



Security Council

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Letter dated 10 June 2020 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council

I have the honour to enclose, herewith, a copy of the briefings provided by Judge Carmel Agius, President of the International Residual Mechanism for Criminal Tribunals, and Mr. Serge Brammertz, Prosecutor of the International Residual Mechanism for Criminal Tribunals, as well as the statements delivered by the representatives of Belgium, the Dominican Republic, Estonia, France, Indonesia, the Niger, the Russian Federation, Saint Vincent and the Grenadines, South Africa, Tunisia, the United Kingdom of Great Britain and Northern Ireland and the United States of America in connection with the video-teleconference on the International Residual Mechanism for Criminal Tribunals, convened on Monday, 8 June 2020. Statements were also delivered by the representatives of Bosnia and Herzegovina, Croatia and Serbia.

In accordance with the procedure set out in the letter by the President of the Security Council addressed to Permanent Representatives of Security Council members dated 7 May 2020 (S/2020/372), which was agreed in light of the extraordinary circumstances caused by the COVID-19 pandemic, these briefing and statements will be issued as an official document of the Security Council.

(Signed) Nicolas de Rivière
President of the Security Council



Annex I**Statement by the President of the International Residual Mechanism for Criminal Tribunals, Judge Carmel Agius**

[Original: English and French]

The last time I addressed the Council in December 2019 (see S/PV.8681), the world was a very different place. I sat across from the delegations and delivered my report from one end of the horseshoe table in the Security Council Chamber. The International Residual Mechanism for Criminal Tribunals was poised to conclude its ongoing judicial caseload by the end of this year, leaving only potential appellate work pending. Preparations were under way to shift our focus to longer-term residual functions, as originally envisaged by this organ.

Sadly, no corner of the globe has been spared from this terrible pandemic, and today, as I speak to the Council from a computer screen in The Hague, I must admit that I acutely feel the weight of the responsibilities entrusted to me by the Security Council. Those include my responsibilities to the Mechanism's accused, detained and convicted persons awaiting proceedings or serving sentences in Africa and Europe; my responsibilities to victims and witnesses, including those living in Rwanda and the countries of the former Yugoslavia; my responsibilities to the Mechanism's dedicated staff, who are nationals of 75 different countries; and my responsibilities to the Security Council and, more broadly, the United Nations as a whole.

The projections presented last December did not factor in a global pandemic that would effectively bring the world to a standstill. Yet even under these circumstances, the Mechanism has remained operational and delivered results. Reporting duties related to the review of the Mechanism's mandate, as well as other periodic responsibilities, have been fulfilled. Disruptions have been reduced as much as possible, with Judges and staff working hard behind the scenes to ensure the utmost preparedness for when courtroom activity resumes. Above all, remarkable headway on fugitive-tracking efforts has been made.

The Security Council has before it several comprehensive documents prepared by the Mechanism for the review of the progress of our work. We are grateful for the opportunities provided to reflect on our achievements and identify areas for further improvement and efficiency.

In the past months, the Mechanism's main focus has been to ensure that its judicial functions continue uninterrupted. To that end, we have made full use of the tools available in our legal framework and have adapted internal procedures where appropriate. Further, while the pandemic has affected in-court proceedings, cases have progressed with relatively few disruptions because much of our judicial activity is undertaken in writing. Nevertheless, cases that were on track to conclude by the end of this year are now expected to conclude in the first part of the next.

In that respect, I can mention the *Stanišić and Simatović* trial in The Hague, in which restrictions related to the coronavirus disease (COVID-19) stalled courtroom activity halfway through the defence case for Mr. Simatović. It is anticipated that hearings will be able to resume on 7 July and that all witnesses will be heard before the end of this year. The trial judgment is expected by April 2021.

Likewise, in the *Mladić* case, the appeal hearing — which was originally scheduled for March but postponed to June due to Mr. Mladić's surgery — has recently been stayed until further notice due to the unavoidable impact of the pandemic. Meanwhile, work continues and the Appeals Chamber stands ready to hear

the appeals in the *Mladić* case as soon as it is safe and feasible to do so. The appeal judgment is projected to be delivered nine months after the hearing of the appeals.

At the Arusha branch, the single Judge postponed the commencement of trial in the multi-accused *Prosecutor v. Maximilien Turinabo et al.* contempt case to the end of August. That was also due to travel and other restrictions preventing the movement of key persons who are on three different continents — including the accused and their counsel, as well as witnesses. Despite that, pre-trial litigation and trial preparation are ongoing and the trial judgment is expected in March 2021.

While those delays are, regrettably, beyond the Mechanism's control, rest assured that all efforts are being made for these cases to be conducted and completed as expeditiously as possible.

Our workload must also be re-evaluated in the light of a major breakthrough during the reporting period. I am referring to the arrest of fugitive Mr. Félicien Kabuga. With Mr. Kabuga and others having evaded capture for over 20 years, fugitive trials were — until now — more of a contingency plan than a primary part of our operations. Prosecutor Brammertz and his team have brought to fruition this long-awaited and core aspect of our mandate. They should be lauded for their efforts. France, together with other Member States and partners, have contributed to this great accomplishment and deserve our praise. Similarly, all those who assisted the Mechanism in confirming the death of another fugitive, Mr. Augustin Bizimana, must be thanked and congratulated.

I cannot help but wonder how many more fugitives could be brought to justice if the cooperation and trust so evident from those achievements were to continue. Let us not stop here. Let us use this momentum to keep advancing the cause of international justice.

By contrast, the situation of the nine acquitted and released persons in Arusha presents a dimmer picture. As I have said before, and indeed as recognized by the Council in several resolutions, the Mechanism cannot resolve this issue on its own. We rely on Council members' goodwill and commitment. Each reporting period that passes very quickly for us, no doubt drags on interminably for these nine men, one of whom has been languishing in uncertainty since 2004. Our joint failure to find a solution can only erode confidence in our system and undermine other successes. I would therefore once again urge the Council's support to help end this untenable situation.

I would now like to touch upon early release, an area of particular interest to the Security Council, as reflected in resolution 2422 (2018), and one which I believe to be very important. Last month, with a view to ensuring greater transparency, consultation and coherence, I issued a revised Practice Direction on the procedure for applications of pardon, commutation of sentence or early release. I trust that those revisions will help to clarify the procedures involved and ensure a streamlined process, which also envisages the collection of more comprehensive information upon which to base a decision. Among the procedural refinements are two substantive changes reflecting the Mechanism's existing eligibility threshold for early release and the President's inherent discretion to grant early release subject to conditions.

Speaking more broadly on the enforcement of sentences in the light of the COVID-19 pandemic, I took proactive steps to request regular information from enforcement States regarding the measures taken in all prisons where our convicted persons are serving their sentences. In line with my order of 24 April 2020, I have been receiving updated information every two weeks. Likewise, I have requested information regarding the situation in the Mechanism's own detention facilities in Arusha and The Hague. As the safety and well-being of our accused, detained

and convicted persons is paramount, I will be following these matters extremely closely in the coming months. In the meantime, I take this opportunity to thank all enforcement States for their sterling cooperation in this and other respects.

COVID-19 is, unfortunately, not the only virus we face. As we collectively tackle the challenges posed by this unprecedented global crisis, we must not ignore the perils of endemic hatred, division and denial. We must stand strong in the face of those who favour impunity over justice. The period under review recalls two ignominious pages in our collective history. Last year marked 25 years since the genocide against the Tutsi in Rwanda, and this year marks 25 years since the genocide in Srebrenica. Though we know that not every pathogen causes a pandemic, we see every day that these destructive forces are becoming more virulent and that the purveyors of hate feel emboldened. We must combat their version of events and offer our solidarity and support to all those who have suffered and continue to suffer. It is in that spirit that the Mechanism will join in next month's events commemorating 25 years since the genocide in Srebrenica. I very much hope that all Member States will mark this significant and most sombre occasion.

Although the Mechanism has been required to chart a different course than previously announced, I am proud to say that we have risen to the challenge. None of the progress reflected in the reports before you would have been possible without our devoted Judges, staff and all who contribute to the Mechanism's work on a daily basis. I thank and commend them for their commitment and outstanding efforts throughout, and particularly in recent months. It is during difficult times like these that one is reminded of the singular importance of the people in our lives — our family, our loved ones and our colleagues.

Finally, I wish to extend my gratitude to all Member States for their attention today and for their unfailing support and assistance to the Mechanism. I look forward to the next time we can safely meet in person.

Annex II**Statement by the Prosecutor of the International Residual Mechanism for Criminal Tribunals, Serge Brammertz**

I thank you, Sir, for this opportunity to address the Council 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 strategic priorities. Today, I would like to highlight a few important issues.

The most significant development since my last report (see S/PV.8681) is that we have now accounted for two of the three major fugitives indicted by the International Criminal Tribunal for Rwanda (ICTR). On 16 May, Félicien Kabuga, one of the most wanted fugitives, alleged to have been a leading figure in the 1994 genocide against the Tutsi in Rwanda, was arrested in Paris by French authorities. That arrest was the culmination of my Office's revised tracking strategy and intensified efforts since 2016.

As I previously reported to the Council, we shifted from reacting to leads from human sources that proved unreliable to a more proactive, analysis-driven investigation. We further developed specific strategies for each fugitive.

For Kabuga, our efforts for the last several years focused on his family members living in Western Europe, who we concluded were very likely to be Kabuga's support network. By investigating and excluding unviable leads, we increasingly focused our attention on possible locations in Belgium and France.

Earlier this year we had a major breakthrough. By collating and analysing a wealth of data obtained from national authorities, we were able to identify a pattern in the family members' movements centred on a specific residential area in Asnières-sur-Seine, near Paris.

