistant Prosecutor (P-3), 2 Investigator/Researcher/Analysts (P-3), 1 Researcher / Translator / Interpreter (NO-B), one Case Manager (FS-5), 3 Legal Assistant (G-7), 1 Administrative Assistant (G-4).

Additional one post is proposed to be established in 2012: 1 GS-7 Legal Assistant for full period of 2012-2013. The work month of two P-3 (Investigator/Researcher/Analysts) posts will be reduced to 6 working months in 2012, and these two posts are proposed to be abolished in 2013.

On the national side, the OCP is currently staffed with 12 posts: 1 Co-Prosecutor (D-1), 1 Deputy Co-Prosecutor (P-5), 4 Senior Assistant Co-Prosecutors (NO-D), 1 Assistant Co-Prosecutors (NO-C), 2 Investigator/Researcher/Analysts (NO-C), 1 Greffier/Legal Officer (NO-B), 1 Data Coder (NO-B), and 1 GS staff.

S.58. The period 2012-2013 will likely see the work of OCP increase to its highest levels with a tapering off of workloads towards the end of 2013. The appeal of Case 001 was heard in March 2011 and the judgment has been announced to be issued on 3 February 2012. The trial of Case 002 commenced on 21 November 2011. It is estimated that the first segment of the trial will last at least two years. It involves four elderly defendants and four large and experienced Defence teams. There will be at least 200 witnesses and the admission of up to 4,000 documents. The case will require the daily presence of prosecution counsel in the Trial Chamber examining witnesses and dealing with oral legal submissions. International counsel in OCP will be present in the courtroom and will also be assisting and collaborating with their Cambodian counterparts drafting arguments and helping them in preparation for the examination of witnesses.

S.59. It is expected that the Office of the Co-Prosecutor and Defence counsel are likely to be very active in the filing of interlocutory motions and applications

during the trial which require responses from the other parties to the proceedings. Substantial written submissions will be made at the end of the trial of Case 002 which again will require significant research and drafting and then translation into the Khmer language. After the trial in Case 002 there will most likely be an appeal by the defence parties and also most likely by the OCP and civil parties too. Such appeal will require extensive written briefings and also a number of hearings. It should be resolved within a year to eighteen months of the end of the trial.

- S.60. Cases 003 and 004 may still continue in 2012. Final Submissions will have to be drafted for both cases prior to the final determination for each case by OCIJ. Depending on the determinations of the OCIJ the closing orders issued in each case may be appealed by OCP to the PTC which will require considerable written pleadings in addition to some limited number of hearings at the same time as handling Case 002.
- S.61. 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.62. Between January and July of 2011 the OCP has written and required translation of 1,481 pages of written filings and has had to answer 946 pages of written filings from the defence teams. This pace is likely to increase and remain at a sustained level during this time of the trial. All filings must be submitted in the English and Khmer language as they are signed by the international and national prosecutor. A dedicated team of three translators (GS-7 Legal Assistant) work in the OCP translation unit. Almost all of their time is spent translating lengthy written pleadings from English into Khmer, which is time consuming work. .

## V. OFFICE OF THE CO-INVESTIGATING JUDGES

Table S.2.e.

### Post requirements for Office of the Co-Investigating Judges

Totals are missing

#### (1) United Nations Staffing

Offices	Year	D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Service	Grand Total
Office of the Co-Investigating Judges	2011	1			3	8	5	17		1		1	2	6	25
	2012	1			3	8	5	17		1		1	2	5	24
	2013	1			3	2	2	8		1		1	2	2	12

#### (2) Cambodian Staffing

Offices	Year	D-2	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	2011		1		3	7	5	16					-	1	17
	2012		1		2	3	3	9					-	1	10
	2013		1		-	3	1	5					-	1	6

SUMMARY (1)+(2)															
Total Requirements	2011	1	1	-	6	15	10	33	-	1	-	1	2	7	42
	2012	1	1	-	5	11	8	26	-	1	-	1	2	6	34
	2013	1	1	-	3	5	3	13	-	1	-	1	2	3	18

S.63. The Office of the Co-Investigating Judges (OCIJ) consists of the Investigations, Legal Research and Analysts Units. The current workload of the OCIJ consists of Case Files 003 and 004. In Case File 003 two persons are suspected of being responsible for participating in the commission of various crimes at 13 different crime sites. In Case File 004 three persons are suspected of being responsible for participating in the commission of crimes at 32 different crime sites. It is worth mentioning that investigations to be conducted in Case Files 003 and 004 depend largely on decisions taken by three offices: OCIJ, OCP and PTC and on the intervention of the civil parties. In particular, a decision by the PTC is expected on the International Co-Prosecutor's Appeal against the decision of the OCIJ to close the investigation in Case File 003 (dated 29 April 2011). Furthermore, after the closing of the investigation in Case File 003, the International Co-Prosecutor filed three requests for additional investigations. These requests were rejected by the OCIJ based on procedural grounds and the appeal of this decision was decided by the PTC in November 2011. It should also be noted that the existing 321 civil party applications need to be analyzed in light of the criteria established by the PTC in its decision dated 24 June 2011. Following resignation of the international Co-Investigating Judge, the reserve international Co-Investigating Judge was deployed in December 2011. It will be for the Co-Investigating Judges to consider whether to proceed with investigations. The reserve Co-Investigating Judge has filed a disagreement with the PTC. The decision of the PTC which is expected in the first quarter of 2012, will lead to a determination of more realistic timelines in cases 003 and 004.

- S.64. By waiting for a decision of the PTC on the International Co-Prosecutor's Appeal against the decision of the OCIJ investigative closure of Case 003, the timeline would depend on the substance of PTC's decision on the Appeal and on the required time for OCP's Final Submission.
- S.65. Concerning Case 004, the timing depends completely on the interaction of 3 offices: OCIJ, OCP and PTC and on the intervention of the Civil Parties. In addition, decisions of the PTC on the disagreement and the appeal in investigative actions will impact the timelines in these cases.
- S.66. The International Component of OCIJ is currently staffed with 25 posts in 2011: 1 Co-Investigating Judge (D-2), 2 Investigator/Analyst (P-4), 1 Legal Officer (P-4), 3 Legal Officers (P-3), 5 Investigator/Analyst (P-3), 3 Associate legal Officer (P-2), 1 Associate legal Officer (Greffier) (P-2), 1 Assistant Legal Officer (NO-A), 1 Case Manager (FS-5), 1 Administrative Assistant (FS-3), 5 Legal Assistants (GS-7), 1 Admin Assistant (GS-4).

Based on the workload analysis for the next budget period, the OCIJ (International Component) proposes to abolish 1 post of Admin Assistant at GS-4 level.

A total 12 posts are proposed to be abolished in OCIJ (International Component) in 2013 to reflect the reduced workload: 2 Legal Officers (P-3), 4 Investigator/Analyst (P-3), 2 Associate legal Officer (P-2), 1 Assistant Legal Officer (NOA), and 3 Legal Assistants (GS-7).

The National Component of OCIJ proposed to reduce 7 posts in 2012 from the 2011 staffing level of 17 posts, maintain the following 10 posts in 2012: 1 National Co-Investigating Judge (D-1), 1 Legal Team Leader (NO-D), 1 Analyst Team Leader (NO-D), 3 Legal Officers (NO-C), 1 Data Coder (NO-B), 1 Greffier (NO-B), 1 Associate Legal Officer (NO-B) and 1 Administrative Assistant (GS-4).

There are 4 posts proposed to be abolished in the OCIJ (National Component) in 2013: 1 Legal Team Leader (NO-D), 1 Analyst Team Leader (NO-D), 1 Data Coder (NO-B) and 1 Associate Legal Officer (NO-B). The remaining 6 posts are to be phased out from the middle of 2013.

- S.67. Against the above background, and given the information available at the time of submission of this budget proposal, OCIJ considers that there is a real possibility that, in addition to any new investigative steps, many of the witnesses and crime sites that have already been seen may also have to be revisited. Based on the above, it is estimated that investigating the crimes alleged in the two Introductory Submissions may require undertaking 100 missions.

## ***A.1 Resource Requirements – United Nations***

### ***Posts-excludes judges***

- S.68. The proposed budget of \$12.5 million for 2012-2013 provides for 55 posts in Judicial Offices in 2012 (2 P-5, 7 P-4, 21 P-3, 8 P-2, 6 FS, 11 GS) and 41 posts in 2013 (2 P-5, 7 P-4, 13 P-3, 5 P-2, 6 FS, 8 GS).

The proposed post cost is \$7.0 million for 55 posts in 2012 and \$5.5 million for 41 posts in 2013 compared to \$6.9 million approved for 52 posts in 2011.

### ***Non-staff compensation – salaries and allowances of Judges***

- S.69 The proposed budget of \$3.7 million for 2012-2013 provides for salaries and allowances for 12 Judicial Officials: 1 Co-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. The decrease in annual requirements by \$0.3 million in 2012 and by \$0.6 million 2013 compared to 2011 (\$2.3 million) relates to differences in work months of deployment for various Chambers:

- a) The Trial Chamber will be deployed full-time,
- b) The Pre-Trial Chamber will be deployed full-time in 2012, whereas the Chamber will constitute as and when required for a total of 4 work months in 2013;
- c) Two full-time resident Judge for the Supreme Court Chamber and 3 work month per year for the non-resident judges.

### ***Travel of judges***

- S.70. The proposed budget of \$79,735 for 2012-2013 is required for the travel of non-resident judges of the Pre-Trial Chamber and Supreme Court Chambers to Phnom Penh for deliberations. The increase in annual requirements relates to the travel of non-resident Judges to Phnom Penh.

### ***Judicial Meetings***

- S.71. The proposed budget of \$318,204 for 2012-2013 relates to the cost of the non-resident Judges to attend the plenary sessions. The meetings of the Judicial Administrative Committee 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.72. The proposed budget of \$2.0 million for 2012-2013 provides for the salary of 31 posts in 2012 (1 P-5, 6 NO-D, 11 NO-C, 9 NO-B/A, 4 GS) and 27 posts in 2013 (1 P-5, 4 NO-D, 11 NO-C, 7 NO-B/A, 4 GS).

The proposed post cost is \$1.1 million for 31 posts in 2012 and \$0.9 million for 27 posts in 2013 compared to \$1.4 million approved for 38 posts in 2011.



