



The International Residual Mechanism for Criminal Tribunals ("Mechanism") was established on 22 December 2010 by the United Nations Security Council to continue the jurisdiction, rights, obligations and essential functions of the International Criminal Tribunal for Rwanda ("ICTR") and the International Criminal Tribunal for the former Yugoslavia ("ICTY") after the completion of their respective mandates.

STATEMENT

PROSECUTOR

(Exclusively for the use of the media. Not an official document)

Arusha, The Hague, 6 June 2018

Address of Mr. Serge Brammertz

Prosecutor, International Residual Mechanism for Criminal Tribunals, to the United Nations Security Council

New York, 6 June 2018

Mr. President, Excellencies,

Thank you for this opportunity to address you about the activities of the Office of the Prosecutor of the International Residual Mechanism for Criminal Tribunals.

My written report provides details about our activities and results during the reporting period in relation to our three priorities.

Regarding The Hague branch, we worked to expeditiously complete our last judicial activities, with only three cases now remaining.

Regarding the Arusha branch, my Office undertook intense efforts to locate and arrest the remaining eight fugitives indicted by the ICTR.

And at both branches, we continued to provide full support to national authorities in relation to the prosecution of serious international crimes committed in Rwanda and the former Yugoslavia.

Mr. President, Excellencies,

As part of the review of the work of the Mechanism, the Office of Internal Oversight Services evaluated my Office's work and methods.

OIOS concluded that my Office operated with a small staff and tight resources as this Council mandated.



It noted that we were effective in planning, restructuring and refining our operational methods.

It also identified a number of cost-efficiencies that we successfully implemented, including our One Office policy.

At the same time, OIOS identified that the high workload together with organizational downsizing had an impact on staff morale, particularly at The Hague branch. My Office will work to address this issue.

The review process established by the Council is an important exercise.

My Office is grateful to all participants for their time, attention and constructive engagement. Our common goal is achieving our mandate through efficient and effective management.

Mr. President, Excellencies,

As a temporary institution, my Office regularly develops projections for the completion of our functions. Looking forward, I would like to briefly outline anticipated developments for the next few years.

At The Hague branch, we will continue finalizing our judicial activities. My Office will progressively reduce our staffing and resources as these last cases are completed.

With the appeal judgment in the *Šešelj* case two months ago, and the scheduled completion of the *Karadžić* appeal before the end of the year, there will only be two remaining cases.

The President has reported that the *Stanišić and Simatović* trial and the *Mladić* appeal are expected to be completed by the end of 2020. That would then only leave appeal proceedings, if any, in *Stanišić and Simatović*.

Accordingly, we will be increasingly focused in The Hague on our remaining continuous functions, the most significant of which will be responding to requests for assistance from national jurisdictions in relation to our evidence collection.

As set out in our review report, we anticipate that the number and complexity of requests for assistance will further increase in the coming few years.

Countries of the former Yugoslavia have established national war crimes strategies to intensify prosecutions, and have requested our support. We also anticipate that more cases will move forward once challenges in regional judicial cooperation are overcome.

Sufficient staff and resources will be needed temporarily to address this workload.

At the same time that judicial activities are winding down in The Hague, my Office anticipates an increase in judicial activities at the Arusha branch, a process that has already begun.



This expectation is informed by three main factors.

First, as we outlined in our progress report, at the Arusha branch there has been an increase in review and related litigation initiated by the defence. We expect that there will continue to be a greater workload in this regard than during the first four years of the Mechanism's operations.

Second, as I have previously reported to you, my Office is significantly increasing our efforts to locate and arrest the remaining eight fugitives indicted by the ICTR and ensure those cases are ready for trial.

We restructured our tracking team, and adopted a more pro-active approach to our work. These reforms have been matched by a temporary increase in resources on the clear understanding that we have a limited amount of time to demonstrate a successful track record.

While the challenges in tracking fugitives are too significant to guarantee a positive outcome, my Office can commit that we will spare no effort. The victims of the Genocide against the Tutsi in Rwanda deserve nothing less.

In this regard, I call upon all States to provide full cooperation to my Office. This is an opportunity, not only an obligation.

By successfully arresting a fugitive in coordination with my Office, States can unambiguously demonstrate their commitment to multilateralism and the rule of law.

Finally, my Office anticipates that over the next few years, there will be an increase in the volume of requests for assistance in relation to our ICTR evidence collection. My Office is strengthening our cooperation with Rwandan authorities. We are also initiating a project to improve access to our evidence.

My Office is committed to managing all developments consistent with the Council's mandate for a lean and cost-effective organization.

Mr. President, Excellencies,

The final topic I would like to address today is the search for missing persons in the former Yugoslavia.

Over the last six months, many stakeholders have taken the initiative to raise this issue with my Office and seek our assistance, including the International Committee of the Red Cross, the Presidents of Croatia and Serbia, and missing persons authorities in Bosnia and Herzegovina.

Efforts are urgently needed to strengthen the search for missing persons. 10,000 families – from all sides – still do not know the fate of their loved ones.



The ICRC is launching a five-year strategy to further support local mechanisms, who are also improving their methods and cooperation. My Office is committed to providing all possible assistance as requested.

Yet governments have made many commitments to support this work that remain only on paper. Long-standing recommendations have still not yet been implemented years later. Financial support from national budgets is limited and insufficient.

Political will is also needed to create the conditions for witnesses to come forward with information. Glorifying war criminals surely has the opposite effect.

The search for missing persons is a humanitarian imperative. It is time for political authorities to be accountable for their commitments, and to show the courage to put aside all other considerations.

Mr. President, Excellencies,

My Office is firmly focused on carrying out our remaining responsibilities efficiently and effectively. We also remain committed to providing our full support to national prosecutors and missing persons authorities in the former Yugoslavia and Rwanda.

Thank you for your attention.