We then approached French authorities, who confirmed our intelligence and were able to identify the specific location where Kabuga was believed to be hiding. Together, we planned a sophisticated, coordinated arrest operation, which was successfully executed on the morning of 16 May.

I would like to extend our deepest appreciation and thanks to France and its authorities for their exceptional cooperation, particularly the Central Office for Combatting Crimes Against Humanity, Genocide and War Crimes and the Office of the Prosecutor General of the Paris Court of Appeal.

In a related development, on 22 May I announced that my Office had confirmed the death of another major ICTR fugitive — Augustin Bizimana, former Minister of Defence in the interim Government, alleged to have been a senior leader of the 1994 genocide. The confirmation of Bizimana's death was similarly the result of our revised strategy and intensified efforts in the last few years. Having reviewed all available intelligence, we assessed that it was likely that Bizimana was deceased. We then actively worked to verify this hypothesis.

With the assistance of the United States Armed Forces DNA Identification Laboratory and the Netherlands Forensic Institute, late last year we determined that human remains found in Pointe-Noire, the Republic of the Congo, matched reference samples obtained from Bizimana's mother. Subsequently, we conducted extensive investigations to exclude the possibility that the remains belonged to any of Bizimana's male maternal relations. Accordingly, we concluded that Bizimana is

deceased, and in the near future will be filing a motion to officially terminate the proceedings against him.

Those successes were the results of our collective efforts. Of course, our first thoughts must be with the victims and survivors of the genocide. Their demand for justice is our *raison d'être*. Their trust and support make our work possible.

The Security Council's role was decisive. It provided its full support to our renewed efforts over the past several years and repeatedly called upon all Member States to provide cooperation in the search for the fugitives. In turn, members of the Council and other States Members of the United Nations assisted us in obtaining the intelligence and information we needed to move our investigations forward.

The list of Member States that provided particularly important assistance is long, but each deserves recognition. Therefore, on behalf of my Office, I would like to specifically thank the law enforcement and judicial authorities in Austria, Belgium, the Republic of the Congo, France, Germany, Luxembourg, the Netherlands, Rwanda, Switzerland, the United Kingdom and the United States for their contributions, as well as EUROPOL and INTERPOL. Together, we again demonstrated the impressive results that can be achieved through international cooperation.

Finally, the results are a tribute to the skill and dedication of the staff of the Office of the Prosecutor, which continually demonstrates the highest standards of professional excellence.

We must now redouble our efforts to locate and arrest the remaining fugitives. The last few weeks have created significant momentum. Together we can capitalize on that and send a clear message that all ICTR fugitives will be accounted for.

My Office continues to actively pursue promising investigations. We have credible leads on the whereabouts of all six fugitives. As Kabuga's arrest clearly demonstrates, the element critical to our further success will be cooperation from Member States.

Regrettably, it is now clear that if we had had timely and effective cooperation in August 2018, one more fugitive would have been arrested. We continue to engage with the South African authorities and trust that they will promptly and fully respond to our ongoing requests. My Office has reported the many other challenges we are facing in obtaining cooperation, but many of our requests have been ignored and unanswered.

The African Union (AU) has encouraged all its member States to cooperate with my Office to arrest the remaining fugitives, echoing the Security Council's repeated calls. My Office trusts that, moving forward, all AU member States will make our requests for assistance a priority and ensure that we receive the support we need to complete our important mandate. The victims and survivors of the 1994 genocide against the Tutsi in Rwanda deserve nothing less than our collective best efforts.

With regard to our trials and appeals, my written report provides details on all our activities during the reporting period. I would like to reiterate our commitment to undertaking all steps under our control to expedite the completion of these proceedings.

In the light of the global coronavirus disease (COVID-19) pandemic, the resumption of courtroom proceedings in the *Prosecutor v. Maximilien Turinabo et al., Stanišić and Simatović* and *Mladić* cases will be determined by the respective Chambers. My Office has underscored our willingness to consider all possibilities in resuming hearings as soon as possible. The point I would like to emphasize now

is that while proceedings in court have been suspended, my Office has continued to fully litigate all our cases outside the courtroom. We have continued to file and respond to a significant number of motions. We have taken the opportunity to move forward in other areas of responsibility, including the preparation of trial submissions in *Turinabo* and our final trial brief in *Stanišić and Simatović*. And in *Mladić*, our team has continued its preparations so that it will be able to present oral submissions as soon as the appeal hearing is scheduled.

My Office has also continued to respond to requests for assistance from national authorities. In the reporting period, we received a high volume of requests for assistance, and we fully expect that an even larger volume of requests will be received in future.

The Office of the Prosecutor has therefore effectively ensured full business continuity despite the coronavirus disease (COVID-19) pandemic and remote working arrangements. This achievement is in large part due to our staff, whose members have continued to fully perform their responsibilities despite significant challenges.

With the arrest of Félicien Kabuga, it is also important to remind ourselves that the prosecution of alleged war criminals is not the end of the justice process. For the victims and survivors in Rwanda and the former Yugoslavia, it is vitally important that the crimes they suffered be recognized and acknowledged.

Unfortunately, as I have repeatedly reported to the Council, the denial of crimes and glorification of convicted war criminals remain immense challenges. Among Rwandan diaspora communities in particular, there are still concerted efforts to deny the Rwandan genocide. Some promote revisionist accounts that minimize the scale of the genocide. Others continue to deny that the crimes were committed with the intent to destroy the Tutsi group in whole or in part.

The denial of crimes and glorification of convicted war criminals are also pervasive throughout the former Yugoslavia. And regrettably, denial and glorification are often driven or supported by politicians and public officials throughout the region.

I have previously reported on political interference in war-crimes justice in the former Yugoslavia. Just last week we witnessed an alarming example of such interference in Bosnia and Herzegovina.

My Office has always fully supported the Prosecutor's Office of Bosnia and Herzegovina and its current Chief Prosecutor. It has been our consistent experience that she and her team carry out their responsibilities professionally and ethically, and we trust that they will continue to prosecute all those responsible for war crimes, without regard to ethnicity or official status. While this example is particularly pronounced, throughout the region the climate of denial, glorification and politicization has a chilling effect on prosecutors and judges and undermines the rule of law.

This year will mark the twenty-fifth anniversaries of many notable crimes and events from the conflicts in the former Yugoslavia, including the Srebrenica genocide. These anniversaries should be solemn moments to commemorate the victims and to condemn with one voice those responsible for war crimes, crimes against humanity and genocide. My Office calls upon all officials and public figures in the region to act responsibly and put the victims and civilian suffering at the forefront of all activities marking these anniversaries. They should publicly condemn the denial of crimes and glorification of war criminals, rather than support them with public rhetoric and funds. Twenty-five years later, a break with the rhetoric of the past is long overdue, and leadership in favour of reconciliation and peacebuilding is urgently needed.

In conclusion, with the arrest of Félicien Kabuga and the confirmation of the death of Augustin Bizimana, two of the three major Rwandan fugitives have been accounted for. My Office is now firmly focused on locating the remaining major fugitive, Protais Mpiranya, as well as the five other ICTR fugitives who remain at large. As recent events have proven once again, with timely and effective cooperation from Member States, these fugitives can be arrested. My Office is preparing several requests for assistance and will be contacting relevant Member States to seek support. It is as critical now as ever before that a clear message be sent that not only is cooperation with my Office a legal requirement, it is, even more so, a moral obligation to the victims and survivors.

Furthermore, we remain committed to completing our other functions efficiently and effectively. We have ensured full business continuity in an effective manner, despite the COVID-19 pandemic, and we continue to actively litigate our ongoing cases and provide full support for war-crimes justice in national courts.

In this regard, my Office welcomes the recognition by the Office of Internal Oversight Services (OIOS) of our commitment to the Security Council's vision of the Mechanism as "a small, temporary and efficient structure". OIOS has also favourably assessed our work and innovative methods, including our flexible deployment of staff to address the dynamic level of ad hoc judicial activity while maintaining lean staffing.

We are grateful for the continued support of the Security Council in all our efforts.

Annex III

Statement by the Permanent Representative of Belgium to the United Nations, Marc Pecsteen de Buytswerve

I thank Judge Carmel Agius and Prosecutor Serge Brammertz for their briefings.

I also present my deep condolences for the two staff members of the International Residual Mechanism for Criminal Tribunals who passed away as a result of the coronavirus disease (COVID-19).

The date of 16 May will be important in the history of international criminal justice. After nearly 23 years as a fugitive, Félicien Kabuga, indicted by the International Criminal Tribunal for Rwanda in 2011 for genocide and crimes against humanity allegedly committed in Rwanda in 1994, was finally arrested by the French authorities, as a result of the revised search strategy the Office of the Prosecutor initiated a few years ago, but also of the assistance and support provided by INTERPOL, EUROPOL and the competent authorities of a dozen countries, including Belgium.

We congratulate the Prosecutor and his team, as well as all the States and organizations involved, on what is an essential milestone in the life of the Mechanism. The message to war criminals, wherever they are, could not be clearer. The international community will not tolerate impunity for the most serious crimes of international law. It will continue to do everything in its power to bring justice to the victims, even if more than 20 years have elapsed since the crimes were perpetrated.

This success of the Mechanism gives us the opportunity to highlight even more clearly a principle that we believe is essential in the approach the Security Council must continue to adopt in the field of justice. The prosecution of perpetrators of atrocity crimes can only be effective if States cooperate not only among themselves, but also with international courts and tribunals, which is why the Statute of the Mechanism and several Council resolutions established the obligation for all Member States to cooperate fully with the Mechanism as a foundational principle.