***Non-staff compensation – salaries and allowances of Judges***

- S.73. The required funding of \$1.6 million for 2012-2013 provides for salary and allowances for 14 Judicial Officials: 1 Co-Prosecutor, 1 Co-Investigating Judge, 3 Trial Judges, 1 Reserve Trial Judge, 3 Supreme Court Judges and 1 Reserve Supreme Court Judge, 3 Pre-Trial Judges and 1 Reserve Pre-Trial Judge. The decrease in annual requirements by \$0.07 million in 2012 and by \$0.3 million 2013 compared to 2011 (\$1 million) relates to differences in work months of deployment for various Chambers. The work months of deployment for the Chambers vary as follows:
- a) 1 Prosecutor for 24 months throughout 2012-2013,
  - b) 1 Co-Investigating Judge for 12 months in 2012 and 6 months in 2013,
  - c) 3 Pre-Trial Judges and 1 Reserve Pre-Trial Judge for 12 months in 2012 and 6 months in 2013,
  - d) 3 Trial Judges, and 1 Reserve Trial Judge for 24 months throughout 2012-2013,
  - e) 3 Supreme Court Judges and 1 Reserve Supreme Court Judge for 12 months in 2012 and 2013. (The president of the Supreme Court Chamber is budgeted under the Office of Resident Judge)

***Office of the Resident Judge***

- S.74. The required funding of \$0.3 million for 2012-2013 is proposed for the salary of 3 staff members in the Office of Resident Judges as follows:
- a) \$0.2 million provides for continuation of 1 president of the Supreme Court Judge throughout 2012-2013.
  - b) \$0.1 million provides for continuation of 1 legal officer (NO-D) and 1 Support staffs (GS4).

***Travel of Judges***

- S.75. No amount was budgeted for 2012-2013 regarding the travel costs of judges as they are resident in Phnom Penh.

***Judicial Meetings***

- S.76. 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.
- S.77. The proposed budget for 2012-2013 amounts to \$69,545 provides for the allowances of non-resident national judges who attend the meetings of Judicial Administration Committee, the Rules and Procedure Committee, and the Plenary Sessions:
- a) Allowances of 3 and 4 non-resident judges in 2012 and 2013 who attend twice a year the plenary meetings. (\$18,272)
  - b) 3 non-resident judges in 2012 and 4 non-resident judges in 2013 who attend 4 times the Rules and Procedure Committee's meetings both in 2012-2013. (\$26,103)

- c) Allowances of 3 non-resident judges who will attend 6 Judicial Administration Committee's meeting during 2012-2013. (\$13,424)
- d) Allowances of 3 and 4 non-resident judges in 2012 and 2013 to attend unforeseen judicial meetings. (\$11,746)

## B. Defence and Victims Support <sup>2</sup>

Table S.2.f

### Resource Requirements by Object of Expenditure

(Thousands of United States Dollars)

#### (1) United Nations Funding

	Object of expenditure	Budget 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Posts	4,369.6	3,404.9	964.7	1,086.0	1,118.6	2,204.6	6,574.1
2	Defense Support	8,802.8	5,403.2	3,399.6	4,757.3	5,576.9	10,334.2	19,137.0
3	Civil Party Co-Lead Lawyers	299.3	3.2	296.1	414.1	414.1	828.2	1,127.5
	<b>TOTAL</b>	<b>13,471.7</b>	<b>8,811.3</b>	<b>4,660.4</b>	<b>6,257.4</b>	<b>7,109.5</b>	<b>13,366.9</b>	<b>26,838.6</b>

#### (2) Cambodian Funding

	Object of expenditure	Budget 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Posts	1,452.3	744.0	708.2	459.0	466.9	925.9	2,378.2
2	Defence Support	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	Civil Party Co-Lead Lawyers	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	<b>TOTAL</b>	<b>1,452.3</b>	<b>744.0</b>	<b>708.2</b>	<b>459.0</b>	<b>466.9</b>	<b>925.9</b>	<b>2,378.2</b>

<b>Total requirements (1)+(2)</b>	<b>14,923.9</b>	<b>9,555.3</b>	<b>5,368.6</b>	<b>6,716.4</b>	<b>7,576.4</b>	<b>14,292.8</b>	<b>29,216.7</b>
-----------------------------------	-----------------	----------------	----------------	----------------	----------------	-----------------	-----------------

<sup>2</sup> Resource requirements for Victims Support include the Victims Support Section and Civil Party Lead Co-Lawyers Section.

Table S.2.g

## Post Requirements for Defence and Victims Support

### (1) United Nations Staffing

Offices	Year	D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Service	Grand Total
1 Defence Support	2011			1	1	2	3	7				1	1		8
	2012			1	1	2	3	7				1	1		8
	2013			1	1	2	3	7				1	1		8
2 Victims Support	2011						1	1							1
	2012						1	1							1
	2013						1	1							1
Total	2011	-	-	1	1	2	4	8	-	-	-	1	1	-	9
	2012	-	-	1	1	2	4	8	-	-	-	1	1	-	9
	2013	-	-	1	1	2	4	8	-	-	-	1	1	-	9

### (2) Cambodian Staffing

Offices	Year	D-2	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	2011				1	1	-	2						1	3
	2012				-	2	-	2						1	3
	2013				-	2	-	2						1	3
2 Victims Support Section	2011				3	3	5	11						16	27
	2012				-	3	3	6						9	15
	2013				-	3	2	5						9	14
3 Lead Co-Lawyer Section	2011			1		-	1	2						1	3
	2012			-		1	1	2						1	3
	2013			-		1	1	2						1	3
Total	2011	-	-	1	4	4	6	15	-	-	-	-	-	18	33
	2012	-	-	-	-	6	4	10	-	-	-	-	-	11	21
	2013	-	-	-	-	6	3	9	-	-	-	-	-	11	20

SUMMARY (1)+(2)															
Total Requirements	2011	-	-	2	5	6	10	23	-	-	-	1	1	18	42
	2012	-	-	1	1	8	8	18	-	-	-	1	1	11	30
	2013	-	-	1	1	8	7	17	-	-	-	1	1	11	29

### Defence Support Section

S.78. The objective of the Defence Support Section (DSS) is to ensure respect for fair trial rights at the ECCC, by guaranteeing effective legal representation for suspects and others entitled to a defence lawyer at the ECCC. The DSS creates and maintains Lists of Counsel who are qualified and willing to represent the accused; puts together defence teams; assesses the indigent status of the accused; provides administrative, logistical and substantive support to the defence teams; partakes in outreach; organizes training; and, manages the Legal Assistance Scheme (LAS).

S.79. The approved staffing of the DSS in 2011 comprised eight posts in the international component (1 P-5, 1 P-4, 2 P-3, 3 NO-B and 1 FS-3) and three posts in the national component (1 NO-D, 1 NO-C, and 1 GS-4). The international component of the office proposes to maintain the current staffing level for 2012-2013. The national component proposes to reclassify 1 NO-D, national Deputy Chief to NO-C, Legal Officer, for the period of 2012-2013.

## **Victims Support Section**

- S.80. In February 2010, the ECCC Plenary Session of judges made a number of decisions concerning the activities of the Victims Support Section as follows: (i) reframed the Victims Support Section's mandate, maintaining its processing and outreach functions, and entrusted the Section with the development and implementation of programs and measures other than those 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 Victims Support, the precise division of resources across these three entities is described in the following paragraphs.
- S.81. The Victims Support Section received and filed 94 Civil Party applications for Case 001, and 4,128 Civil Party applications and 4,128 Complaints for Case 002. Sixty six (66) of Civil Party applicants were admitted to join Case 001. The OCIJ and PTC admitted 3,866 Civil Parties to join Case 002. Recently the Section has received 321 Civil Party's applications for Case 003 and 375 applications for Case 004, and 2 Complaints. The number of applications is expected to increase as Case 004 is still at the investigation phase of the OCIJ.
- S.82. Civil Party Lawyers Legal Teams who have registered with VSS have been working on a pro bono basis to represent the Civil Parties by providing free legal services. However, there have been a number of problems associated with this approach, including funding constraints of the various legal teams, as well as misunderstandings emanating from unclear roles and distinctions in tasks. This leads to conflict of interests among the groups represented by the different Civil Party legal teams. Moreover, inadequate coordination among those legal teams leads to repetition in questioning and legal submissions.
- S.83. The Seventh ECCC Plenary session approved an amendment to the ECCC Internal Rules that requires Civil Parties' representation 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 the pre-trial phase and trial phase, and which will 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. This may include oral and written submissions, examination of clients and witnesses and other procedural actions which are to be mutually agreed between the Civil Party Lead Co-Lawyers and the concerned Civil Party Lawyer.
- S.84. The National Component of VSS has recruited 3 Civil Party lawyers and a Case Manager and assigned a support staff to the team. Since they have joined the board in 2010, the team has met with several clients to provide legal

counselling and have discussions on reparation requests. Together with other Civil Party lawyers, they have made several responses to submissions filed by other parties and proposed 38 Civil Parties to the Trial Chamber to testify against the accused persons during the upcoming trials. The team appeared in the court room and represented their Civil Parties during the Initial Hearing of Case 002 on 27-30 June 2011.

- S.85. The approved international staffing of the Victims Support Section in 2011 was one Associate Information Systems Officer (P-2) to strengthen the capacity of the Section by establishing and maintaining a database application for the effective registration and management of complainants of Civil Parties. This post is proposed to be maintained in 2012-2013

### ***German Contribution Earmarked for Victim Support Section***

- S.86. In the 2011 approved staffing, the VSS had 27 national posts funded by earmarked contributions from Germany. This contribution provided both for the staffing posts and for a range of equipment and operational costs to support the development of an active victim-oriented outreach program.
- S.87. Due to the funding constraints, new staffing arrangement for 2012-2013 is proposed, which consists of four teams: a Core Team, an Outreach Team, a Processing and Analyst Team, and a Civil Party Lawyer Team.
- a) The new staffing requirement for the budget year 2012-2013 of the Core Team is made up of 6 posts: a Program Manager NO-C/P-3; Finance/Administrative Officer NO-B/P-2; Case Manager NO-B/P-2; Assistant legal officer NO-A/P-1; Finance/Administrative Assistant GS-5; and Support Staff GS-4.
  - b) The Outreach Team was made up of six posts: one Outreach Coordinator (NO-C), one Outreach Facilitator (GS-6) and four Outreach Assistants (GS-5) in 2011. Due to the reduced level of outreach activities foreseen for the next two years, 1 post of Outreach Facilitator (GS-6) is proposed to be abolished in 2012-2013, which will reduce the total staffing requirement of the team to five posts (one Outreach Coordinator NOC and four Outreach Assistants GS-5) for the period of 2012-2013.
  - c) In the approved budget of 2011, the Processing Team was staffed by one Complaints/Applications Manager (NO-C), one Foreign Analyst (P-1), five Complaints/Applications Assistants(GS-5) and four Data Entry Clerk (GS-4). Based on the new staffing requirement, four posts are proposed to be maintained in 2012-2013 budget year: one Complaints/Applications Manager (NO-C) and three Complaints /Applications Assistants (GS-5). Due to anticipated reduction in workload, the 7 posts are proposed to be abolished: one foreign Analyst (P-1), two Complaints/Applications Assistants (GS-5) and four Data Entry Clerks (GS-4).

d) The Civil Party Lawyer Team was staffed by five posts in 2011: three lawyers (NO-D), one Foreign Assistant Legal Officer (P-1), and one support staff (GS-4). Based on the new staffing requirement of the Civil Party Lawyer Team for the periods of 2012-2013, 4 of the above posts are proposed to be abolished and one support staff is proposed to be redeployed to the Core Team of the VSS. The team tasks will be done by consultancy services.

