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KRT Cuts Weekly Hearings Due to Staff, Funds Shortage

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The Khmer Rouge tribunal will only sit for three days a week instead of four starting on November 5 due to a lack of funds to hire more staff at the court, trial chamber president Judge Nil Nonn announced during yesterday's hearing.

Hearings will be held Monday to Wednesday, Judge Nonn said, and a hiring freeze that was introduced in July will remain in place.

"The Unakrt [United Nations Assistance to the Khmer Rouge Tribunal] administration says due to financial constraints the trial chamber is unable to replace a significant number of key international legal and other staff. The shortfall reduces the number of staff to approximately half," Judge Nonn said.

"Consequently, the trial chamber indicated recently to those authorities that while there is insufficient staff...it cannot continue to sit for four days each week, and that regrettably, this will lead to an extension of the time needed to conclude case 002/001," he continued.

The hybrid court—which relies on international donations—has long been plagued by funding problems, with national staff going unpaid from October 2011 until February this year, and the U.N. announcing a hiring freeze in July.

"The trial chamber over the last three months has repeatedly advised the relevant U.N. bodies...of the difficulties it is experiencing," Judge Nonn said during yesterday's hearing. "In response, assurances have been given that staffing issues will be resolved, but to date no finality has been achieved."

Lars Olsen, tribunal spokesman, said that due to the lack of staff, the judges have had to take on more of the administrative workload, meaning there is simply not enough personnel at the court to keep the trial chamber active four days a week.

"It's not saving more money, but the reason they're in this situation is the recruitment freeze is in place," Mr. Olsen said. "Everyone who's still here will still be working five days a week."

There are no plans to start recruiting again until the court's coffers are healthier, Mr. Olsen said, adding that the tribunal had experienced a \$4 million shortfall this year.

"Our budget is currently being prepared for next year. I think it was \$45 million, but that's now being revised with the expectancy that cost will be reduced," he added.

The tribunal has cost more than \$140 million since it was started in 2006, and takes about \$3.5 million a month to maintain.

Clair Duffy, a monitor for the Open Society Justice Initiative, said the funding crunch was mainly on the international side of the court, as after the crisis earlier this year when the court was unable to pay its national staff, donors gave their money to the national side.

“I suppose we will see in time whether the chamber is better able to deal with a backlog of decisions,” Ms. Duffy said, regarding the decision to only have three hearings a week.

“I think the funding situation at the court is dire. Unfortunately, this is not new. But the trial chamber has sent a message to the donors and the U.N. that longer term funding needs to be secured for this year and next that enables the hiring freeze to be lifted,” she added.

In August, in an opinion piece published in *The New York Times*, David Scheffer, the U.N. secretary-general’s special expert on the Unakrt, described how the court was in dire financial straits.

Mr. Scheffer detailed how donor fatigue—arising in part from Western purse-tightening due to the global financial crisis, and in the case of the biggest donor Japan, the 2011 tsunami—was threatening the very existence of the court.

Mr. Scheffer also described how the tribunal has a hand-to-mouth existence, saying that after all his lobbying of donor countries, he had merely raised enough to finance the tribunal for two months.

Since then, there has been some respite. Last month, Sweden donated almost \$4 million and the U.S. pledged \$5 million to the court.