In this respect, Belgium notes once again with concern that the Office of the Prosecutor has struggled to obtain the necessary cooperation from a number of relevant Member States in connection with the search and arrest of the remaining six fugitives indicted by the International Criminal Tribunal for Rwanda. We strongly encourage these States to provide all necessary assistance and thereby participate in collective efforts for justice and accountability. I welcome the commitment just expressed by the representative of South Africa in this regard. In addition, greater cooperation from States is also necessary in relation to the resettlement of the nine acquitted or released persons currently residing in Arusha.

This year we commemorate the twenty-fifth anniversary of several tragic events, including the Srebrenica genocide, which marked the conflicts in the former Yugoslavia. In this context, it is particularly regrettable to read once again in the Office of the Prosecutor's report (S/2020/416, annex II) that the denial of crimes and the glorification of war criminals remain more than ever a reality throughout the region of the former Yugoslavia. The same conclusion applies to regional judicial cooperation, which has been at its lowest level in years.

Belgium therefore calls upon the authorities of the relevant States to make it a priority to prosecute war criminals and combat hate speech and any ideology advocating discrimination, in accordance with the values and principles of both the United Nations and the European Union.

I would like to conclude by welcoming the Mechanism's efforts aimed at limiting as much as possible the impact of the COVID-19 pandemic on its activities. Belgium also praises the efforts of the President of the Mechanism on the issue of early release, which have led to the recent changes to the directive applicable in this area.

The role of the Mechanism in the process of reconciliation between communities, both in Rwanda and in the countries of the former Yugoslavia, remains more fundamental than ever. Belgium therefore reiterates its full support for the Mechanism and wishes to see its mandate extended beyond 30 June.

Annex IV

Statement by the Permanent Mission of the Dominican Republic to the United Nations

I want to thank Judge Agius and Prosecutor Brammertz for their remarkable briefings this morning.

It is clear that, as a result of the coronavirus disease (COVID-19) pandemic, we are experiencing extraordinary times that call for extraordinary measures. In this regard, we must congratulate President Agius and his staff for their efforts aimed at ensuring the continuity of the work of the International Residual Mechanism for Criminal Tribunals (IRMCT). Adapting to the new normal is fundamental for the IRMCT mandate schedule.

Furthermore, we wish to highlight the measures taken by the Mechanism to fight the negative effects of the COVID-19 pandemic on its staff and workload. We commend Judge Agius for the measures put in place to provide the staff with impressive tools to overcome the pandemic. He is doing an inspiring job.

We applaud the Mechanism's efforts to integrate a gender perspective into its work and activities. We hope that the gender-related activities postponed by COVID-19 will resume shortly. We encourage the Mechanism to continue the great work of educating staff and others on these issues.

The Dominican Republic has positive regard for the progress made on the judicial cases and therefore encourages the Mechanism to continue its work towards achieving its 2020 goals in this regard, despite the possible delays caused by the COVID-19 pandemic. In addition, we are pleased to hear that the consultation process on the update of the Practice Direction on the Procedure for the Determination of Applications for Pardon, Commutation of Sentence, or Early Release of Persons Convicted by the International Criminal Tribunal for Rwanda, the International Tribunal for the Former Yugoslavia, or the Mechanism, is in its final stages.

Allow me to refer to a crucial point. The importance of cooperation. Like every other international tribunal, the IRMCT requires cooperation from the States. Without a joint effort, the IRMCT cannot meet the objectives of its mandate. We have an obligation to fully cooperate with the Mechanism, especially during investigations. Indeed, a perfect example of the benefit of successful cooperation between States and the Mechanism is the arrest of Félicien Kabuga. We commend the joint efforts of the French authorities and the Office of the Prosecutor in achieving this important result.

The Dominican Republic reiterates its commitment to the IRCMT and fully supports the extension of the mandates of the President and Prosecutor beyond 30 June 2020. The Dominican Republic considers the role of the IRMCT to be essential in the fight against impunity for the crimes against humanity committed in the former Yugoslavia and the genocide against the Tutsi. Victims must receive justice for the terrible damages they have suffered.

Annex V**Statement by the Permanent Representative of Estonia to the United Nations, Sven Jürgenson**

I thank Judge Carmel Agius, President of the International Residual Mechanism for Criminal Tribunals, and Prosecutor Serge Brammertz for the detailed report submitted to the Council (S/2020/309, annex) and for their informative briefings today.

Estonia commends the Mechanism for its work and the progress made during the reporting period, both in the Hague and in Arusha, including all the efforts aimed at ensuring business continuity to the greatest extent possible under the current extraordinary circumstances. We take note that the restrictions in place to curb the spread of the pandemic have adversely affected timelines for case completion and that any delays would be kept to a minimum.

We also note the work of the Mechanism on the ongoing trial proceedings in the *Stanišić and Simatović* case, the appeal proceedings in the *Ratko Mladić* case and the pretrial phase in the multi-accused *Prosecutor v. Maximilien Turinabo et al.* contempt case, now joined by the *Ngirabatware* contempt case. We further welcome other activities of the Mechanism, including in relation to its unified filing system and that system's public interface — the unified court records database — created to allow public access to the judicial records. We further recognize the initiatives taken to address gender parity in the Mechanism's staffing and the steps taken to eliminate harassment.

International criminal justice and the fight against impunity continue to depend on a collective effort. After the French authorities arrested Félicien Kabuga on 16 May, Mr. Kabuga, who is known as the financier of the Rwandan genocide, is finally going to face justice for acts committed 26 years ago. We commend the resolve of the Office of the Prosecutor and the many countries and international entities, such as INTERPOL and EUROPOL, for their assistance. We now strongly urge Member States to provide the necessary assistance so that the six remaining fugitives may be arrested and brought to trial.

The essence of the efforts of the International Residual Mechanism is to establish justice and provide recourse to victims. Last year, we commemorated the twenty-fifth anniversary of the Rwandan genocide and next month we will commemorate the twenty-fifth anniversary of the Srebrenica genocide. We know from the past that little was done internationally to stop the killings when they were taking place. That is why the Council must do better in future to prevent and react to similar horrendous crimes. The International Residual Mechanism assists States and individuals in doing better to keep the promise of never again. Estonia continues to support the Mechanism's work and the extension of its mandate.

Annex VI

Statement by the Deputy Permanent Representative of France to the United Nations, Anne Gueguen

[Original: English and French]

I, too, would like to thank President Agius and Prosecutor Brammertz for their presentations. On behalf of my delegation, I also extend my condolences to them for the staff members of the Mechanism who lost their lives after contracting the coronavirus.

As we embark on the third review of the progress of the Mechanism's work, France reiterates its full support for the Mechanism and commends its contribution to the fight against impunity and to the preservation of the legacy of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. The Security Council must support the Mechanism in its work.

The news from the Mechanism is obviously marked by the arrest of Mr. Félicien Kabuga on 16 May in the suburbs of Paris, thereby bringing to a close 20 years of active searching for that suspect. The arrest would not have been possible without close international cooperation at the level of the European justice system and police services, among Governments and with the Mechanism. It reveals the relevance and activeness of the Mechanism, which continues its investigative and fact-finding work and responsibilities.

This is an important moment for Rwandan victims, for national reconciliation in Rwanda and for international criminal justice. Following the confirmation of the death of Mr. Augustin Bizimana, it is crucial that the remaining six suspects be brought to justice. To that end, we reiterate our call on States to cooperate with the Mechanism without hindrance, in accordance with their international obligations.

With regard to the cases referred to domestic courts, France reaffirms that it is making every effort to complete the *Bucyibaruta* case within a reasonable time frame. Our particular objective remains to ensure that no crime of genocide goes unpunished. Thus, our efforts have included strengthening the capacity of the judiciary to prosecute participants in the Tutsi genocide in Rwanda who reside in France. We also take due note of the recent conviction by the Rwandan judiciary of Mr. Ladislas Ntaganzwa.

Finally, no lasting reconciliation can take place without an acknowledgement of crimes and responsibility. We deplore the fact that, two decades after the end of the conflicts in the former Yugoslavia and throughout the region, the glorification of war criminals is spreading, in some cases encouraged by the open support of certain national and local authorities. As important commemorations are about to take place, we call on all those responsible to stop denying the crimes and responsibility established by the international criminal courts.

Annex VII

Statement by the Deputy Permanent Representative of Indonesia to the United Nations, Muhsin Syihab

Let me at the outset convey Indonesia's condolences to the Mechanism and, in particular, to the families of its staff members who recently passed away during the coronavirus disease (COVID-19) pandemic. Our thoughts are with them.

We would like to use this opportunity to express our appreciation to Judge Carmel Agius and Prosecutor Serge Brammertz, not only for their report (S/2020/309, annex) and briefings, but also for their leadership and commitment to the implementation of their respective mandates despite these challenging times.

I wish also to reiterate the commitment of Indonesia to continuing to cooperate with the Mechanism and support its activities in accordance with relevant Security Council resolutions.

I will focus on three issues today.

My first point relates to the review process of the Mechanism. Indonesia encourages the Mechanism's continued efforts, led by Judge Agius, to ensure the effective, efficient and timely conclusion of residual judicial proceedings.

We also take note of the Mechanism's observation that, owing to the COVID-19 pandemic, the anticipated timelines for judicial caseload completion set to the end of 2020 have been changed. With that in mind, we encourage the Mechanism to continue making innovative adjustments to implement the recommendations of the Office of Internal Oversight Services, especially with regard to presenting clear and focused projections of completion timelines. That would help to increase transparency and, at the same time, guarantee the expeditious completion of judicial proceedings while maintaining the highest standards of due process and fair trial.