The following table shows the proposed staffing level of the Victims Support Section to be funded by the German contribution earmarked for the Section.

**Staffing Table for Victims Support Activities Earmarked for German Contribution**

<b>Posts</b>	<b>Level</b>	<b>2011 Approved Posts</b>	<b>Proposed Changes</b>	<b>2012-2013 Proposed Posts</b>
<b>Victims Support Section</b>				
<b>a. Core Team</b>				
Chief of Victims Support Section*	NOD/P-4	0	0	0
Program Manager	NOC/P-3	0	1	1
Program Manager	NOB/P-2	1	-1	0
Finance/Admin Officer	NOC/P-3	1	-1	0
Finance/Admin Officer	NOB/P-2	0	1	1
Case Manager	NOB/P-2	1	0	1
Assistant Legal Officer**	NOA/P-1	1	0	1
Finance/Admin Assistant	GS5	1	0	1
Support Staff	GS4	0	1	1
<b>Sub-total a</b>		<b>5</b>	<b>1</b>	<b>6</b>
<b>b. Outreach Team</b>				
Outreach Coordinator	NOC/P-3	1	0	1
Outreach Facilitator	GS6	1	-1	0
Outreach Assistant	GS5	4	0	4
<b>Sub-total b</b>		<b>6</b>	<b>-1</b>	<b>5</b>
<b>c. Processing and Analyst Team</b>				
Complaints/Application Manager	NOC/P-3	1		1
Foreign Analyst	P-1	1	-1	0
Complaints/Application Assistants	GS5	5	-2	3
Data Entry Clerks	GS4	4	-4	0
<b>Sub-total c</b>		<b>11</b>	<b>-7</b>	<b>4</b>
<b>d. Civil Party Lawyers Team</b>				
Lead Co-Lawyers	NOD/P-4	3	-3	0
Foreign Assistant Legal Officer	P-1	1	-1	0
Support Staff	GS4	1	-1	0
<b>Sub-total d</b>		<b>5</b>	<b>-5</b>	<b>0</b>
<b>TOTAL</b>		<b>27</b>	<b>-12</b>	<b>15</b>

Note:

\* Senior Administrative Officer of the Office of Administration has been tasked to cover additional responsibility as Chief of VSS Section.

\*\* Assistant Legal Officer (NOA/P-1) is budgeted for 3 months in 2012.

## **Civil Party Lead Co-Lawyers Section**

- S.88. As mentioned in S.81, the ECCC Internal Rules were amended to establish a Civil Party Lead Co-Lawyers Section. 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. 89 The International Component had no post established for the Civil Party Lead Co-Lawyers Section but had a provision for consultancy services for one International Civil Party Lead Co-Lawyer, and two international consultants in 2011. In 2012-2013, a budget provision is proposed for one International Civil Party Lead Co-Lawyer, and 3 international legal consultants

The national component has proposed three posts; one National Lawyer/Legal Officer (NO-C), one Case Manager (NO-B), and one Support Staff (GS-4) for 2012-2013 budget cycles. These posts will no longer be financed by the German earmarked contribution as it was the case in 2011.

## ***B.1 Resource Requirements – United Nations***

### ***Posts***

#### **Defence Support Section (Posts)**

- S.90. The approved 8 posts for Defence Support Section for 2011 are as follows: 1 P-5, 1 P-4, 2 P-3, 3 National Officers and 1 FS-3. No change is proposed for budget year 2012-2103. The proposed budget of \$1.9 million will provide funds for 8 posts during 2012-2013.

#### **Victims Support Section (Posts)**

- S.91. The approved international staffing of the Victims Support Section in 2011 is one Associate Information Systems Officer (P-2) to establish and maintain a database application for the effective registration and management of complainants of Civil Parties. This post is proposed to be maintained in 2012-2013. The proposed budget of \$309,110 will provide funds for the post during 2012-2013.

#### **S.92. Defence Support (Non-Post)**

The DSS will provide continuing legal assistance to four accused in Case 002 and five new defendants in Case 003 and 004 throughout 2012 and 2013. Each accused will be provided with an International Legal Lawyer who will have a team consisting of national co-lawyers, legal consultants and case managers. An estimated amount of US\$571,020 is provided for each accused person in 2012 and US\$576,420 in 2013. A total of US\$11,1 million is



proposed for all the accused in case 002, 003 and 004 for legal services of the defence lawyers and their team during 2012-13.

S.93 **Civil Party Lead Co-Lawyers Section (Non-post)**

The Civil Party Lead Co-Lawyers shall ensure the effective organization of Civil Party representation during the trial stage to present the interests of the consolidated group of Civil Parties. The international component does not have posts assigned to the Civil Party Lead Co-Lawyers section. The proposed international budget of US\$828,180 for year 2012-2013 is for consultancy services to fund the Civil Party Lead Co-Lawyers Team consisting of one International Civil Party Lead Co-Lawyer and 3 International legal consultants.

***B.2 Resource Requirements – Cambodia***

*Posts*

**Defence Support Section**

S.94. The proposed budget of \$0.2 million for 2012-2013 is for the salary of 3 posts throughout 2012- 2013: 1 NO-C Deputy head, 1 NO-C Legal Officer, and 1 GS-4 Administrative Assistant.

**Victims Support Section**

S.95. The proposed budget of \$0.6 million for 2012-2013 provides for 15 posts in 2012 and 14 posts in 2013: 3 NO-C, 3 NO-B/A, 9 GS staff. The post of Assistant Legal Officer (NO-A) is budgeted only for 3 months in 2012. One NO-A post is proposed to be abolished in 2013.

**Civil Party Lead Co-Lawyers Section**

S.96. The proposed budget of \$0.2 million for 2012-2013 provides for the salary of 3 posts in 2012 and 2013: 1 Legal Officer (NO-C), 1 Case Manager (NO-B), 1 Support Staff (GS-4).

- a) \$0.1 million for the continuation of 2 posts (1 Case Manager NO-B and 1 Support Staff GS-4); and
- b) \$0.1 million for 1 additional post of Legal Officer (NO-C)

## 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 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Posts	45,581.4	33,738.3	11,843.2	11,865.4	12,220.0	24,085.3	69,666.8
2	Other staff costs	1,279.2	1,130.8	148.4	193.2	111.9	305.1	1,584.2
3	Consultants and experts	3,278.5	2,241.1	1,037.4	1,788.7	1,545.2	3,333.8	6,612.3
4	Witness costs	180.9	56.9	124.0	120.0	120.0	240.0	420.9
5	Travel of staff	1,066.0	802.8	263.2	138.0	112.4	250.4	1,316.4
6	Contractual services	3,333.2	1,764.6	1,568.6	1,505.4	1,569.9	3,075.3	6,408.5
7	Training	527.8	418.2	109.5	29.3	28.1	57.4	585.2
8	General operating expenses	2,391.9	1,683.3	708.5	802.1	798.3	1,600.4	3,992.2
9	Supplies	1,541.2	1,178.4	362.8	397.5	387.9	785.3	2,326.5
10	Furniture and equipment	7,593.8	6,826.2	767.6	663.3	360.2	1,023.5	8,617.3
<b>TOTAL</b>		<b>66,773.8</b>	<b>49,840.7</b>	<b>16,933.1</b>	<b>17,502.8</b>	<b>17,253.8</b>	<b>34,756.6</b>	<b>101,530.4</b>

#### (2) Cambodian Funding

	Object of expenditure	Budget 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Posts	15,561.8	11,399.8	4,162.0	4,191.8	4,322.1	8,514.0	24,075.8
2	Other Staff Costs	269.2	113.9	155.3	279.9	139.3	419.2	688.4
3	Premise Alteration	1,507.8	1,393.4	114.3	115.1	101.7	216.8	1,724.6
4	Contractual Services	3,534.1	2,341.4	1,192.7	1,277.0	1,303.7	2,580.7	6,114.8
5	Travel	246.2	108.7	137.4	149.5	125.8	275.3	521.5
6	Training and Meeting Costs	471.0	149.8	321.2	221.6	239.3	460.9	931.9
7	Operating Expenses	1,993.2	1,447.3	545.9	526.6	542.3	1,068.9	3,062.1
8	Hospitality Costs	100.8	63.7	37.1	38.1	38.1	76.2	177.0
9	Consultants and Experts	0.0	0.0	0.0	200.0	179.5	379.5	379.5
<b>TOTAL</b>		<b>23,684.1</b>	<b>17,018.0</b>	<b>6,666.1</b>	<b>6,999.7</b>	<b>6,991.9</b>	<b>13,991.6</b>	<b>37,675.6</b>

<b>Total requirements (1)+(2)</b>	<b>90,457.9</b>	<b>66,858.7</b>	<b>23,599.2</b>	<b>24,502.4</b>	<b>24,245.7</b>	<b>48,748.1</b>	<b>139,206.1</b>
-----------------------------------	-----------------	-----------------	-----------------	-----------------	-----------------	-----------------	------------------

Table S.2.i

**Post requirements (Office of Administration)**

Grand total of the Security Section for 2013 should be 29 not 46

(1) United Nations Staffing

	Offices	Year	D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Services	Grand Total
1	Office of the Director	2011		1	1	2			4				1	1		5
		2012		1	1	2			4				1	1		5
		2013		1	1	2			4				1	1		5
2	Public Affairs Section	2011				1	1		2					-		2
		2012				1	1		2					-		2
		2013				1	1		2					-		2
3	Court Management Section	2011			1	7	18		26	1	3	3		7	2	35
		2012			1	8	18		27	1	3	3		7	2	36
		2013			1	8	18		27	1	3	3		7	2	36
4	Budget & Finance Section	2011				1	1		2		2	1		3	1	6
		2012				1	1		2		2	1		3	1	6
		2013				1	1		2		2	1		3	1	6
5	Personnel Section	2011				1	1	-	2		1	2		3	1	6
		2012				1	1	1	3		1	2		3	1	7
		2013				1	1	1	3		1	2		3	1	7
6	General Services Section	2011					1		1		2			2	1	4
		2012					1		1		2			2	2	5
		2013					1		1		2			2	2	5
7	Procurement Unit	2011					1		1					-	1	2
		2012					1		1					-	1	2
		2013					1		1					-	1	2
8	ICT Section	2011				1	1		2		2	1		3	2	7
		2012				1	1		2		2	1		3	2	7
		2013				1	1		2		2	1		3	2	7
9	Security Section	2011				1			1	1	3	3	17	24	-	25
		2012				1			1	1	3	6	8	18	10	29
		2013				1			1	1	3	6	8	18	10	29
	Office of Administration Total	2011	-	1	2	14	24	-	41	2	13	10	18	43	8	92
		2012	-	1	2	15	24	1	43	2	13	13	9	37	19	99
		2013	-	1	2	15	24	1	43	2	13	13	9	37	19	99

