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Primary Contact

Home Location **S-0046-0008-004 (In Container)**

Assignee **In Container 'S-0046-0008-004 (Souleymane Soukouna)' since 28/12/2006 at 11:46 AI**

Priority

Owner Location **Archives and Records Management Section**

Container **S-0046-0008: DM - OPPBF - General**

Record Type **Archival Item**

Local-container

Document Details **Record has no document attached.**

Notes

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OPPBA

Note to Mr. Halbwachs

Re. United Nations Assistance to the Khmer Rouge Trials
Progress made toward the establishment of the Extraordinary Chambers
and their related institutions

1. I refer to your note of 18 February 2005 to the Secretary-General on the subject matter. In this connection, the Secretary-General has indicated that the pledging or "appeal" conference may be arranged as proposed in paragraph 2 of the note.

2. With respect to the location of the Extraordinary Chambers, the Secretary-General is of the view that the proximity of the military tribunal is problematic and he concurs with your move to explore possible options.

Thank you.

Mark Malloch Brown
25 February 2005

cc.: Mr. Prendergast
Mr. Michel

MAR - 3

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EXECUTIVE OFFICE
OF THE SECRETARY-GENERAL

Note to the Secretary-General

United Nations Assistance to the Khmer Rouge Trials (UNAKRT): Progress made toward the establishment of the Extraordinary Chambers and their related institutions

SG
FYA Thank
LS 24.II.05

Following the issuance of a note verbale, which appealed for contributions of US$43 million to fund UN assistance to the trials, a briefing was conducted for the Group of Interested States to share with them the outcome of the UN technical mission to Phnom Penh which took place in December 2004. At the briefing indication of pledges amounting to approximately $30 million were made - $21.5 million pledged by Japan, whose representative indicated that the full contribution may be available by March of this year. The additional $8.5 million was pledged by France, UK and Australia.

During the meeting, Japan suggested that an appeal conference be convened at the earliest possible date, to which all Permanent Representatives to the UN would be invited, to draw their attention to the note verbale. I doubt that this will bring in significant contributions. It would be more of a public relations nature but this is something to which the Government of Japan seems to attach significance. I would recommend that we proceed with this and that you be represented at the Conference by either the Legal Counsel or the Under-Secretary-General for Political Affairs, with the support of my office.

The major outstanding issue relates to the location of the Extraordinary Chambers. During the technical mission in December 2004, the Government of Cambodia proposed an alternate site to the one which had been agreed to in the Spring of 2004. The new site is some 17 kms outside of Phnom Penh within the newly built High Command Headquarters (HCH) of the Royal Cambodian Armed Forces. A technical evaluation of the new site is being conducted.

#2125 24 Feb.

However, there have been concerns expressed by the Legal Counsel as well as by NGO's regarding the potential negative impact of conducting the trials on the site of an active military facility. In addition to undermining the perceived independence and impartiality of the trials, the location may be intimidating to victims, witnesses and the general public. One avenue to mitigate those concerns would be to accept the new site on the condition that the premises be clearly separated from the military facility and military staff relocated during the duration of the operation. A recommendation for your consideration will be made once we have received further information on the technical, financial and political aspects surrounding this alternate site.

Jean-Pierre Halbwachs
Assistant Secretary-General,
Controller
18 February 2005

cc: Mr. Kieran Prendergast
Mr. Nicolas Michel

The pledging or "appeal" conference may be arranged as proposed in para 2. The proximity of the military to the tribunal is problematic and its good that you are exploring possible solutions.

25/2