My second point is on the progress of Mechanism's activities. Indonesia welcomes the progress that the Mechanism has achieved — thanks to the commitment and dedication of its President, judges, Prosecutor and all staff members — in carrying out the essential residual functions of the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the Former Yugoslavia.

The same applies to the work of the Mechanism during the reporting period in relation to sentence enforcement and the protection of victims and witnesses, as well as administration and archive management.

We also welcome the prospect of further progress, remain confident of the positive assessment of the Mechanism's functioning in the reporting period and look forward to additional achievements despite these unprecedented difficult times.

This leads to my last point: the cooperation of States. Indonesia would like to use this opportunity to applaud the efforts made by the Office of the Prosecutor and, of course, the concrete efforts of the relevant countries that continue to cooperate with the Mechanism, especially with regard to the notable progress that has been made on the indictment of fugitives by the ICTR.

Mr. Kabuga's arrest is a testament to the Mechanism's ability to render justice to victims and survivors and, at the same time, to amplify the message that no one can escape justice. In that regard, we would like to call on States, particularly those where fugitives are suspected to still be at large, to strengthen and intensify cooperation with the International Residual Mechanism for Criminal Tribunals in accordance with the relevant Security Council resolutions.

To conclude, I wish to reaffirm Indonesia's commitment to strengthening the rule of law and promoting justice by supporting the work of the Mechanism as an instrument of the Security Council for putting an end to impunity and ensuring accountability.

Annex VIII**Statement by the Permanent Representative of the Niger to the United Nations, Abdou Abarry**

Allow me first of all to thank Judge Carmel Agius and Mr. Serge Brammertz, the President and Prosecutor of the international mechanism to carry out the residual functions of the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia.

My delegation commends the Mechanism for the swift precautionary measures taken to protect its staff and all detainees and to ensure the continuity of its activities in the context of the coronavirus disease pandemic. In that regard, I would like to extend our deepest condolences to the Mechanism for the loss of life among its security personnel in Arusha due to the virus.

It goes without saying that the Residual Mechanism has contributed not only to fighting against impunity, but also to preventing and deterring the commission of new crimes, promoting reconciliation and responding to the aspiration to justice of victims and their families. However, the objectives set for the Mechanism can be achieved only if it has adequate financial means, as well as assistance from the Member States of the United Nations in effectively implementing its mandate. My delegation therefore calls on Member States to cooperate fully with the Mechanism, as required under resolution 1966 (2010) of 22 December.

In that regard, I would like to commend the French authorities, the other law enforcement agencies and the Mechanism for the actions that led to the recent arrest of Mr. Félicien Kabuga, indicted by the ICTR in 2011 for genocide and crimes against humanity allegedly committed in Rwanda in 1994.

The report (S/2020/309, annex) shows that the Mechanism has implemented most of the recommendations made by the Office of Internal Oversight Services in 2018 and 2019 and has achieved the goal of gender parity in the functions of the Mechanism at several levels. It also shows that the methods of the Office of the Prosecutor are in line with the expectations of the Security Council as outlined in resolution 2422 (2018) of 27 June 2018. Therefore, the Mechanism deserves praise and encouragement for all the progress made in the implementation of its mandate.

My delegation appreciates the efforts of the Mechanism to guarantee the fundamental rights of convicted persons and takes note of the significant progress made in the areas of administration, the enforcement of sentences, the protection of victims and witnesses and the management of archives.

In closing, my delegation would like to reiterate its encouragement to all the staff of the Mechanism and, with regard to the completion of the remaining proceedings, to urge the Mechanism to ensure that fair trials are held with respect for due process and the human rights of the accused.

I would also like to commend Viet Nam, as Chair of the Informal Working Group on International Tribunals, and the Office of Legal Affairs for the coordination between the Council and the Mechanism.

We look forward to the adoption of the draft resolution renewing the mandate of the mechanism and reappointing the judges in the days to come in order for this important work to continue and for justice to prevail.

Annex IX

Statement by the Deputy Permanent Representative of the Russian Federation to the United Nations, Gennady Kuzmin

Let me first of all welcome President Agius and Prosecutor Brammertz to this video teleconference of the Security Council. We have carefully studied their report (S/2020/309, annex).

The Mechanism was created in 2010 to be a “small, temporary and efficient structure”. I would emphasize the word “temporary” in that definition. It began its operations in 2012; therefore, it has been active for eight years and has undergone two reviews of its work, with the third being under way.

In that regard, we expected that the year 2020 would, as indicated by the principals of the Mechanism, be a milestone for the body. All cases would be completed according to the stated timelines and the Council would finally be able to deal with the legal closure of the Mechanism. Unfortunately, that stage has yet to be reached, in part because of coronavirus disease (COVID-19) and its consequences.

The Mechanism’s current two-year mandate ends on 30 June. By the end of June, the terms of office of the judges from the roster, the President and the Prosecutor will expire as well. This month, the Security Council is engaged in reviewing the Mechanism’s activities and will reflect the results of the review in a resolution, the adoption of which is *sine qua non* for extending the mandate of the Mechanism for another two years.

We have carefully studied the conclusions and recommendations of the Office of Internal Oversight Services (OIOS) in respect of the Mechanism. They confirm what our delegation has referred to on numerous occasions — the criminal tribunals set up by the Security Council do not have a judicial planning system as such, and all the forecasts were made at random. Thus, the conclusion of the inspectors that

“[t]he Mechanism was not systematic in presenting focused projections, insofar as they declined to methodically predict the future progress of a trial or estimate a completion date at the start of proceedings” (*S/2020/236, para. 26*)

is of particular relevance.

We fully support the OIOS recommendation that the Mechanism provide and adhere to clear and focused projections of completion timelines at the earliest stage possible in its reports. The recommendation must be duly reflected in a resolution of the Security Council on the review of the Mechanism. We understand that the current circumstances are extremely unusual. Nevertheless, we urge the management of the Mechanism to rectify the situation and reduce the projected deadlines for completing the trials. We look forward to the results during this year.

Another point of particular importance for our delegation is the protection of rights of persons detained on the authority of the Mechanism, especially with respect to access to timely and qualified medical assistance. We are all aware of the sad record of the International Tribunal for the Former Yugoslavia in that regard. Today, in the time of COVID-19, this issue has become even more relevant. In particular, the poor state of health of Ratko Mladić is very well known. We therefore call on the Mechanism to pay special attention to the state of health of the detained, provide them with appropriate medical assistance and consider favourably the offers of respective assistance from Member States.

In conclusion, I would like to acknowledge the work of the Prosecutor of the Mechanism in ascertaining the fate of the two persons accused by the International

Criminal Tribunal for Rwanda and the apprehension of one of them, Mr. Kabuga, in France. In that respect, we would encourage the Mechanism, and also the Council, to look into options for delivering justice without overburdening the Mechanism and indefinitely prolonging its functions.

Annex X**Statement by the Permanent Representative of Saint Vincent and the Grenadines to the United Nations, Inga Rhonda King**

I would like to thank Judge Agius and Prosecutor Brammertz for their comprehensive briefings. We also join others in expressing condolences to the families of the two security officers in Arusha who sadly passed away from the coronavirus disease (COVID-19).

The work of the International Residual Mechanism for Criminal Tribunals remains an essential element in the fight against impunity, the protection and strengthening of the rule of law and the overall promotion of international justice. The importance of the Mechanism's activities, including those related to witness support and protection, the monitoring of cases referred to national jurisdictions, the preservation of archives and the provision of multifaceted assistance to Member States, cannot be overstated.

We applaud the Mechanism for its commitment to ensuring operational continuity despite the challenges resulting from the coronavirus disease (COVID-19) pandemic. The pandemic has produced unavoidable delays in the projected timelines for the completion of various judicial activities. However, we commend the Mechanism's efficiency in adapting its working methods to these circumstances. We also recognize the Mechanism's efforts to ensure the well-being of persons in detention during this time. We are confident that, despite the obstacles presented by COVID-19, disruptions will be minimized as far as possible and due process ensured.

We take note of the report of the Office of Internal Oversight Services (S/2020/236). We are encouraged by its assessment that the Mechanism has fully implemented most of the recommendations contained in the 2018 report (S/2018/206). Of particular significance is the evaluation that a Mechanism-wide gender balance was exceeded in favour of women. Although some gaps remain, this achievement is admirable. We encourage efforts towards the fulfilment of the most recent recommendations.

We recognize and welcome the Mechanism's progress in the implementation of practices and procedures aimed at the harmonization of its two branches. The Mechanism continues to strive for optimization of activities in pursuit of achieving the Security Council's vision of a small, temporary and efficient structure.

We note the jurisprudential development concerning the conditional early release of convicted individuals. The revised practice direction that provides clear guidance on the procedure is most welcomed.

The effectiveness and overall success of the Mechanism rely on the assistance and full cooperation of all Member States. In the absence of this, the tracking and apprehension of fugitives are severely impeded, the enforcement of judgments cannot be guaranteed and victims are denied justice. We have a shared obligation to uphold the principles of international law. We cannot fall short in fulfilling this responsibility.

In that context, we applaud the international cooperation that contributed to the successful arrest of Félicien Kabuga after 23 years as a fugitive. It was international cooperation, too, that led to the confirmation of the death of the fugitive Augustin Bizimana. It is our hope that continued collaboration will lead to the location and arrest of all six remaining fugitives. Justice cannot be realized while perpetrators of the most serious crimes under international law remain at large. International cooperation is further needed to facilitate the resettlement of those individuals who

have been acquitted and released and are residing in Arusha. It is imperative that a lasting solution to this protracted matter be found.

Saint Vincent and the Grenadines firmly denounces all forms of genocide denial and glorification of convicted war criminals. This type of rhetoric disregards victims, hinders reconciliation and promotes dangerous ideologies.