(2) Cambodian Staffing

	Offices	Year	D-2	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	2011		1	1	1			1	4					-	3	7
		2012		1	1	1			1	4					-	3	7
		2013		1	1	1			1	4					-	3	7
2	Public Affairs Section	2011				1	1	1	3						-	2	5
		2012				1	2	1	4						-	3	7
		2013				1	2	1	4						-	3	7
3	Court Management Section	2011			1	9	22	9	41						-	32	73
		2012			1	7	18	8	34						-	35	69
		2013			1	7	18	8	34						-	35	69
4	Budget & Finance Section	2011				1	1	1	3						-	2	5
		2012			1	-	1	1	3						-	2	5
		2013			1	-	1	1	3						-	2	5
5	Personnel Section	2011				1	1	1	3						-	2	5
		2012				1	1	1	3						-	2	5
		2013				1	1	1	3						-	2	5
6	General Services Section	2011				1	1	1	3						-	45	48
		2012				1	-	1	2						-	42	44
		2013				1	-	1	2						-	42	44
7	Procurement Unit	2011						1	1						-	1	2
		2012						1	1						-	1	2
		2013						1	1						-	1	2
8	ICT Section	2011				1	1	-	2						-	6	8
		2012				1	1	1	3						-	6	9
		2013				1	1	1	3						-	6	9
9	Security Section	2011				1			1	2					-	68	70
		2012				1			1	2					-	68	70
		2013				1			1	2					-	68	70
	Office of Administration Total	2011	-	1	2	16	27	16	62	-	-	-	-	-	-	161	223
		2012	-	1	3	13	23	16	56	-	-	-	-	-	-	162	218
		2013	-	1	3	13	23	16	56	-	-	-	-	-	-	162	218

**SUMMARY (1)+(2)**

	Total Requirements	2011	2012	2013	D-2	D-1	P-5	NO-D	NO-C	NO-B/A	NO-Total	FS6	FS5	FS4	FS3	FS-Total	General Services	Grand Total
		2011	-	2	4	30	51	16	103	2	13	10	18	43	169	315		
		2012	-	2	5	28	47	17	99	2	13	13	9	37	181	317		
		2013	-	2	5	28	47	17	99	2	13	13	9	37	181	317		

S.97. The details of staffing changes in the Office of Administration are as follows:

a) **The Office of Director**

International Component

The approved staffing for the Office of the Deputy Director in 2011 is 5 posts (1 D-1, 1 P-5, 1 P-4, 1 FS-3, and 1 P-4 Liaison Officer located in New York). The same staffing level is proposed for 2012-2013.

National Component

The approved staffing for the Office of the Director (DOA) is composed of 7 posts (1 D-1, 1 P-5, 1 NO-D, 1 NO-B, and 3 GS-6) in 2011. The same staffing level is proposed for 2012-2013.

b) **Public Affairs Section (PAS)**

International Component

The international Public Affairs Section consists of two posts (1 P-4, 1 P-3) in 2011. No change is proposed for 2012-2013.

National Component

The national Public Affairs Section consists of 5 posts in 2011: 1 NO-D, 1 NO-C, 1 NO-B, 1 GS-5 and 1 GS-4. A temporary position of Public Affairs Officer at NO-C level was established in June 2011 to meet the increased demand for information dissemination and advocacy activities. This function, which filled a critical gap, will be required during the 2012/2013 budget period. Also, after a thorough review of the staffing requirements and taking into account the activities and workload, one additional post of Khmer Writer (GS-6) is proposed to be created in 2012.

Based on the new staffing needs, the national component proposes one Chief of Public Affairs Section (NO-D), one Public Affairs Officer (NO-C), one Press Officer (NO-C), one TV/Radio Officer (NO-B), one Khmer Writer (GS-6), One Outreach Assistant (GS-5) and one Technical Support Staff (GS-4), totaling 7 posts during 2012-2013.

c) **Court Management Section**

The International Component consists of 35 posts authorized in 2011: 1 P-5, 7 P-4, 16 P-3, 2 NO-C, 7 FS, and 2 GS staff.

One additional P-4 post is proposed to be established for the Interpretation and Translation Unit in 2012. Although ITU will rely on outsourcing, increased outsourcing requires reinforcing the capacity of the team that reviews and revises documents. Hence there will be a requirement to have one additional P-4 to work full time during the period 2012 -2013 in order to produce documents of high quality.

The National Component accounts for 73 posts in 2011 within the Office of Administration. This reflects the central role of the Court Management Section in running efficient judicial proceedings. On the whole, 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.

The new staffing structure was determined through a rigorous assessment of its current and future workload and activities. Based on the staffing requirements for 2012-2013, It is proposed to reduce the total number of posts for Court Management Section to 69 posts for the period of 2012-2013: (1 P-5, 7 NO-D, 18 NO-C, 8 NO-B, 10 GS-7, 1GS-6, 23 GS-5 and 1 GS-4).

Changes are summarized below:

- ***Interpretation and Translation Unit (ITU)***

The International Component consists of 24 posts (1 P-5, 6 P-4, 13 P-3, 2 NO-C, 2 GS-5) in 2011. One English into French Reviser at P-4 level is proposed to be established in 2012-2013 to reinforce the capacity of the team for document review and revision in order to produce high quality documents.

In 2011, translation and revision into French was provided by staff (translators, revisers and interpreters) as well as outsourcing to consultants and a translation agency. To address workload requirements, two P-3 interpreters were temporarily assigned to translation, and one P-4 Interpreter was assigned to revision assignments. In 2011, this represented over 80% of their time. In 2012, it is anticipated that the three interpreters will be fully engaged in interpretation assignments 100% of the time, resulting in a gap in translation and revision into French. This gap will be addressed through an increased reliance on outsourcing, while the gap in revision will be handled through the proposed reviser post.

The National Component consists of 35 posts (9 NO-D, 21 NO-C, 1 GS-6, 2 GS-5, and 2 GS-4) in 2011. Based on the new staffing requirements for 2012-2013, 8 posts (2 NO-D Reviser/Senior Interpreters, 4 NO-C Translators and 2 GS-5 Reference Assistants) are proposed to be abolished. At the same time, 4 new posts of Junior Translators (GS-7), 2 Editorial Assistants (GS-7) and 1 Document Control Assistant (GS-5) are proposed to be created. In addition, 2 Document Control Assistants (GS-4) are proposed to be reclassified to GS-5 in order to reflect the change in responsibility and requirements of the ITU.

Based on the new staffing requirements, this unit will be staffed by one Head of IT Unit (NO-D), six reviser/Interpreters (NO-D), seventeen Interpreter/Translators (NO-C), four Junior Translators (GS-7), two Editorial Assistants (GS-7), one Interpretation Assistant (GS-6), and three Document Control Assistants (GS-5). The total number of posts in the ITU will be reduced to 34 posts for the period of 2012-2013.

- ***Records & Archives Unit (RAU)***

International Component

The international component of the Records and Archives Unit Component is proposing to maintain the same staffing level in 2012-2013.

National Component

The national component consists of 15 posts (1 NO-C, 6 NO-B, 2 GS-5, and 6 GS-4) in 2011. Due to an increase in workload and additional responsibilities and tasks anticipated in 2012, 5 posts of Records & Archives Clerks are proposed to be reclassified to GS-5 with a change in functional title to Records & Archives Assistant.

The new staffing needs of the Unit for 2012-2013 will be one Case file Officer (NO-C), two Court Officers (NO-B), one Evidence Custodian (NO-B), three Records & Archives Officers (NO-B), seven Records & Archives Assistants (GS-5), and one Librarian (GS-4). The total posts in the Records & Archives Unit (RAU) remain at 15 for the period 2012-2013.

- ***Transcription Unit***

International Component

The international component for the Transcription Unit is proposing to maintain the same staffing level in 2012-2013: 1 Transcribers' Team Leader (FS-5), 3 Transcribers (FS-4).

National Component

The national component for the Transcription Unit consists of 12 posts (11 GS-5 and 1 GS-7) in 2011. Due to the anticipated decrease of investigative activities, 3 transcribers (GS-5) are proposed to be abolished during 2012-2013 which reduces the national staffing requirement to 9 posts for the period of 2012-2013.

- ***Witness and Expert Support Unit (WESU)***

International component

The international component for the Witness and Experts Unit is proposing to maintain the same staffing level in 2012-2013: 1 Witness Support Coordinator (P-4), 1 Witness Protection Officer (P-3), 1 Witness Support Assistant (FS-5).

#### National Component

The national component for the Witness and Experts Unit is comprised of 6 posts (3 NO-B, and 3 GS-5) in 2011. After a thorough review of the staffing needs, 1 NO-B Witness/Expert Support is proposed to be abolished and 1 GS-5 Assistant to Witness Expert is proposed to be created for 2012-2013. The national component of WESU will be staffed with 2 Witness Expert Support (NO-B) and 4 Assistants to Witness Expert (GS-5).

- ***AV Team***

#### International Component

The international AV Team is proposing to maintain the same staffing level of 2011 for 2012-2013: 1 AV Technician Supervisor (FS-5).

#### National Component

The national AV Team is staffed with two AV technicians (GS-7) and one AV Technician Assistant (GS-5) in 2011. These three posts remain the same throughout 2012-2013.

- ***Detention Unit***

#### International Component

The international Detention Unit is proposing to maintain the same staffing level of 2011 for 2012-2013: 1 Detention Facility Officer (FS-6).

#### National Component

In the approved staffing table of 2011, this unit is staffed with one Detention Facility Liaison Assistant (GS-6). Based on the additional responsibilities and workload projections for this post, the unit seeks to reclassify the level of the aforementioned post to GS-7 from its current level of GS-6.

#### d) **Budget and Finance Section**

#### International Component

The approved staffing of the international Budget and Finance Section consists of six posts in 2011: 1 Chief of Budget and Finance (P-4), 1 Budget Officer (P-3), 2 Budget and Finance Assistants (FS-5), 1 Finance Assistant (FS-4), 1 Finance Clerk (GS-5). No change is proposed for 2012-2013.

#### National Component

The approved staffing of the national Budget and Finance Section consists of 5 posts in 2011: 1 Chief of Finance and Budget (NO-D), one Finance and Budget Officer (NO-C), one Associate Finance Officer (NO-A) and two Finance Assistants (GS-6).

Due to an internal restructuring within the office, the duties and responsibilities of the Chief of Budget and Finance Section is expected to be expanded to facilitate and coordinate activities relating to the Legacy/Residual Component, ECCC Virtual Development Project and Legal Documentation Center, with the involvement of government institutions. As a result, it is proposed to reclassify the post of Chief of Finance and Budget Section to P-5 level to reflect the extended role and additional responsibilities anticipated during 2012-2013.

e) **Human Resources Section**

International Component

The approved staffing of the Human Resources Section comprises six posts (1 P-4, 1 P-3, 1 FS-5, 2 FS-4, 1 GS). One additional NO-B post is proposed to address the increase in recruitment and related human resource functions. The additional post will strengthen the capacity of the Section to effectively handle the workload that has emanated from the delegation of authority for recruiting local staff (general service and national officers) to UNAKRT.

