

Budget Dry for Cases 003, 004
Bridget Di Certo
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The drafters of the Khmer Rouge tribunal's 2012-2013 budget have made no time or monetary allowance for any trials in government-opposed cases 003 and 004, documents published on Saturday reveal.

The Trial Chamber is expected to hand down the final verdict in Case 002 by 2016, with all appeals finalised by 2018, at which point the tribunal would cease operations and close down, the current budget projects.

The 2012-2013 budget anticipates that the Office of the Co-Investigating Judges, which is now investigating cases 003 and 004, and the Pre-Trial Chamber, which hears appeals relating to investigations, will be "phased out" in about one year's time.

"The reduced workload level ... projected for both the Pre-Trial Chamber and the Office of the Co-Investigating Judges in 2013 ... will result in the phasing out of the [Pre-Trial Chamber] and the [Office of the Co-Investigating Judges] from the middle of 2013," the budget document states.

Last month, UN-nominated international reserve Co-Investigating Judge Laurent Kasper-Ansermet resumed investigations in Case 003 after they were closed by his international predecessor and current Cambodian counterpart in April 2011.

In the opinion of the international Pre-Trial Chamber judges, Kasper-Ansermet has a green light to continue investigations in controversial Case 004.

Kasper-Ansermet has allegedly begun informing the suspects in cases 003 and 004 of the charges against them.

Public affairs officer at the tribunal Neth Pheaktra said he had "no information" yet about if and when there would be time and monetary budget revisions to allow for trials in cases 003 and 004.

"It is too early to comment on this yet," Neth Pheaktra said, adding that the court's administration was responsible for drawing up the budget and making the timing projections.

The budget states that Trial Chamber judges are expected to hand down the verdict in the first mini-trial in Case 002 concerning the April 17, 1975, evacuation of Phnom Penh, by

the end of 2013.

“On this projection, a first verdict could be expected by the end of 2013 while the last verdict [in Case 002] may be issued in 2016,” states the budget document, which was approved by donors at a meeting in New York in February with the condition it could be revised if allowances for cases 003 and 004 were insufficient.

The budget states the court is expected to run until 2018.

The Case 002 time projections allocate two years to hear charges against the trio of Khmer Rouge senior leaders regarding their involvement in the evacuation of Phnom Penh.

Three years have been allocated to hear all the remaining Case 002 charges including genocide, forced marriage, forced labour sites, detention and security centres and other Khmer Rouge policies allegedly causing the deaths of about two million Cambodians.

Anne Heindel, legal adviser at the Documentation Centre of Cambodia, told the Post it would be difficult to take to trial all the remaining crimes in the Case 002 indictment in just three years.

“It sounds to me that they are budgeting for one more trial and that is all,” Heindel said.

“[The projected timeline] raises questions about how they are going to proceed and what parts of the indictment they are going to leave out.”

A 2018 closure of operations, however, was “politically realistic” she added. “No one has the will or the funding to want this court to go very much past that.”