In conclusion, we express our full support for the work of the Mechanism. Its role in the fight against impunity, the pursuit of accountability for mass atrocity crimes and the strengthening of the rules-based international system is fundamental to the maintenance of international peace and security.

Annex XI**Statement by the Permanent Mission of South Africa to the United Nations**

At the outset, I wish to thank President Agius and Prosecutor Brammertz for their comprehensive reports. The International Residual Mechanism for Criminal Tribunals is carrying out commendable work and has undertaken significant efforts to improve its functioning in a number of ways. As pointed out in the President's report (S/2020/309, annex), the coronavirus disease (COVID-19) has had a tremendous impact on the functioning of the Mechanism, especially on anticipated timelines and the consequent impact on the Mechanism's 2021 budget proposal. In this respect, the Mechanism should be commended for the measures that it has implemented in order to ensure that it remains operational and continues to work.

It is also pleasing to see that significant acknowledgement is given to the staff of the Mechanism for the exemplary work done in order to ensure that the work of the Mechanism continues seamlessly despite the COVID-19 pandemic and requirements to work remotely. The people working in the background are often overlooked and not afforded the credit that they are due. In this respect, South Africa wishes to express its extreme gratitude to all those who work tirelessly to ensure that the Mechanism is a success.

Despite a number of challenges, the Mechanism has done impressive work and continues to do so, in terms of both the prosecution of perpetrators and also the residual functions. In that regard, South Africa wishes to highlight the assistance provided to national jurisdictions, which is highly beneficial.

South Africa wishes to congratulate France on successfully arresting Mr. Félicien Kabuga. Having been involved in efforts to arrest a fugitive, we acknowledge the noteworthy nature of France's efforts and the operational coordination with the Office of the Prosecutor and other States, which resulted in the arrest. We note that six fugitives remain at large and that the President, in his report, states that full cooperation by States remains a challenge.

In that regard, the President reports that the Office sought cooperation from South Africa in relation to the arrest and transfer of a fugitive located on its territory in mid-2018 and that South Africa did not attempt to execute requests for assistance until December 2019. In this respect, we regret that challenges presented by South Africa's domestic law unfortunately constrained the country's cooperation. However, this has since been addressed.

Furthermore, the report notes that on 18 December 2019, the Office submitted a further request for assistance to the South African authorities — and South Africa responded on 8 May 2020 — but that much of the information requested by the Prosecutor was not provided. In this respect, we note that two reports were indeed submitted to the Office of the Office — the first on 19 February 2020 and the second on 8 May 2020. The Prosecutor's Office was informed in April that the complete lockdown in South Africa in response to the COVID-19 pandemic would likely delay the submission of the second report.

South Africa reiterates its full commitment to cooperating with the Prosecutor. Action taken by the Government had to conform to our national laws. We have always endeavoured to engage and cooperate with the Mechanism. South Africa is committed to its obligation under article 28 of the Mechanism's statute. We have consistently reaffirmed that obligation, and we have taken positive steps to give effect to the Prosecutor's request for assistance. We remain determined to continue all efforts, in cooperation with the Office and, where possible, other relevant States,

to trace and surrender fugitives from justice. That Mr. Kabuga could avoid arrest for almost three decades, allegedly moving among a number of countries, emphasizes once again the importance of international cooperation in order to prevent suspects from escaping arrest.

In relation to the evaluation by the Office of Internal Oversight Services of the methods and work of the Mechanism since October 2019, which was presented in the report of 26 March (S/2020/236), we congratulate the Mechanism on the fulfilment of the recommendations, and we are confident that the two outstanding recommendations will be swiftly addressed.

Annex XII**Statement by the Permanent Representative of Tunisia to the United Nations, Kais Kabtani**

I thank President Agius and Prosecutor Brammertz for their briefings.

We appreciate the ongoing efforts of Judge Agius at the helm of the International Residual Mechanism for Criminal Tribunals towards fulfilling the Security Council's vision of the Mechanism as a small, temporary and efficient institution, whose functions and size will diminish over time.

Despite its residual character, the Mechanism continues to enshrine the formidable and vivid legacy of contemporary ad hoc tribunals as the catalysts for global and permanent accountability for atrocity crimes and the post-conflict rebuilding of domestic judiciaries.

Tunisia commends the recent developments in the work of the Mechanism with the arrest of Rwandan fugitive Félicien Kabuga in France in mid-May and the confirmation of Augustin Bizimana's death. We salute the crucial contribution of the French authorities towards accomplishing the former. We also appreciate the unrelenting prosecutorial efforts of Mr. Brammertz and his Office that helped to shed light on the fate and whereabouts of those two suspects.

As the Mechanism is predicated on State cooperation, it is essential that States continue to provide full and timely cooperation to the Mechanism so that the six remaining fugitives indicted by the International Criminal Tribunal for Rwanda (ICTR) are arrested and brought to trial.

We stress that accountability that is proximate to the victims and affected communities must be at the core of any viable model of justice and central to meaningful reconciliation efforts. We urge the Mechanism to maintain consistent action in that direction so that international justice is also relevant domestically.

Identifying a permanent solution for persons who have been acquitted or released by the ICTR and who currently reside in a safe house in Arusha has become a weighty matter. We encourage all efforts aimed at their voluntary and dignified return to Rwanda as part of reconciliation efforts in the country.

It is often said that time heals all wounds. However, the current trends observed in the former Yugoslavia and among Rwanda's diaspora differ from that saying. The resurgence of genocide denials and the glorification of convicted war criminals are matters of serious concern. We firmly condemn such revisionist accounts, which seek to undermine truth, lasting peace and coexistence, as well as intercommunal reconciliation. Lest we forget that the Rwandan genocide took place because early warning signs were disregarded, the international community must continue to heed these pernicious ideologies and address them accordingly.

Tunisia recognizes that the coronavirus disease (COVID-19) pandemic has put a halt to judicial proceedings of the Mechanism and disrupted fixed timelines for their completion, along with foreseen implications for its budget next year. Against that backdrop, we urge the principals to further strive for efficiencies and minimize costs by achieving economies of scale, streamlining activities, identifying potential duplications and promoting synergies within, as well as between, the Mechanism's branches.

We express our satisfaction at the overall gender balance maintained in the Mechanism, and we encourage further enhancement of its geographical diversity. We further stress the importance of providing the Council with clear and focused projections of completion timelines as the COVID-19 pandemic situation unfolds.

Finally, Tunisia looks forward to the furthering of the Mechanism's operation so that it continues to carry out its important work in the expected efficient and effective manner.

Annex XIII

Statement by the Minister Counsellor and Legal Counsellor of the United Kingdom at the United Nations, Susan Dickson

I will start by offering my condolences, on behalf of the United Kingdom, for the deaths of the two security guards at the Arusha branch of the International Residual Mechanism for Criminal Tribunals.

I thank the President of the Mechanism, Judge Carmel Agius, and Prosecutor Brammertz for their briefings to the Security Council today.

I would like to reiterate the United Kingdom's unwavering commitment to the Mechanism, and I reaffirm our willingness to assist it wherever possible in fulfilling its mandate, as extended after 30 June, and in implementing its vision of being a small, temporary and efficient structure. Most recently, in February this year, we were pleased with Lord Iain Bonomy's appointment to the roster of judges of the Mechanism.

Much has happened in this reporting period.

First, the recent report of the Office of Internal Oversight Services (OIOS) (S/2020/236) finds that the Mechanism has successfully implemented most of the OIOS's previous recommendations, which has further improved working practices, and it has set two new recommendations for the Mechanism to work towards that we fully support. We are pleased that work to implement these has already started.

Secondly, the Mechanism has ensured that its work has continued despite the unprecedented coronavirus disease pandemic, and I would like to support the President's call not to lose sight of the importance of international justice during this period.

Thirdly, with the latest developments in the *Kabuga* case, the Mechanism has taken a huge step in showing that impunity is not allowed to prevail. We congratulate the Office of the Prosecutor and the French authorities on the arrest of Félicien Kabuga in France last month. The United Kingdom is proud that it was among the States and entities that cooperated in the investigation leading to the arrest. As noted in the report (S/2020/309, annex), this arrest again demonstrates that international justice can succeed when it has the international community's support, even decades after the events. In that spirit, we welcome the preparations under way to establish an international investigative task force focusing on Rwandan genocide suspects present in Europe.

We welcome the progress made on the first major contempt case, *Prosecutor v. Turinabo et al.* The United Kingdom notes the work of the Prosecutor's Office, assisted by the international community, in confirming the death of the indicted Augustin Bizimana. Six fugitives now remain, and a number of cases require specific actions by certain States. It is disappointing that a lack of cooperation from some Member States has hindered the Prosecutor's efforts. We call on all Member States to assist the Mechanism: it is our collective responsibility to seek justice for victims, and our obligation under the Charter of the United Nations to cooperate with the Mechanism.

The United Kingdom is among those States assisting the Mechanism in enforcing sentences, and hopes that other States will also assist the Mechanism as needed. We note the positive steps the President has taken through the revised practice direction to ensure greater transparency and efficiency on conditional release. We are disappointed that no progress has been made on relocating the nine acquitted and released persons still in the safe-house in Arusha, despite efforts by

the President and the Registrar to resolve this untenable situation. We appeal to States in a position to do so to help resolve this problem.