National Component

According to the 2011 approved staffing, the Human Resources Section was comprised of 7 posts (1 NO-D, 1 NO-C, 2 NO-B, and 3 GS-6). In the revised 2011 budget, the staffing requirements were reduced to 5 positions, based on internal redeployments of staff which had been carried out. The staffing requirement for the Human Resources Section remains at 5 posts as follows: one Chief of Human Resources (NO-D), one Human Resources Officer (NO-C), one Associate Human Resources Officer (NO-B), and two Human Resources Assistant (GS-6). The total number of posts therefore remains unchanged in 2012-2013.

f) **General Services Section**

The General Services Section will continue to provide services in the areas of building management, travel, transport and shipping, assets management, supply as well as mail, pouch and messenger services

International Component

The approved international staffing for the General Services Section in 2011 is 4 posts: 1 P-3 for General Support Services, 1 FS-5 for Property Control/Receiving and Inspection Assistant, 1 FS-5 for Travel and Traffic Assistant, and 1 GS-5 for Property Management Assistant.

For the budget year 2012-2013, one G-7 post is proposed to be established as a Travel Assistant to assist with international travel activities, including local arrangements with airlines, travel agencies, etc.

National Component



The approved national staffing for the General Services Section consisted of 48 posts in 2011. In order to ensure the smooth operation of GSS, 1 additional post of Deputy Chief of GSS was approved at NO-D level in the 2011 revised budget and was filled accordingly.

Based on a thorough review of 2012-2013 staffing needs for GSS, 4 posts (1 Chief of Building Management Unit, NO-C and 3 Drivers, GS-2) are proposed to be abolished. As a result, the new staffing requirement of the General Service Section is proposed to be reduced to 44 posts in 2012-2013.

**g) Procurement Unit**

The Procurement Unit will continue to provide services for acquiring goods and services.

**International Component**

The international Procurement Unit is staffed with 1 Procurement Officer at P-3 level and 1 Procurement Assistant at GS-6 level. The same staffing level is proposed to be maintained for the budget year 2012-2013.

**National Component**

The National Procurement Unit is made up of two posts in 2011, one Associate Procurement Officer (NO-A) and one Procurement Assistant (GS-6). The staffing requirement remains the same for the period of 2012 – 2013.

**h) ICT Section**

**International Component**

The approved International Component staffing for the Information and Communication Technology Section (ICT) in 2011 is as follows: 1 P-4, 1 P-3, 2 FS-5, 1 FS-4, and 2 GS. No change is proposed for 2012-2013.

**National Component**

The National Component staffing is made up of 8 posts (1 NO-D, 1NO-C, 3 GS-6 and 3 GS-5) in 2011. With a view to ensuring the gradual transfer of responsibilities to the national side, the national component seeks 1 additional post of System Administrator (NO-A) in 2012. Thus, the number of posts in the ICT national team is increased to 9 posts for the period of 2012-2013.

**i) Security and Safety Section**

**International Component**

The approved staffing on the international side is 25 posts in 2011: 1 P-4, 1 FS-6, 3 FS-5, 3 FS-4, and 17 FS-3.

It is proposed to partially replace internationally recruited security officers with locally recruited security officers in order to reduce costs. Therefore, SSS proposes to abolish 9 FS-3 international posts, (8 Close Protection Officers and 1 Security Officer, Control Centre) and establish 10 General Service posts (6 Close Protection Officers and 4 Security Officers, Control Centre). In addition 3 new FS-4 posts are proposed to be established: 1 Information Analyst, 1 Detail Leader, and 1 Staff Security. The proposal is made to reduce costs and maintain on-going efforts at building national capacity.

#### National Component

The approved staffing on the national side is 70 posts in 2011: 1 Chief of Section (NO-D), 1 Deputy Chief (NO-B/P-2), 1 Personnel Protection Coordination and Training Officer (GS-6), 1 Fire/Safety/Evacuation/Rescue Officer (GS-6), 3 Guard Platoon Supervisors (GS-6), 1 Pass and ID Access Control (GS-5), 1 Courtroom Security Supervisor (GS-5), 3 Control Center Staff (GS-4), 8 Close Protection Officers (GS-3) and 50 Guard Platoons (GS-3). In 2012 and 2013, the staffing needs in the SSS remains the same in order to cope with the workload of public trial hearings in Case 002.

### ***C.1 Resource Requirements – United Nations***

#### ***Posts***

S.98. The proposed budget of \$24.1 million for 2012-2013 provides for 99 posts in the Office of Administration: 1 D-1, 2 P-5, 15 P-4, 24 P-3, 1 P-2, 37 FS, and 19 GS. The number of posts shows an increase of 7 when compared to the revised budget of 2011. The details of the increase/decrease are as follows:

Posts proposed to be established (16)

- a) 1 P-4 reviser for Court Management Section.
- b) 1 NO-B post for Human Resources
- c) 3 FS-4 Security Officers for Security Service Section
- d) 1 GS-7 travel assistant for General Services Section
- e) 10 GS-3 Security Officers for Security and Safety

Posts proposed to be abolished (9)

- a) 9 FS-3 Security Officers for Security Service Section

The proposed post cost is \$11.9 million for 99 posts in 2012 and \$12.2 million in 2013 compared with \$11.8 million approved for 92 posts in 2011.

Although the number of posts has increased by 7, the increase in cost is only \$22,224 in 2012 (\$11,843,168 in 2011 to \$11,865,392 in 2012). This is due to the proposal to replace international security officers with national security officers, which resulted in significant savings in post costs.

### ***Other staff costs***

- S.99. The proposed budget of \$193,156 in 2012 and \$111,908 in 2013 reflects an increase of \$44,806 in 2012 and a decrease of \$36,442 in 2013 when compared to the 2011 revised budget of \$148,350. The increase is mainly related to the requirement of a short-term post for media strategist in accordance with the recommendation of a media evaluation report. In addition, there are higher requirements of legal short-term staff expected in 2012 than in 2013 according to the projected workload of the judicial offices.

### **Consultants and experts**

- S.100. The proposed budget for this service is \$3.3 million; \$1.8 million for 2012 and 1.5 million for 2013. The consultants' services budget (\$2.2 million) will be used for translators and revisers of Court Management Section, Legal consultants for Chambers, OCP and DSS. The fund will be also utilized to secure consultancy services for Khmer Rouge Regime expert and Military expert in OCIJ. Out of the \$3.3 million, \$1.1 million is proposed for expert witness services such as medical and forensic experts called by the Trial Chamber.
- S.101. Witness Cost: \$239,981 is proposed for the year 2012-2013 for the Witness Unit to facilitate witness appearances for Case 002 trial process. This will include preliminary visits, psychosocial and risk assessments, delivery of summons and the collection and return of identified domestic witnesses and civil parties required to testify in Case 002. Other priorities may include activities with potential witnesses for Cases 003 and 004.

### ***Travel of staff***

- S.102. \$250,443 is required for 2012-2013 for travel of staff for various missions such as:

Travel of NY staff to come to Phnom Penh during 2012 and 2013; international conferences and the Deputy Director's mission to NY to attend the steering committee meetings and donor conferences; travel within Cambodia for case related issues for Judicial offices; field visits to crime scenes, schools, public forums and to attend meetings of NGOs and special events and field trips for production journalists; outreach activities to be undertaken by the Lead Co-Lawyers unit to attend meetings with civil parties and reparation projects during the budget year, and other official travels.

The travel budget for 2012 (\$138,041) reflects a decrease of US\$125,134 compared to 2011(\$263,175). This decrease is mainly related to reduction in investigative travels as well as reduction in non-essential travels.

### ***Contractual services***

- S.103. The proposed budget of \$3.1 million for 2012-2013 is required as follows:

- a) External audit fees covering the cost of an annual audit to be conducted by the UN Board of Auditors. (\$53,750)
- b) Contractual translation services. This amount is budgeted to allow the Court to outsource approximately 32,000 pages that could not otherwise be translated in a timely manner. ITU's estimated workload in translation for the next biennium is based on consultations with Chambers and parties, a percentage of un-translated documents in the case-file, and the number of pages that have been requested in 2009-2010. It is anticipated that there will be no backlog of documents pending for translation at the end of 2011 to carry over to the next budget cycle. (\$1,872,650)
- c) Contractual transcription services particularly related to the trial days of the Trial Chamber in 2012-2013. (\$215,000)
- d) 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. (\$662,630)
- e) Miscellaneous contractual services such as Domain Name Service registration fees for UNAKRT and ECCC and hosting ECCC mirror website in Cambodia, subscription to on-line data services such as Lexis Nexis, announcements, and rental of office space for liaison officer in NY. (\$232,620)
- f) Contribution of the United Nations towards the function of the Independent Counselor that has been established by the United Nations and the Royal Government of Cambodia. (\$38,700)

### ***Training***

S.104. The proposed budget of \$57,343 for 2012-2013 is required as follows:

- a) Annual strategic planning workshop to set the strategic milestones for the court's program of work for the forthcoming year. (\$10,793)
- b) ICT training, including certification courses on systems administration, training on satellite communication technology (\$8,063)
- c) Security training, including first aid training/recertification and firearms instructor recertification course. (\$10,879)
- d) Substantive skills training, Local Committee on Contracts training, training on local SQL Zylmage, IMIS training for travel unit staff, and competency-based interviewing, (\$27,608)

### ***General Operating Expenses***

S.105. The proposed budget of \$1,600,374 for 2012-2013 provides for the following operational requirements:

- a) Communication costs (\$661,082): 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, and mobile phones.
- b) Maintenance and other service costs (\$939,292): This includes maintenance of GSS equipment, ICT and AV equipment, security equipment, medical evacuation insurance for an average of 363 persons, including dependents residing at the duty station; insurance costs for UN vehicles for 2 years; bank charges, advertisements, and contingency for business continuity.

### ***Supplies and materials***

S.106. The proposed budget of \$785,345 for 2012-2013 consists of \$272,491 for office supplies; consumables and stationeries; \$141,900 for fuel; \$172,000 for ICT supplies; \$192,504 for Court Management supplies such as archival supplies, tapes, CDs and DVDs for recording Court hearings, library books and periodicals; \$6,450 for security fire arm licenses, employee trackers, GPS personal tracking and weapon cleaning supplies.

