

proceedings met international standards of justice.

The ECCC, in cooperation with the UN, has taken additional steps to protect the integrity of its proceedings against allegations of corruption. In August 2009 the United Nations Office of Legal Affairs and the Government of Cambodia reached agreement to establish an Independent Counselor to serve as a deterrent against corruption and address potential future incidents of corruption or other forms of misconduct at the court. Shortly after his appointment, the Counselor released a "Meet the Independent Counselor" document to all court staff explaining his role, how he can be reached, and when he should be contacted. The circular outlined his roles and responsibilities, which include provision of an annual report to the UN Office of Legal Affairs and the Cambodian Government. The guidelines established for the Independent Counselor confirm his obligations to protect the confidentiality of complainants, to ensure that there are no reprisals for whistle-blowing and to provide a report of his activities to both the UN and RGC. The United States, in coordination with other donor nations, has conducted diplomatic efforts with both the United Nations Office of Legal Affairs and Government of Cambodia to assist in making the Independent Counselor fully operational, which have been effective. Addressing the ECCC in October 2010, the Secretary General commended the work of the Independent Counselor and the effect it has had on the perception of the court—that the ECCC's administration will not tolerate any form of corruption.

Because of all these steps taken to combat corruption and make the processes of the Court transparent, independent and efficient, it is the view of the State Department, other donor countries, prominent court officials, and non-governmental organizations (NGOs), that the ECCC appears to have resolved the corruption and mismanagement issues raised in 2008.

The United States currently plays a leadership role with respect to oversight of the ECCC by serving as a member of the New York-based ECCC Steering Committee. The United States also plays a leading role in the donors group in Phnom Penh, Cambodia. An additional contribution of funds will indicate an ongoing commitment to the work of the ECCC, and improve our position in discussions at the Steering Committee and with other current and potential donors. The Steering Committee oversees the budget and the timelines established by the ECCC and is

currently satisfied that the ECCC is administratively and financially sound.

The ECCC provides a monthly report to the UN Controller and the UN Department of Economic and Social Affairs, which closely monitors the activities of the court including its expenditures. In addition, all hiring on the international side of the court is vetted by the UN Department of Economic and Social Affairs. The UN Office of Legal Affairs actively engages on judicial management issues. For example, the ECCC accepted the UN's recommendation that the Pre-Trial Chamber sit on a full-time basis in order to improve the ECCC's efficiency and to expedite its decision-making. In addition, last year's U.S. contribution provided partial funding for a high-level official to work specifically on ECCC management-related issues. This official has effectively personally intervened with high level Cambodian officials to address ECCC management issues.

In late April the ECCC's Office of the Co-Investigating Judges (OCIJ) ended its investigation for Case 003 and forwarded the evidence to the Office of the Co-Prosecutors. The international co-prosecutor, Andrew Cayley, dissatisfied with the amount and depth of evidence, requested the OCIJ to conduct further investigations.

The issue of whether Case 003 falls within the jurisdiction of the ECCC is one on which reasonable persons can disagree. There is a formal process under the governing documents of the ECCC for resolving this disagreement. We see no basis for any assertions of mismanagement and possible misconduct in the OCIJ's handling of Case 003.

The Department looks forward to the final closing order and appeal so that this issue regarding further investigation into Case 003 can be resolved in with finality.

**Certification and United States Policy Objectives**

Certification recognizes the efforts of the United Nations and the Government of Cambodia to address allegations of corruption and mismanagement within the ECCC. It is not an indication, however, that no further work needs to be done. Both parties must continue to exercise oversight of the ECCC's operations, and the donor community and NGOs must continue their vigilant engagement with the United Nations and the Cambodian government to ensure that the ECCC remains corruption-free and well-managed.

Dated: May 1, 2012.

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## DEPARTMENT OF STATE

**[Public Notice 7818]**

### **Overseas Security Advisory Council (OSAC) Meeting Notice; Closed Meeting**

The Department of State announces a meeting of the U.S. State Department—Overseas Security Advisory Council on June 5 and 6, 2012. Pursuant to Section 10(d) of the Federal Advisory Committee Act (5 U.S.C. Appendix), 5 U.S.C. 552b(c)(4), and 5 U.S.C. 552b(c)(7)(E), it has been determined that the meeting will be closed to the public. The meeting will focus on an examination of corporate security policies and procedures and will involve extensive discussion of trade secrets and proprietary commercial information that is privileged and confidential, and will discuss law enforcement investigative techniques and procedures. The agenda will include updated committee reports, a global threat overview, and other matters relating to private sector security policies and protective programs and the protection of U.S. business information overseas.

For more information, contact Marsha Thurman, Overseas Security Advisory Council, U.S. Department of State, Washington, DC 20522-2008, phone: 571-345-2214.

Dated: April 17, 2012.

**Scott P. Bultrowicz,**

*Director of the Diplomatic Security Service, U.S. Department of State.*

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## DEPARTMENT OF STATE

**[Public Notice 7872]**

### **Notice of Meeting**

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (FACA), the Advisory Committee on the Secretary of State's Strategic Dialogue with Civil Society will convene in Washington, DC on May 16, 2012. The Committee provides advice on the formulation of U.S. policies, proposals, and strategies for engagement with, and protection of, civil society worldwide. The objective of this meeting is to