We are pleased with the Mechanism's progress in The Hague on the Mladić and Stanišić and Simatović cases, and note the Mechanism's efforts to minimize delays to these trials due to the coronavirus disease. We also commend the Mechanism for its work to build capacity with State prosecutors in the Western Balkans. However, despite some progress, we are disappointed that regional judicial cooperation still remains inadequate. It should not be possible to evade justice simply by residing in a neighbouring country. We call on the countries of the Western Balkans region to ensure they honour the commitments they made when they signed the Joint Declaration on War Crimes at the 2018 London Western Balkans Summit and committed themselves to supporting, and removing impediments to, effective regional cooperation in the field of justice.

In relation to both the events in the Rwanda and the Former Yugoslavia, it is deeply concerning that the glorification of war criminals continues on all sides, making reconciliation elusive. It is unacceptable that individuals and sections of society continue to deny what happened in Rwanda and in the Western Balkans, and the United Kingdom will continue to condemn instances of denial in its all forms.

It is almost 25 years ago in Srebrenica, Bosnia and Herzegovina, that 8,000 men and boys were massacred, and over 20,000 women and children were forcibly deported. On behalf of the United Kingdom, I would like to pay tribute to all the victims of Srebrenica, who remain at the forefront of our thoughts. The International Tribunal for the Former Yugoslavia and now the Mechanism have pursued justice for the victims and their families for the heinous acts committed against them. This, of course, would not be possible without the survivors and witnesses who have so bravely testified, and without whom there could be no justice. We must ensure that nothing like it ever happens again. It is vital that we all recognize the events at Srebrenica for what they were, a genocide.

There is still more work to be done by the Mechanism in relation to the awful events that took place in Rwanda and the Former Yugoslavia, and States must continue to support it as it completes its work.

Annex XIV**Statement by the Acting Deputy Permanent Representative of the United States of America to the United Nations, Cherith Norman-Chalet**

I thank President Agius and Prosecutor Brammertz for their briefings. We are grateful for the hard work and unwavering commitment of the judges, attorneys and staff in Arusha and The Hague, as well as in the field offices in Kigali and Sarajevo, in their pursuit of justice for the victims in Rwanda and the former Yugoslavia, always. But we are especially grateful for their work in this challenging time, as we adjust our working methods due to the coronavirus disease (COVID-19). I also want to extend our condolences to the families of staff members who have passed away during this time of COVID and due to COVID.

The United States wishes to congratulate the International Residual Mechanism for Criminal Tribunals, the Government of France and all the other national and international bodies that collaborated to bring about the recent arrest of Rwandan businessman Félicien Kabuga, who was indicted for genocide, crimes against humanity and other serious violations of international humanitarian law. Mr. Kabuga is alleged to be the main financier and backer of the political and militia groups that committed the Rwandan genocide, as well as the founder of the notorious Radio Télévision Libre des Mille Collines.

Mr. Kabuga's arrest after 26 years at large demonstrates the continued relevance of the Residual Mechanism and its work. We support its efforts to ensure that justice is meted out for Mr. Kabuga's alleged role in the horrific acts perpetrated in Rwanda.

We further congratulate the Residual Mechanism and its collaborators on confirming the death of the long-time fugitive Augustin Bizimana. We will continue to support the Residual Mechanism's efforts to apprehend the remaining six Rwandans still wanted for their roles in the 1994 genocide. The United States continues to offer rewards of up to \$5 million for information leading to the arrest, transfer or conviction of any of the remaining fugitives. We strongly urge all countries to cooperate fully with the Residual Mechanism and bring these people, wanted for some of the worst crimes in history, to justice.

As mentioned, the global pandemic has impacted every aspect of the United Nations work, and the Residual Mechanism is no different. We acknowledge that in-court proceedings have had to be delayed, and we commend its efforts to adhere to public-health guidelines while doing its work. We hope that the Residual Mechanism is able to proceed expeditiously with the *Mladić* appeal, as the conclusion of that case will be an important moment for the victims.

General Ratko Mladić served as the commander of the Bosnian Serb army during the genocide of Bosnian Muslim men and boys in Srebrenica, and his forces raped women and girls, shelled and sniped the civilian population of Sarajevo, and brutalized Muslim and Croat prisoners — all with the horrifying objective of permanently removing Bosnian Muslims and Bosnian Croats from Bosnian Serb-claimed territory. We mention these again to reiterate the importance of the case against Mladić, and we welcome the work that the Residual Mechanism is undergoing and the efforts to continue the work of the International Tribunal for the former Yugoslavia in adjudicating General Mladić's responsibility for grave crimes committed during the war.

Similarly, we acknowledge progress on the retrial of Jovica Stanišić and Franko Simatović on charges of crimes against humanity and war crimes for their alleged roles in the unlawful, forcible removal of non-Serbs from Croatia and Bosnia and Herzegovina.

As regards the contempt proceedings in the *Prosecutor v. Turinabo et al.* and the *Prosecutor v. Petar Jojić and Vjerica Radeta* cases, we note that attempts to interfere with witnesses or otherwise undermine court proceedings are a grave threat to the rule of law and must be dealt with seriously.

We also commend the Residual Mechanism's efforts to support national judicial efforts, from the Balkans to Rwanda. These proceedings remain vital to ensuring that the pursuit of justice will not end even as prosecutions at the Residual Mechanism conclude. We note Rwanda's progress in continuing to try cases related to the genocide and urge Balkan States to improve their cooperation across national systems.

We will also strongly support the renewal of the Residual Mechanism's mandate, which we have under consideration at this time. The work of the Residual Mechanism remains vital, relevant and crucial for the administration of justice, as we have laid out this morning. We urge the Council to support the extension of this mandate, as its work must continue.

The Prosecutor continues to provide deeply troubling reports about the ongoing challenge of genocide denial and non-acceptance of historical truths in both Rwanda and the Balkans. We cannot bring back those whose lives were lost, but we would fail to ensure justice for them and their loved ones if we did not act forcefully when leaders seek to turn certain populations into scapegoats for society's ills or deny historical facts.

We must recommit to protecting the welfare of civilians during armed conflict and to holding those who violate international humanitarian law accountable. The Residual Mechanism has been an important part of this work and we will continue to support its efforts on behalf of victims.

Annex XV**Statement by the Permanent Representative of Bosnia and Herzegovina to the United Nations, Sven Alkalaj**

At the outset, let me congratulate you, Madam President, on France's assumption of the Presidency of the Security Council for this month. We wish you every success in performing your duties during this difficult and unprecedented time, caused by spread of the coronavirus disease (COVID-19).

I would also like to thank to the President and the Prosecutor of the International Residual Mechanism for Criminal Tribunals for their respective reports and comprehensive briefings today. We are grateful that the Mechanism has continued making progress throughout the reporting period and continued functioning despite the COVID-19 pandemic.

We note the continued progress made by the Mechanism in fulfilling residual activities of the International Tribunal for the Former Yugoslavia (ICTY). I also would like to underline that the successful conclusion of the Mechanism's mandate in an efficient manner and within a reasonable time frame is of crucial importance for justice and reconciliation in Bosnia and Herzegovina and the region.

We must also acknowledge that the outbreak of the COVID-19 pandemic has had some impact on the actions and activities of the International Residual Mechanism for Criminal Tribunals since the Security Council last met on this topic (see S/PV.8681). At the same time, competent authorities of Bosnia and Herzegovina have taken all responsible measures in fighting the spread of the COVID-19. The Council of Ministers of Bosnia and Herzegovina declared a state of emergency and set mandatory quarantines.

The whole situation with the COVID-19 outbreak, as well as the adequate measures introduced to suppress the pandemic, has had a significant impact on the work of judicial institutions in the country. The work of the Prosecutor's Office and the Court of Bosnia and Herzegovina, which is tackling the most, still unfinished and most complicated war crime cases, has been particularly affected. On 30 April 2020, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted a new organization of work for all Courts and the Prosecutor's Office in Bosnia and Herzegovina, in the light of the current health situation in the country.

I would like to remind you, Sir, that throughout the years, cooperation by Bosnia and Herzegovina with the ICTY and its successor, the International Residual Mechanism for Criminal Tribunals, has been steadfast and full, as evidenced in their reports. In the same vein, we remain devoted to contributing actively to the Mechanism's efforts to accomplish its mission. We would also like to reiterate our commitment to its work, and to invite all Member States to fulfil their obligations and contribute to the unobstructed work of the Mechanism.

We would like to highlight our appreciation of the support of the European Union, the Organization for Security and Cooperation in Europe and the United Nations Development Programme in strengthening the human and material resources of judicial institutions processing war crimes and in general capacity-building.

Bosnia and Herzegovina reiterates the importance of consistent cooperation among the prosecutors' offices and the relevant authorities of Bosnia and Herzegovina and the neighbouring countries, Croatia and Serbia, in accordance with the principles of international justice and the rule of law, which is crucial to investigating and prosecuting war crimes.

Finally, I would like to emphasize that Bosnia and Herzegovina remains committed to investigating, prosecuting and punishing all persons responsible for war crimes, regardless of their nationality or political or other affiliation. We would also like to emphasize that protecting witnesses is of the utmost importance for all judicial institutions in Bosnia and Herzegovina. This is most important for reconciliation in Bosnia and Herzegovina as well as for our path towards the European Union, which is our main foreign policy goal, enjoying broad consensus among all political parties in the country.

We will continue to work on strengthening our national judicial system. Full justice means greater trust, stability and progress.

Annex XVI**Statement by the Permanent Representative of Croatia to the United Nations, Ivan Šimonović**

I would like to thank the honourable President of the International Residual Mechanism for Criminal Tribunals, Judge Agius, as well as Prosecutor Brammertz, for their briefings today and their recent reports (see S/2020/309 and S/2020/416).