### ***Furniture and equipment***

S.107. The proposed budget of \$1,023,508 for 2012-2012 consists of:

- a) Furniture for offices, meeting rooms, witnesses' waiting room and the Records and Archives Unit. (\$80,948)
- b) IT equipment, particularly for LAN equipment, disaster recovery, replacement of PCs and printers, renewal of software licenses, and for reproduction equipment for the Records and Archives Unit. (\$630,810)
- c) Purchase of Photocopiers (\$53,750)
- d) Communications equipment, such as PABX upgrades, VHF radio equipment, vehicle tracking systems, replacement of mobile phones, and other miscellaneous communication equipment items. (\$241,875)
- e) Audio-visual equipment, including replacement of parts of the Courts AV. (\$16,125)

## ***C.2 Resource Requirements – Cambodia***

### ***Posts***

S.108. The proposed budget of \$8.5 million for 2012-2013 provides for the salary costs of 218 posts in the Office of Administration: 1 D-1, 3 P-5, 13 NO-D, 23 NO-C, 16 NO-B/A, 162 GS. The number of posts reflects on overall decrease of 5 when compared to the revised budget of 2011. The details of the post changes are as follows:

- a) Decrease of 2 NO-D, 4 NO-C, 1 NO-B in CMS
- b) Decrease of 1 NO-C, 3 GS in GSS
- c) Increase of 3 GS in CMS
- d) Increase of 1 NO-C and 1 GS in PAS
- e) Increase of 1 NO-A in ICT

The proposed post cost is \$4.2 million for 218 posts in 2012 and \$4.3 million in 2013 compared with \$4.2 million approved for 223 posts in 2011.

### **Other Staff Costs**

S.109. The proposed budget of \$419,226 for 2012-2013 provides for judicial and legal short term positions, temporary interpreters, advocacy and dissemination services, temporary workers, and legal representation team for Civil Party, as follows:

#### ***ECCC General Temporary Assistance-\$329,346***

- a) Two national temporary staff (NO-C) for flexible deployment for a maximum period of 6 months in the Trial Chamber where they would be required to deal with temporary workload surges relating to the issues of witness and civil party. (\$87,312)
- b) One national temporary staff (NO-C) for flexible deployment for a maximum period of 6 months in the Office of the Co-Prosecutor to deal with its peak workload during the trial proceeding. (\$37,236)
- c) Four national temporary staff, (1 Legal Expert - NO-D, 1 Investigator Team Leader - NO-D, and 2 Investigators NO-C) in the Office of the Co-Investigating Judges in response to the upcoming requirements of investigative, analyst and legal tasks, as deemed necessary. (\$140,598)
- d) Five short term translators with a lump-sum fee of \$2,000/month for maximum period of 3 months in 2012 and 3 months in 2013 to deal with approximately 870 target pages of translation per month, making a total of 8,700 target pages. (\$64,200)

***ECCC Advocacy and Dissemination-\$89,880***

- e) \$89,880 is budgeted for continued 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 to promote the work of the ECCC and to further the public's understanding of the institution.

***Improvement of Premises***

S.110. The proposed budget of \$216,800 for 2012-2013 provides funding for the following physical projects, which are considered critical for the ongoing operation of the Court:

- a) Four projects in 2012 and five projects in 2013 to be implemented for the Courtroom renovation. (\$38,500)
- b) Three projects in 2012 and two projects in 2013 under the office building renovation and installation. (\$33,400)
- c) Six project in 2012 and three projects in 2013 under the Site and Ground Works in the ECCC compound to be implemented. (\$75,400)
- d) Two projects in 2012 and one project in 2013 at the Detention facility renovation and supply. (\$17,500)
- e) Two projects under the Guard Accommodation Facility for both 2012 and 2013 – a) constructing a new Guard Building that can accommodate up to 35 security staffs so as to replace the current old building that has been demolished since August 2011 b) repairing and renovating existing building. (\$37,000)
- f) Replacement of outdated and old network cables both at the office building and courtroom. (\$15,000)

In addition there will be improvements in security as follows: a) a new guard accommodation for 34 security staff, b) buffer zone surrounding the detention facility, c) flood dike surrounding the premises to prevent future flooding, and d) maintenance work for detention facility.

***Contractual Services***

S.111. The proposed budget of \$2,580,688 for 2012-2013 covers the costs of bus transportation, fees for the annual audit and regular spot checks, rental fees of the town office, provision of medical services for detainees, cleaning and gardening services, and other reimbursable expenses, broken down below:

- a) 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 450 (300 national staff and 150 international staff, including interns and consultants). The budget also includes a vehicle allowance to compensate all judicial officers and senior administrative members for the use of their private vehicles for official business purposes, and the rental fee of one vehicle for the media, public and civil party groups who attend the public hearings. The budgeted amount factors in an annual inflation rate of 5%. (\$633,368)
  
- b) Rental Fee of a Town office mainly for the Victims Support in Phnom Penh: This office will assist the victims to obtain additional information with respect to victims' rights who wish to lodge 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 is approximately \$2,000 per month, which has been adjusted for annual inflation of 5%. (\$49,200)
  
- c) Various services such as: (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; (c) provision for medical equipment and materials; and (d) evacuation costs for emergency medical treatment and for the death of detainees in custody. The budget includes an annual inflation rate of 5%. (\$350,452)
  
- d) Outsourcing services of cleaning and gardening for the ECCC office buildings, court room and the compound<sup>3</sup> after having phased out the 13 staffing posts in the General Services Section since 2008. The average cost is \$5,566 per month, and the proposed budget includes annual inflation rate of 5% per year. (\$136,112)
  
- e) Token allowances and other related fees for bilateral experts from development partners that provide legal services to the ECCC. (\$15,300).
  
- f) On-going outreach activities regarding the transportation of the general public (villagers/youth/local commune council members/students) from both central and provincial levels to attend the ECCC trial hearings, including the provision of snack refreshments for them. It is expected that 200 participants, at an average costs of \$19 per person (transportation & refreshment costs), will attend per annum in the 161 sessions of the Case 002 public hearing and other 24 study tours programs organized by the PAS. (\$1,309,252)

---

<sup>3</sup> The cleaning area comprises 12,375 square meter office space, about 350 rooms, 200 toilettes, and 41,239 square meters in gardening area.



In 2009, 34,367 persons attended the public trial hearings of Case 001 and study tours program. In 2010, 32,633 persons from the general public attended the study tours program and PTC public hearings. From January to December 2011, 44,543 persons attended the study tours programs, PTC public hearings, appeal hearings of Case 001 and initial hearings of Case 002. In summary, from March 2009 to December 2011, the total public attendees who have visited and attended the study tours programs, PTC hearings, public trial and appeal hearings of Case 001 and initial trial hearings of Case 002 have reached 111,543 persons cumulatively. It is expected that more interested public throughout the country will attend the public trial hearings of Case 002 throughout 2012-2013.

- g) Contribution to the function of the Independent Counsellor that has been established by the United Nations and the Royal Government of Cambodia. (\$36,000)
- h) Advertising fee for job advertisement and the invitation of bidding announcement for ECCC infra-structure project. (\$8,560)

***Travel of staff***

- S.112. Following the decision taken at the May 2009 ECCC/UNAKRT Management meeting, the travel costs for national staff are to be separately budgeted under the national component from 2010 onwards, to ensure better management, respond in a timely manner to the travel requirements of the respective offices and sections, and to comply with the respective rules and regulations of ECCC and UNAKRT.
- S.113. The proposed budget of \$275,339 for 2012-2013 covers the travel activities to be performed by the ECCC, including for victims support, as-follows:

***ECCC Domestic Travels-\$162,497***

- a) Travel costs of the legal staff of the Trial Chamber to join the trips with the judges regarding the visit of crimes scenes for Case 002. (\$1,515)
- b) Travel of the Office of Co-Prosecutors in preparation for trial for Case 002. (\$7,576)
- c) Travel of Lead Co-Lawyer and staff to attend NGOs and VSS forums at the provinces (5 trips for three persons per year). (\$6,818)
- d) Travel of staff in the Office of Administration to attend outreach activities, and other related seminars and forums. (\$3,030)
- e) 100 trips of the PAS staff to bring the villagers from provinces for the Study Tour Program and to attend the public hearings, and also to conduct video screening every Tuesday and Friday at the community levels. (\$37,878)

- f) PAS staff to perform 24 outreach meetings and school visits on Fridays. (\$9,091)
- g) Travel costs of 12 relevant staff to attend the 4 ECCC public forums in 2012-2013 at the provincial levels. (\$3,030)
- h) Travel costs of 5 relevant staff that will be going to attend the 8 NGO forums held by PAS, VSS and NGOs in 2012-2013. (\$2,525)
- i) Two PAS staff that will go to the provinces for video production and as journalist escort. (\$3,030)
- j) WESU travel costs of 240 follow-up visits for Case 002 and an estimate of 60 trips for Case 003 and 004 in 2012-2013 to meet with witnesses. Throughout 2012 and 2013, the WESU will involve high level activity that will predominantly be focused on facilitating witness appearances according to Case 002 requirements. This will include preliminary visits, psychosocial and risk assessments, delivery of summons and the collection and return of identified domestic witnesses and civil parties required to testify in Case 002. (\$70,706).
- k) 200 trips of GSS for mission teams with relevant offices and sections throughout 2010-2013. (\$12,626)
- l) Four trips of Close Protection Officers to escort the judicial officers to attend the ECCC public forums and other NGOs forums. (\$2,020)
- m) Five trips in 2012-2013 for the judges of the Trial Chamber and Supreme Court Chamber to visit crime scenes at the provincial levels. (\$2,651)

***Domestic Travel for Victims Support-\$24,000***

- n) Domestic travel of VSS staff including the Civil Party Lawyers in 2012 and 2013. The travel costs will relate to VSS activities such as Outreach, Non Judicial Measures (Reparation), Civil Party activities and other programs related to the project. (\$24,000)

***ECCC Overseas Travels-\$88,842***

- o) Travel costs of the national co-prosecutor to attend the annual international conference of prosecutors in Europe. (\$28,804)
- p) Travel costs of senior staff of the Office of Administration to attend meetings with the Steering Committee and the Group of Interested States (GIS) in New York for annual fund raising, to participate in regional meetings and to attend annual meetings of related Courts. (\$51,882)

- q) Head of ITP to attend a regional meeting concerning translation and interpretation issues in 2012. (\$8,156)

### ***Training***

- S.114. As with travel costs, participation in general, specific, specialized training sessions are deemed necessary to continuously transfer knowledge and skills to the Cambodian side and to improve/build capacity of national 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.115. The proposed budget of \$460,896 for 2012-2013 covers the costs of training, outreach and Civil Party meetings, of which \$60,896 relates to the ECCC generally, and \$400,000 is for victims support activities and outreach training program, as follows:

#### ***ECCC Staff Training-\$42,492***

- a) English language training fees of the national judges throughout 2012-2013. (\$10,700)
- b) SCC peer to peer consultations on appellate review, pardon, amnesty, jurisdiction, statute of limitation, double jeopardy, res judicator etc. (\$16,311)
- c) One-day workshop by the PAS for journalism training on the ECCC development activities throughout 2012-2013. (\$3,005)
- d) General training costs for all ECCC staff relating to upgrading of professional and technical skills and WESU first aid training. (\$8,945)
- e) Training costs of security personnel and WESU staff, on first aid training, certification and recertification. (\$3,531)

#### ***ECCC Meetings and Outreach Costs-\$18,404***

- f) \$18,404 is planned to cover the meetings costs of the ECCC to organize 2 public forums at the provincial levels with 1080 targeted participants from local authorities.

