**SECURITY COUNCIL**

**STATEMENT**

**Debate**

**International Criminal Tribunal for the Former Yugoslavia**

**and International Criminal Tribunal for Rwanda**

**June, 3th, 2015**

Mr. President,

At the outset, we would like to congratulate the delegation of Malaysia for presiding over the Security Council during the month of June. We thank Presidents Theodor Meron and Vagn Joensen, and Prosecutors Serge Brammertz and Hassan Buibacar Jaloow for their comprehensive briefings on the work of the International Criminal Tribunals for the Former Yugoslavia (ICTY), and Ruanda (ICTR) and respective Residual Mechanisms.

By establishing the International Criminal Tribunals for the Former Yugoslavia and for Rwanda, the Security Council responded to the universal plea for the rule of law, and the end of impunity.

Over the past 20 years, the ICTY and ICTR have played a crucial role in promoting the rule of law, and by giving a meaningful contribution to the ending of impunity to those who committed war crimes, genocide and crimes against humanity. On the eve of their closure, we commend the smooth transition ensured by the Residual Mechanism.

Mr. President,

Regarding the ICTY, it has now concluded proceedings against 147 out of 161 indicted individuals, including two important appeal cases.

Only seven trials and appeals remain outstanding, involving the last 14 of the 161 indicted.

The Tribunal makes efforts to meet the targets of its completion strategy, and ensure a smooth transition to the Mechanism, in compliance with Security Council Resolution 1966(2010).

We welcome the non existence of ICTY fugitives and the Tribunal commitment to the expeditious completion of its work, while ensuring that the trials and appeals are conducted in a manner consistent with fundamental principles of due process and equity.

Despite the continuous challenges with staff attrition, delays in trials and appeals, and the Tribunal’s inability to offer an end-of-service incentive, we are reassured that steps are being taken to ensure the completion of all judicial proceedings by 2017.

We note with satisfaction that the Office of the Prosecutor remains focused on completing the remaining trials and appeals while reducing costs and downsizing staff.

With respect to regional prosecution of war crimes, we support the efforts by the Office of the Prosecutor to encourage the improvement of regional co-operation concerning war crimes.

Mr. President,

Regarding the International Criminal Tribunal for Rwanda (ICTR), while the formal closure of the Tribunal is planned to occur by the end of 2015, we commend the work it accomplished with the trials conclusion of all 93 indicted individuals.

We are concerned that nine of the accused by the ICTR, for their participation in the genocide in Rwanda, remain at large, with three of the renegades under the jurisdiction of the Mechanism, while the remaining six were referred to the Rwandan authorities.

Thus, and pursuant to Security Council Resolution 1966(2010), the responsibility for tracking and trial them remain with the Republic of Rwanda and the Residual Mechanism, which requires the cooperation of all States to ensure that there will be no impunity for the perpetrators of the Rwandan genocide.

We note with satisfaction that the transition to the Residual Mechanism is close to completion and that most judicial and prosecutorial functions have already been handed over, and the administrative arrangements have been put in place.

We value the sharing of lessons learned by the Tribunals in the management of judicial, administrative and prosecutorial functions with other international and national jurisdictions, as well as with the public.

An example was the trial and appeals chambers technical training session, held in May 2015 in Hague, to legal officers of the ICTR and ICTY, the Residual Mechanism, the Special Tribunal for Lebanon, and the International Criminal Court.

Mr. President,

We are aware of the major tasks to be deployed by the Tribunals in the near future, namely the final appeals completion and the preparation of the archives to be handed over to the Residual Mechanism. We are confident that the Mechanism will carry out its mandate in an efficient and effective manner, in conclusion of the good work performed by the Tribunal.

Concerning the Residual Mechanism we would like to underscore the relevance of working closely with the Tribunal principals and staff members to ensure a smooth transition of the remaining functions and services, the harmonization and adoption of best practices.

The communication and cooperation with the States of the Former Yugoslavia and Rwanda, by keeping them updated on the activities of the Mechanism and the transition of responsibilities, as well as the assistance to National Jurisdictions are most welcomed.

We value greatly the support afforded to the Mechanism by the ICTR, the ICTY, by the Office of Legal Affairs and the Department of Management of the Secretariat, and by concerned States, a support which will be crucial to ensure the success of the Mechanism.

We are encouraged by the fact that the arrest and surrender of the remaining fugitives is set as a priority by the Residual Mechanism. The ongoing tracking operations of renegades conducted by the Prosecutor.

Finally, we would like to highlight that the international criminal justice, embodied in the Criminal Tribunals for Yugoslavia and Ruanda were crucial to the recovery process of these countries, following the horrific events that took place in those territories.

It is expected that the International Community will continue supporting the Tribunals remaining work, including by ensuring adequate resources, permitting them to achieve the goals set forth by the Security Council with a view of securing lasting peace and the Tribunals legacy.

At a time of widespread atrocities, the international community is challenged to take stock of the legacy of ICTY and the ICTR, the Mechanism and other international tribunals, as concrete expressions of a commitment to end impunity and the pledge for a world with the prevalence of the Rule of Law.

Thank you Mr. President