Today the whole world is faced with unprecedented challenges caused by our joint enemy, the coronavirus disease (COVID-19) pandemic, which has already claimed many lives. We extend our sympathy to all victims of COVID-19 and their families. But with thoughts of them and of all others who are endangered by the pandemic and its consequences, it is our common responsibility never to forget the victims of the brutal aggression of the 1990s, including against Croatia, during which numerous war crimes and crimes against humanity were committed. Unfortunately, after almost 30 years, a significant number of victims and their families still have not found long-awaited justice. Croatia therefore fully supports the Mechanism and its continued efforts to bring to justice the most prominent perpetrators of the horrible crimes committed during the 1990s on the territory of the former Yugoslavia. The forthcoming commemoration of the twenty-fifth anniversary of the genocide in Srebrenica reminds us once more of the important and significant task and work the Mechanism performs.

Croatia maintains good cooperation with the Mechanism and regularly answers its requests for assistance, as in the instance of the Prosecutor's requests in the case against Serbian nationals Jovica Stanišić and Franko Simatović.

Along with cooperation with the Mechanism, Croatia also attaches significant importance to continued cooperation with other countries in the region in matters related to war crimes. However, constructive cooperation is possible only if all parties are willing and ready to actively and openly engage. In that respect, we appreciate positive developments in cooperation with Bosnia and Herzegovina, which resulted in the transfer of some cases to the Croatian judiciary, not all of them category II cases. Croatia hopes to achieve the same progress with Serbia in due time as well, because, regrettably, the current level of cooperation is not satisfactory. Croatia is still waiting for Serbia's response to our invitation of September 2019 to the fourth and final round of negotiations, which we hope will result in the finalization of the draft text of a bilateral agreement on processing war crimes.

Regarding cases currently before the Mechanism, we are fully aware of possible difficulties that the COVID-19 pandemic may cause to regular activities and work, and regret that the Mechanism will not be in position to conclude ongoing proceedings in the appeal case against Ratko Mladić and the trial case against Jovica Stanišić and Franko Simatović by the end of this year, as previously planned. We stress once again the importance of the timely conclusion of all pending cases. This is of crucial importance for ensuring justice for victims because delays always increase the risk that proceedings will not end with final judgement, as was the case with Slobodan Milošević. We therefore urge the Mechanism to increase its efforts in this regard.

Croatia welcomes the February 2020 decision of the Appeals Chamber in the contempt of court case against Petar Jojić and Vjerica Radeta, which confirmed Serbia's obligation to fulfil the Mechanism's order for the arrest and extradition of the accused. We would like to seize this opportunity to recall that full cooperation with the Mechanism is one of the conditions in Serbia's negotiation process with the European Union (EU), and to call upon the Government of Serbia in this regard to respect and implement that decision.

Croatia strongly supports the EU aspirations of the countries of the Western Balkans based on their full compliance with all established criteria, which include full cooperation with the Mechanism. In this regard, we would like to recall that, under the Croatian presidency of the Council of the European Union, the EU-Western Balkans Zagreb Summit took place on 6 May 2020 via video-teleconference due to the COVID-19 pandemic. EU leaders agreed on the Zagreb declaration, with which the Western Balkans partners have aligned themselves. In the Zagreb declaration, the EU once again reaffirmed its unequivocal support to the European perspective of the Western Balkans, and the Western Balkans partners reiterated their commitment to the European perspective as their firm strategic choice. It is also clearly pointed out in the declaration that the credibility of that commitment depends on the implementation of the necessary reforms.

Croatia welcomed the adoption of Council's first-ever resolution on missing persons in armed conflicts in June last year (resolution 2474 (2019)), which reaffirms the obligations on that subject that flow from international humanitarian law and human rights law. The issue of missing persons and shedding light on their fate remains one of our top priorities, and we continue to address it on every occasion. That is of regional and global significance, and also improves the prospects of lasting reconciliation. To that end, strengthening cooperation among countries in the region is of the utmost importance, which includes the opening of all archives — something for which Serbia still does not show readiness. Some progress in this area has been achieved with Bosnia and Herzegovina and with Montenegro. We find the Mechanism to be well placed to play a supportive role in that regard.

In conclusion, I would like to reiterate that Croatia will continue to support the Mechanism in its future activities.

Annex XVII**Statement by the Assistant Minister of Justice of the Republic of Serbia, Čedomir Backović**

I thank you, Sir, for the opportunity to address the Security Council on behalf of Serbia and participate in the present video-teleconference convened to consider the regular six-monthly report on the work of the International Residual Mechanism for Criminal Tribunals (IRMCT) (S/2020/309, annex).

Let me point out at the beginning of my statement that, despite the state of emergency declared to counter the spread of the coronavirus disease, Serbia informed the International Residual Mechanism for Criminal Tribunals as promptly as possible that it would cooperate and continue to supervise persons on temporary release under the conditions specified in the decisions of the Trial Chambers of the Mechanism.

For a quarter of a century, efforts have been made to sanction the consequences of the bloody destruction of Yugoslavia through the mechanisms of international justice. Serbia has made a great contribution in this regard. It extradited to international justice the highest officials and military officers of its former State. No other State has done that. As such, the revisionist history conclusion seeking to attribute greatest responsibility to Serbia and the Serbian people cannot be drawn.

Simply put, other States did not do it voluntarily and the international community did not find a mechanism to force them to do so. Many open issues and unpunished crimes therefore remain. That fact casts a shadow over the effectiveness of this body and its very existence.

Once again, we are analysing the results of the work of the Mechanism, which is due to fold in the foreseeable future. Not so long ago, in December 2017, the International Tribunal for the Former Yugoslavia (ICTY) ceased to exist, too. The Mechanism, which should not only end the remaining proceedings but also resolve all disputed issues related to the serving of sentences, possible revisions of the proceedings or issues related to archives, has not yet fully achieved any of its goals.

I will mention only the key issues that remained unanswered in my country's cooperation with the Mechanism.

It can be seen from the third review report on the work of the Mechanism (S/2020/309, annex) and the regular six-month report that the completion of the proceedings has been postponed to April 2021. I see this prolongation as an opportunity to resolve the remaining issues, to which there has been no answer so far.

I would like to reiterate that, in cooperation with the ICTY and the Mechanism, Serbia provided the Prosecution with free access to all evidence, documents, archives and witnesses. Cooperation with the Mechanism is going smoothly. Almost all of the requests received have been resolved, and requests of a more recent date are also in the process of being resolved. Answers and documentation from the archives of Serbia's State authorities are being submitted to the Office of the Prosecutor of the Mechanism, court Chambers and the Registry of the Mechanism in a timely manner. Witnesses have been released from the duty to keep State, official and military secrets.

Of the remaining proceedings related to Serbia's cooperation with the Mechanism, first-instance proceedings in the retrial of Jovica Stanišić and Franko Simatović are in progress, as well as the appeal procedure in the case of Ratko Mladić.

I wish first of all to talk about the problems related to the imposition of prison sentences and the initiative of serving sentences in Serbia, the early release

of persons who have served two thirds of their prison sentence, and a kind of illegal monitoring and control of persons after their release.

The expiration of the deadline for resolving the issues that Serbia's Minister of Justice had raised previously is evident. I am not hopeful that much will change in that sense, but I also feel a responsibility to present it to the Council until those issues are resolved.

The first problem concerns non-compliance with the provisions of the updated ICTY statute of September 2009. In its article 24, on penalties, paragraph 1 states:

“The penalty imposed by the Trial Chamber shall be limited to imprisonment. In determining the terms of imprisonment, the Trial Chambers shall have recourse to the general practice regarding prison sentences in the courts of the former Yugoslavia”.

That updated statute is available to all on the Tribunal's website. Nevertheless, the Tribunal and the Mechanism have sentenced to life imprisonment the following Serbian citizens: Stanislav Galić, Ljubiša Beara, Vujadin Popović and Zdravko Tolimir, and they have handed down a first-instance sentence to Ratko Mladić, while Milan Lukić and Radovan Karadžić were sentenced to life imprisonment as persons of Serbian nationality who are not citizens of Serbia. During that period, Serbia provided for a sentence of up to 40 years in prison for the most serious crimes. The only conclusion that can be drawn here is that the Tribunal made those decisions in contravention of its statute. No grievance mechanism is provided for such treatment. Decisions made by the Tribunal outside the rules of its founding act have resulted in far-reaching consequences, that is, the imposition of long-term penalties in cases where there is no possibility of a remedy or any instruction in this regard. Some of those who were sentenced to life imprisonment, Beara and Tolimir, have died while serving their sentences, so the need to resolve this legal nonsense is even more pronounced.

Another problem that Serbia raised in 2009 refers to the initiative whereby Serbian citizens would serve the sentences imposed by the Tribunal in Serbia. We have not yet received a response from the Security Council in that respect. The largest number of convicted persons serving their sentences are persons of Serbian nationality and Serbian citizens. Is it not therefore logical that Serbia should be interested in resolving this issue? I believe that we must not allow this issue to remain unresolved until the end of the Mechanism's mandate.

The third problem has arisen because the treatment regime for ICTY detainees unfortunately differs from country to country. The treatment of convicts is much better in the most developed countries, which attach great importance to resocialization and where the level of standards is reflected in all other aspects of life, including the conditions under which prisoners serve their sentences. Neither the Tribunal nor the Mechanism has succeeded in imposing general standards that will have to be respected, but, conversely, each of the countries where prison sentences are served has imposed its own principles.

Serbia is ready to take on the obligation of, and responsibility for, the implementation of the prison sentences imposed on its citizens convicted before The Hague Tribunal and to accept international supervision in that regard. The competent institutions of Serbia are ready to provide clear guarantees that convicted persons will not be released early without appropriate decisions by the Mechanism. Once again, we invite the representatives of the Mechanism and the representatives of the relevant institutions designated by the Secretary-General to visit Serbia, tour its prison facilities and see for themselves if the prison conditions correspond to that purpose.