#### ***Training for Victims Support -\$12,000***

- g) Training and workshops (CPs, Victims' Rights, Reparation Workshops/trainings and Meeting): The non-judicial program (Reparation) is the new component that emerged in the program section. VSS plans to advocate this program through the ministries, non-government organizations and

other institutions. It is expected that there will be many meetings and trainings that will take place by meeting with people from relevant ministries, local authority, victims and other stakeholders. The Civil Party lawyers are scheduled to conduct training 2 times per year to ensure that the civil party is ready and confident to answer the judges during the trial testimony. (\$12,000).

***CPs Outreach and Meeting Costs for Victims Support-\$388,000***

- h) Civil Party forums: Throughout 2012 and 2013, the VSS plans to organize one forum each year. The purpose of the forum is to allow the applicants to raise their concerns and receive updated information regarding the progress of the court. The forum includes up to 350 to 400 applicants from the provinces. (\$100,000)
- i) Civil Parties to attend Hearings-Testimonial CPs: 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. It is estimated that hearings will be conducted over 322 days during these two-years. 10 Civil Parties will be invited to visit the Court per day. (\$224,000)
- j) Civil Parties to attend public hearings: The Victims Support Section will continue its work and ensure that civil parties are able to attend hearings of the Chambers as often as possible. VSS will collaborate with the Public Affair Section to ensure that 25 CPs per day are invited to be present at the Court. The VSS is responsible for domestic travel to Phnom Penh and DSA for the full day while attending the hearings. (\$64,000)

***General Operating Expenses***

S.116. The proposed budget of \$1,087,407 for 2012-2013 covers the costs of general operations (electricity, water, diesel fuel, general maintenance, cleaning of premises, detention), equipment, outreach materials, database for the ECCC and for victims support. The budget of \$939,307 relates to ECCC general operations, while \$148,100 is for the victims support activities, as follows:

***ECCC General Operational Costs-\$855,421***

- a) Electricity: (a) electricity consumption (office building, court room, and town office); (b) electrical transmission line from Phnom Penh to the ECCC compound to provide an internal electrical network for continuous electricity supply; (c) diesel for back-up generator to supply power separately for the Courtroom public hearings (161 sessions per year); and (d) 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 proceedings which are being leased. (\$655,045)
- b) 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. (\$47,007)

- c) 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 a periodic basis. (\$46,360)
- d) Cleaning/ground maintenance costs in the entire ECCC compound, including the cleaning materials and supplies for 350 rooms in the court room and office building (\$17,220)
- e) Catering/refreshment: (a) purified drinking water for all ECCC staff (500 persons for both national and international sides) and general public who attend the public hearings of the Courts (approximately 32,000 persons per annum), (b) refreshments during the judicial interviews with detainees, (c) refreshment during official meetings, training and other seminars held at the ECCC, and (d) daily snack and refreshment for 50 members of all involved parties who take part in the ECCC public hearings. (\$44,280)
- f) Others: (a) miscellaneous expenses including banking charges and unforeseen costs; and (b) rental fees for chairs and table for the villagers, press and media who attend the daily public hearings. (\$45,510)

***ECCC Judges' Prime Benefits-\$5,166***

- g) Replacement costs of 2 sets per annum for 17 judges' robes. (\$3,936)
- h) Stamp-making and other related costs for all chambers. (\$1,230)

***ECCC Supplies & Material for Detainees and for Detention Facility - \$38,622***

- i) Supplies and material required for 5 detainees. (\$5,412)
- j) Food for 5 detainees. (\$30,750)
- k) Replacement costs of furniture and equipment in the detention facility. (\$2,460)

***ECCC Supplementary Allowance for Detention Staff -\$40,098***

- l) Supplementary allowance for 20 detention staff that are required to work 24hours/7days at the Detention Center.

***Outreach Equipment for Victims Support -\$4,500***

- m) Procurement of outreach equipment such as computers, printers, and photocopiers.

***Outreach Material and Database for Victims Support-\$99,100***

- n) Publication of newsletter, bulletin, newspaper articles, printing IEC materials and sub-contract to Trans-cultural Psychosocial Organization (TPO) (\$28,800 each year, total \$57,600 in two years):

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 the hearings. The newsletters will be printed every quarter. A total of 8 newsletters will be printed, with each print costing approximately US\$4,500 for 10,000 copies.

- VSS has entered into a sub-contract to TPO for the amount of US\$6,000 yearly. The total sub-contract is \$12,000 for the 2012 & 2013.
- o) Dissemination workshops (only in 2012): The upgraded database will be used to train ECCC's national staff whose work is related to case management. Further, it will be passed on to national legal and judicial personnel who work in the Cambodian system. (\$23,000)

#### ***General Costs for Victims Support-\$44,500***

- a) Operational costs of vehicle such as gasoline, maintenance and repairs. (\$6,000)
- b) Car rental to facilitate the complainants and Civil Party applicants. (\$4,800)
- c) Internal and public communications. (\$4,800)
- d) Insurance costs of staff and vehicles. (\$1,300)
- e) Miscellaneous expenses to be incurred bringing Victims and Civil Party to attend forums, meetings. (\$6,000)
- f) Annual audit fee. (\$6,000)
- g) Office supplies, cartridge and toners of photocopy machines. (\$12,000)
- h) Office meeting and refreshment costs. (\$3,600)

#### ***Hospitality Costs***

S.117. The proposed budget of \$76,200 for 2012-2013 covers the following items of expenditures:

- a) 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. (\$19,800)
- b) Expenses for signing ceremonies and official functions/events. (\$14,000)
- c) 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.). (\$36,000)
- d) Public Affairs Section for its coordination meeting costs with the press and media, especially the live-broadcasting of the Court's public hearings through the radio and TV stations. (\$2,400)
- e) 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. (\$4,000)

### *Consultants and Experts*

S.118. The proposed budget for this service is \$379,544; of which \$200,016 for 2012 and \$179,528 for 2013. Out of this US\$103,200 will be used for one National Lead Co-Lawyer of the Lead Co-Lawyers Section; \$265,430 will be utilized to secure consultancy services for Victims Support Section and \$10,914 for individual consultants that will perform General Service activities.

### **D. Legacy/Residual Component**

Table S.2.h

#### **Resource Requirements by object of expenditure**

*(Thousands of United States Dollars)*

##### (1) United Nations Funding

	Object of expenditure	Budget 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Other staff costs, Legacy/Residual						0.0	0.0
2	Consultants, Legacy/Residual						0.0	0.0
	<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

##### (2) Cambodian Funding

	Object of expenditure	Budget 2005-2011	Expenditure 2006-2010	Budget 2011	Proposal			Budget 2005-2013
					2012	2013	Total	
1	Posts	0.0	0.0	0.0	134.1	138.3	272.4	272.4
2	Premise Alteration	0.0	0.0	0.0	61.9	28.5	90.4	90.4
3	Training and Meeting Costs	0.0	0.0	0.0	42.6	45.8	88.5	88.5
4	Operating Expenses	0.0	0.0	0.0	106.2	111.5	217.7	217.7
5	Furniture and Equipments	0.0	0.0	0.0	147.7	88.3	235.9	235.9
	<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>492.5</b>	<b>412.5</b>	<b>905.0</b>	<b>905.0</b>
<b>Total requirements (1)+(2)</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>492.5</b>	<b>412.5</b>	<b>905.0</b>	<b>905.0</b>

Table S.2.i

**Post requirements (Legacy/Residual Team)**

## (1) United Nations Staffing

	Offices	Year	D-2	D-1	P-5	P-4	P-3	P-2/1	P-Total	FS6	FS5	FS4	FS3	FS-Total	General Services	Grand Total
1	Legacy Team	2011							-					-		-
		2012							-					-		-
		2013							-					-		-
2	Virtual Tribunal Team	2011							-					-		-
		2012							-					-		-
		2013							-					-		-
Office of Administration Total	2011	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2012	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2013	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

## (2) Cambodian Staffing

	Offices	Year	D-2	D-1	P-5	NO-D	NO-C	NO-B/A	NO-Total	FS6	FS5	FS4	FS3	FS-Total	General Services	Grand Total
1	Legacy Team	2011				-			-					-	-	-
		2012					1		1					-	1	2
		2013					1		1					-	1	2
2	Virtual Tribunal Team	2011						-	-					-	-	-
		2012						2	2					-	1	3
		2013						2	2					-	1	3
Legacy and Virtual Tribunal Total	2011	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2012	-	-	-	-	1	2	3	3	-	-	-	-	-	2	5
	2013	-	-	-	-	1	2	3	3	-	-	-	-	-	2	5

<b>SUMMARY (1)+(2)</b>																
Total Requirements	2011	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	2012	-	-	-	-	-	1	2	3	-	-	-	-	-	2	5
	2013	-	-	-	-	-	1	2	3	-	-	-	-	-	2	5

S.119. The legacy and residual issues remain at the three core mandates of the ECCC, according to the Agreement between the Royal Government of Cambodia (RGC) and the United Nations: (i) to render the justice to the victims who have been waiting for almost 40 years; (ii) maintain and strengthen the peace and national reconciliation; and (iii) to enhance the national judicial reform through the capacity building and transfer of knowledge and know-how from the ECCC as a model court to the domestic courts.

Since the Case 001 has been completed in February 2012, the ECCC is required to deal with the legacy and residual issues in this budget period:

(i) Residual issues involve with the potential imprisonment detention of Case 001's Accused whether he will be placed in the current Detention Facility or in the National Prison. Also, the follow-up activities are needed to oversee the regular conditions of imprisonment detention of the Accused in accordance with the ICRC rule requirements, etc...

(ii) Related legacy work of the Courts deals with the issues of transferring knowledge and know-how from the ECCC judicial officers to the domestic courts. It is expected that a lot of activities are to be done during the coming two years if we have adequate funds to handle these tasks.

The RGC values the importance on the legacy and residual issues of the ECCC following the completion of Case 001 in early February 2012. As it is, the RGC provides both in-kind and in-cash contributions to start implementing these issues from 2012. The in-kind donation is to hand over a 2-million US



dollar building from Japan to house the ECCC Legal Documentation Center. In addition, there will be in-cash contribution of \$0.31 million for the 2012-2013 budget cycle in order to cover the costs of premise alteration/improvement and the general operations of the Building. This cash contribution is equivalent to 34% of the total proposed costs of Legacy/Residual Component of \$0.9 million.

There are four new activities that are considered as the Legacy/Residual Component for the ECCC National Side for 2012 and 2013, as described below:

S.120. **ECCC Legal Documentation Center:** Due to the upcoming needs of the ECCC in preparing, arranging and implementing the legacy and residual issues, the Government of Japan funded a four-story building at the total cost of \$2 million. The building houses the (i) ECCC Legal Documentation Center and (ii) Office Building of the Bar Association of the Kingdom of Cambodia. The ECCC Legal Documentation Center will store and maintain the Courts documents for both digital and hard-copy records and archives relating to the Khmer Rouge trials. By doing so, the Center will be able to facilitate the work of national and international experts, legal researchers and professionals in conducting research, especially related to judicial and legal issues for the hybrid court and tribunal process, as a whole. The ECCC Legal Documentation Center measures 3,915m<sup>2</sup> and consists of four floors with 26 rooms that serve for the following purposes:

- a) The ground floor consists of 4 rooms with a total land area of 2,507m<sup>2</sup>. It includes a parking lot for 40-50 vehicles, 50-70 motorcycles, generator shed and 2 small storerooms.
- b) The first floor consists of 10 rooms with a total floor area of 434m<sup>2</sup>. This floor houses 1 big e-library room (approximate 127m<sup>2</sup> for installing ECCC Virtual Tribunal which is considered as the digital legacy of the Courts) as well as 1 server room, 1 information/waiting room, 3 office rooms, 1 room to conduct training and outreach program and 1 store room.
- c) The second Floor consists of 7 rooms with total floor area of 444.60m<sup>2</sup>. This floor contains 1 big archive room (approximate 126.75m<sup>2</sup> for storing and maintaining hard copies of the Courts Records and Archived documents), as well as 1 meeting room and 3 office rooms.
- d) Third Floor consists of 5 rooms with a total floor area of 529.10m<sup>2</sup>. This floor contains 1 big conference room (approximate 272.60m<sup>2</sup> with 230 seats for purposes of holding large conferences, seminars and forums organized by the ECCC), as well as 1 waiting room and 1 store room.

S.121. **ECCC Virtual Tribunal:** The proposed Virtual Tribunal (VT) will form an integral part of the ECCC Legacy Unit. One of the main goals of the Legacy Unit is to archive and preserve ECCC rules, procedures and proceedings in respect of Case 001 and 002 and other cases and make them easily and readily available for reference and access to the public.

The VT was a joint initiative between the ECCC, the Hoover Institution of Stanford University (Hoover Institution) and the War Crimes Studies Center (WCSC) of the University of California, Berkeley. The ECCC Virtual Tribunal is intended to act as a digital internet multimedia library. VT will contain information regarding the Khmer Rouge Regime, the work of the ECCC and its contribution to the transitional justice process in Cambodia.

In line with the current technological advancement, VT proposes to disseminate information, through internet, to a wider audience, in particular to, the Cambodian judicial officials and practitioners, law schools & students, other academic institutions and the general public. VT work plan proposes to disseminate information as follows:

- a) VT aims to provide electronic access to public, through internet, on Case Files 001, 002, and other cases documents. VT is an internet digital legacy or become e-library of the Court consisting of a Homepage, History, Library, Court, Explore, Community, Educators, Quick Tours with important interfaces and functionalities in English and Khmer;
- b) Will provide clear explanation and guidance on ECCC legal terms, rules and procedures; and
- c) Searchers will also be able to watch on-line the rulings given by various chambers of the ECCC on appeals and cases.

Based on the initial technical guidance provided by the former partners, the work on the VT on Case 001 started in July 2010. The soft launching of the VT was taken place in December 2011 and will be released to the public in 1<sup>st</sup> quarter of 2012. Since Case 001 process is already completed, archiving and publishing of Case 001 data has become a necessity for the ECCC. Preserving the case files and records for the general public and future generations thus forms an integral part of the Legacy Unit activities proposed under this budget proposals. As part of the Legacy Unit, VT will play the most important role in archiving and disseminating the information of the Court to the legal practitioners and general public.

The ECCC Virtual Tribunal will be stored and operated from the ECCC Legal Documentation Center as it becomes operational in 2012. During 2011, the VT initiative was supported by two staff, (one Content Management Officer (NO-A) and one Content Management Associate (GS-6). In view of the increased responsibilities and work load during 2012-2013, especially to further develop and upload the complex Case 002 files, a new post of Content Developer (NO-A) is hereby proposed in addition to the existing two posts. This new post will help ECCC national component to further enhance and add new features into VT as well as to archive Case 002 and other Court documents and maintain smooth public access to VT.

- S.122. **Legacy Team:** The team which is tasked to assist the Office of Administration plays a crucial role in capturing, transferring and retaining best practices and know-how that is critical to the ECCC to serve the general public about the

justice system after the closure of ECCC. The national judges, prosecutors, and greffiers at the provincial levels will be invited to attend forums and seminars as well as study tours organized by the Office of Administration, with lectures by the ECCC national judges, prosecutors and legal counsel in order to share their experiences and lessons being learnt from the Courts.

The Legacy Team is staffed by 1 Legacy Officer (NO-C) and 1 Legacy Assistant (GS-6) for 2012 and 2013.

S.123. **ICT gradual transfer's concept:** In 2012, the ECCC Legal Documentation Center will be inaugurated and operated by the ICT national team. Part of the Court's records and archived documents as well as some of the ICT system operations will also be managed in the center. Therefore, it is proposed that the gradual transfer of the ICT system will be implemented in line with the following strategy:

- a) In 2012, the ICT Section – International would further strengthen the capacity of national staff on ICT system operation and management, software management, communications, and maintenances.
- b) In 2012, one System Administrator (National) will be recruited to work with UNAKRT ICT staff to acquire skills on the policy, technical standards, and guidelines to ensure that the transfer of responsibility on (i) national mail server (@eccc.gov.kh), (ii) web server/hosting, and (iii) Virtual Tribunal Server will be made in a more effective and efficient manner to national side.
- c) In 2013, national ICT staff will administer file servers for the national staff, including Zylab Server at the Records and Archives Unit, database administration, backup and restoring of file server, implementation and maintenance of DRBC plan to backup and restore servers in disastrous event on primary servers.

## ***D.1 Resource Requirements – Cambodia***

### ***Posts***

S.124. The proposed budget of \$272,419 for 2012-2013 relates to the staffing costs as follows:

- a) Legacy Team - 1 Legacy Officer (NO-C) and 1 Legacy Assistant (GS-6). (\$118,744)
- b) Virtual Tribunal Team - 1 Content Management Officer (NO-A), 1 Content Developer (NO-A), and 1 Content Management Associate (GS-6). (\$153,675)

### ***Premises Alteration***

- S.125. The proposed budget of \$90,410 for 2012-2013 provides funding to equip the office building properly and to do network cabling for the newly constructed building (ECCC Legal Documentation Center).
- a) Office fixing/partition/modification, of which \$19,710 for the installation of partition wall and air-conditioner for sever room, e-library, and record archives unit, \$30,000 for a new back-up generator, and \$11,700 for the construction of car parking lot, LDC logo and sign board, and auto transfer switch. (Total \$61,410)
  - b) ICT equipment installation (double data/voice/ power cabling, RACK, patch panel, data distribution switch, wireless, and power cable in switching room) and external fibber optic cable for 4 core and MDF and telephone cabling for 100 pairs and MDF. (\$29,000)

### ***Training and Meeting Costs***

- S.126. The proposed budget of \$88,489 for 2012-2013 covers the costs of training and meetings of the ICT staff including the in-house and on-line training as well as overseas training with respect to ICT related systems and application, and certification of software, of which \$34,561 relates to training activities, and \$53,928 for meeting costs, as follows:

#### ***Training-\$34,561***

- a) 2 national staffs training for upgrading system administrator from MCITP SA to MCITP EA throughout 2012-2013. (\$2,140)
- b) Training of 2 national staffs on virtualization technology, VM ware/hyper-V for a system administrator throughout 2012-2013. (\$1,070)
- c) Training of 2 national staffs on the Microsoft SQL sever's data base administration throughout 2012-2013. (\$2,140)
- d) ICT staff training on the database development. (\$6,313)
- e) ICT staff training on the window based application development. (\$8,239)
- f) ICT staff training on the web based application development. (\$8,239)
- g) Training of 2 national staffs on the repair and upgrade of new software and computer trouble shooting throughout 2012-2013. (\$1,070)
- h) 2 national staffs for the training on CCNP throughout 2012-2013. (\$2,140)
- i) Training on information technology 2013. (\$3,210)

#### ***Meeting Costs-\$53,928***

- j) Legacy and dissemination of the ECCC work and progress being archived to the domestic judicial systems and courts. (\$16,050)
- k) Organization of study tours for national judge and legal staffs to visit the ECCC for capacity building purposes. (\$37,878)

### ***General Operating Expenses***

- S.127. The proposed budget of \$217,710 for 2012-2013 covers the costs of general operating expenses such as electricity, water, diesel fuel, general maintenance

and cleaning, communication, refreshment, office supplies and miscellaneous, as follows:

- a) Electricity supply: (a) electricity consumption; (b) electrical transmission line for the ECCC Legal Documentation Center (LCD); (c) diesel for back-up generator to supply power when required. (\$61,500)
- b) Water consumption and other costs of water distributing and generating system for the LCD. (\$7,380)
- c) Outsourcing services of cleaning and gardening for the LDC office buildings. The average cost is \$1,500 per month and newly proposed budget envisages an annual inflation rate of 5% per year. (\$36,900)
- d) Bus services to transport both national and international staff to the LDC location (a distance of approximately 8 km from the central town). Total staff size is 50 persons to work at the LDC. This budget also anticipates an annual inflation rate 5%. (\$40,590)
- e) Monthly internet or telephone communication services costs. (\$24,600)
- f) Building maintenance and repairs for the building; as well as the room partitions to accommodate the staffing needs. (\$12,300)
- g) Supplies and material for the LDC. (\$14,760)
- h) Pure drinking water for 50 staff who work at the LDC. (\$12,300)
- i) Miscellaneous expenses including unforeseen costs. (\$7,380)

#### ***Furniture and Equipment***

S.128. The proposed budget of \$235,935 for 2012-2013 consists of the following items of expenditures:

- a) Furniture for offices, meeting rooms, e-library, and for the records and archives unit. (\$32,100)
- b) Office equipment such as photocopiers, printers, computers, shredders, fax machine, and etc. (\$57,245)
- c) IT equipment, particularly for LAN equipment, such as 2 servers (low end) model HP DL380G5/G6 RACK and complete accessory, storage, UPS, DISCO switch and router. (\$48,150)
- d) Software licenses to support the system. (\$32,100)
- e) Laptop, LCD presentation, and training peripheral. (\$16,050)
- f) Touch screen table to be installed in the E-library room for general public and researchers. (\$10,700)
- g) Server (High End) such as HP DL 580 Complete set x 1 for running the Virtual Tribunal software (\$21,400)
- h) Centralized UPS 40 KVA x 1 in order to back up the servers and IT equipment. (\$12,840)
- i) PABX upgrade to install telephone connection and networking. (\$5,350)