The fourth major problem is the issue of changing the conditions for early release after two thirds of the prison sentence has been served. Serbia insists that the same conditions should continue to apply to citizens of Serbia convicted before the Tribunal.

Last year, most of the requests submitted by citizens of Serbia to the President of the Mechanism requesting early release after having served two thirds of their sentence were not resolved, for the first time. In 2019, two thirds of the prison sentences expired for the following citizens of Serbia: Radivoje Miletić, Sreten Lukić, Radoslav Brdjanin, Vlastimir Djordjević and Nebojša Pavković. All of them had submitted requests for early release. These are people of advanced age and fragile health, and the legal resolution of their cases, for reasons of humanity, should not be left out.

At the beginning of 2020, the request by Radoslav Brdjanin for early release was denied. Serbia received a “call for a statement” for Radivoje Miletić in March 2020 and for Sreten Lukić in May 2020. A new practice has been introduced whereby the President of the International Residual Mechanism for Criminal Tribunals addresses the country to which the convict is to return, seeking guarantees that the State of which they are nationals will accept and monitor compliance with the conditions set by the Mechanism in the event of a positive decision on the early release to freedom. Serbia submitted positive answers to these calls for a statement within the set deadline.

Conditional release is a legal achievement of a civilized society. The previous Presidents of the Tribunal and the Mechanism decided on this issue without anyone’s influence. Certainly, the President of the Mechanism has the right to consult when he deems it relevant in making a decision on early release. Influence by the Prosecution, as well as third parties, in terms of amendments to the Rules of Procedure and Evidence of the Mechanism is inadmissible. Unfortunately, that change did take place. Persons who have become eligible for this condition are in this way additionally punished by procedural obstacles and long waits for a response.

The answers to the requests are late, without a reason or justification. Any reason for terminating the work of the Mechanism and the budget at its disposal represents a technical problem; this cannot be an excuse for the non-expediency of the Mechanism. “Administrative silence” in administrative systems the world over is viewed as a procedural legal method for untimely enactment, that is, the non-enactment of acts, which has various legal consequences.

The fifth question arises at the end, when convicts are released. The Mechanism Prosecutor’s Office continues to observe and monitor them. The regular part of the six-month reports, including this one, refers to the denial and glorification of war crimes. Each report mentions, sometimes by name, the appearance in public of persons who have served a sentence imposed by the ICTY. It is not clear why. The work of the Prosecutor’s Office has been completed by the handing down of a verdict. After serving the sentence, such persons cannot be further sanctioned, on any grounds, nor can anyone deprive them of any personal and civil rights.

Regrettably, I have to pay special attention to a problem that regularly occurs in the Detention Unit of the Mechanism in Scheveningen and concerns the health status of General Ratko Mladić.

On 30 March, Serbia’s Minister of Justice addressed the President of the Mechanism, Mr. Carmel Agius, conveying to him her concerns about the operation to which General Mladić was subjected, in the context of the pandemic and despite the recommendation of the Dutch authorities not to perform non-emergency medical procedures, about which his family was only subsequently informed. Due to similar

actions by employees of the Detention Unit as well as the members of the medical service in charge of detainees, the family of Ratko Mladić had to intervene, even on previous occasions. An international medical expert team has been formed to protect the life and health of General Mladić. The unanimous assessment of that team was that the operation would pose an unnecessary risk to his life. Fortunately, General Ratko Mladić survived.

A special problem is the non-enforcement of court decisions. According to the decision of the Appeals Chamber, the medical service of the Mechanism was ordered to provide information on the health status of Ratko Mladić to his medical team once a week. Contrary to that decision, official reports on his health are hidden from his family and his medical team, that is to say, the Secretariat does not respect the decision of the Appeals Chamber. The behaviour of the administration of the Detention Unit has remained unsanctioned.

In such a situation, the Minister of Justice of Serbia requested President Agius to take measures to save one human life and to maintain the authority of the court's decision, endangered by the administration of that same court. President Agius's response was that, in respect of the health of Mr. Mladić, his ability to react was limited and that this authority had been entrusted to the Appeals Chamber, which makes decisions in proceedings related to Mr. Mladić. In addition, he stated that the management of the United Nations Detention Unit, including the provision of medical services to detainees, is the general responsibility of the Registrar. The question is how to solve problems of this kind, when decisions of the court are ignored by the Registry of that same court and while the President of the court leaves them to his administration without any reaction and even calls for the decisions of the court to be respected.

The sixth issue is the fate of the ICTY archives. Serbia has submitted a large number of documents to the ICTY Prosecutor's Office, the Defence and the ICTY Trial Chambers. The general position of Serbia is that the documentation submitted to the ICTY Prosecutor's Office, and later to the Mechanism as well, which was not presented as evidence in the proceedings before the ICTY and the Mechanism, should be returned to the authorities that submitted it. The precondition for the return of documentation is the fact that the criminal proceedings before the ICTY and the IRMCT have been finalized.

So far, no concrete answer to this question has been provided. Our proposals to launch this great undertaking have not been met with a response from Mechanism officials. The return of documentation is extremely important, not only because of the responsibility for documenting events in the former Yugoslavia in the 1990s, but also because of the volume of material and additional engagement of the relevant institutions of Serbia. In any case, this is not an easy job, and it has been postponed until the last moment, when the end of the Mechanism's work is already in sight.

Last but not least, let me point out the cooperation at the regional level, which is the result of joint work on mutual understanding, cooperation and reconciliation.

In the period from 16 November 2019 to 16 May 2020, the War Crimes Prosecutor's Office of the Republic of Serbia filed two indictments, according to which proceedings are currently in progress before the court of first instance. In the same period, according to the indictments of the Office of the War Crimes Prosecutor of the Republic of Serbia from the previous period, four first-instance convictions were handed down. In the second-instance procedure, one person was acquitted and two convicted.

Cooperation with the competent prosecutor's offices from the region continued with the exchange of requests for assistance. The Prosecutor's Office of Bosnia and

Herzegovina submitted 16 requests for assistance to the Office of the War Crimes Prosecutor of the Republic of Serbia, of which six requests were granted and eight processed; two requests were not granted due to formal deficiencies. The Office of the War Crimes Prosecutor of the Republic of Serbia submitted 18 requests for assistance to the Bosnia and Herzegovina Prosecutor's Office, of which four were granted, while 14 have not yet been answered.^[P] The State Attorney's Office of the Republic of Croatia submitted 10 requests for assistance to the Office of the War Crimes Prosecutor of the Republic of Serbia, of which four requests were granted; six requests are still being processed. The Office of the War Crimes Prosecutor of the Republic of Serbia submitted seven requests for assistance to the State Attorney's Office of the Republic of Croatia, of which three were granted, while four requests have not yet been answered.

Six requests were submitted to the European Union Rule of Law Mission in Kosovo Special Prosecutor's Office in Priština, but so far none have been answered.

The War Crimes Prosecutor's Office was committed to strengthening regional cooperation in war crimes prosecutions. Its representatives participated at the technical level in the regional meeting held on 26 and 27 November 2019 in Sarajevo, in which, in addition to the representatives of Serbia's War Crimes Prosecutor's Office, the representatives of the Prosecutor's Offices of Bosnia and Herzegovina, the International Residual Mechanism for Criminal Tribunals, the Supreme State Prosecutor's Office of Montenegro and the State Attorney's Office of the Republic of Croatia also participated. In the period from 17 to 19 December 2019, the representatives of Serbia's War Crimes Prosecutor's Office participated in the Regional Conference of Prosecutors in Sarajevo, which was attended by the representatives of Prosecutors from the region — Bosnia and Herzegovina, Croatia and Montenegro, and the Chief Prosecutor of the International Residual Mechanism for Criminal Tribunals.

On 14 May, the War Crimes Prosecutor of the Republic of Serbia held a telephone meeting with the Chief Prosecutor of Bosnia and Herzegovina, Gordana Tadić. The topic of discussion was the improvement of regional cooperation in specific cases.

Cooperation with the International Residual Mechanism for Criminal Tribunals remains active and constructive. On 12 May, the War Crimes Prosecutor of the Republic of Serbia and the Chief Prosecutor of the Mechanism held a telephone meeting. The topics of conversation were the results achieved in the previous period by the Prosecutor's Office, regional cooperation and cooperation between the War Crimes Prosecutor's Office and the Mechanism.

In December 2019, the Deputy Prosecutors for War Crimes and Assistant Prosecutors attended the introductory training in The Hague and, on that occasion, the experts of the Prosecutor's Office of the IRMCT transferred to them the knowledge and experience gained through the work of the Mechanism.

In the most recent period, the War Crimes Prosecutor's Office of the Republic of Serbia continued to request the necessary documentation from the Mechanism for specific ongoing cases at all stages of criminal proceedings.

The joint project of the IRMCT and the European Commission — the visiting national prosecutors programme — is still being implemented, which enables a representative of the War Crimes Prosecutor's Office to stay and work at the IRMCT Prosecutor's Office as a liaison officer who continuously searches the ICTY/IRMCT Prosecutor's Office database and separates and submits documentation and evidence relevant to the proceedings within the jurisdiction of the War Crimes Prosecutor's

Office. In addition, case handlers regularly search databases by accessing the electronic disclosure system.

I believe that, with the end of the Mechanism's work in sight, the active engagement of the Council on all open issues is extremely important. Serbia expects answers to these questions.

In lieu of a conclusion, let me point out that I believe that the highlights I made in my statement are elucidative enough to lead all present to conclude that my country's cooperation with the Residual Mechanism has been successful indeed.
