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President: Mr. Bozkir (Turkey)

The meeting was called to order at 3 p.m.

Agenda item 132

International Residual Mechanism for Criminal Tribunals

Note by the Secretary-General (A/75/276)

The President: In accordance with decision 75/506 of 13 October 2020, I now introduce the pre-recorded statement of Judge Carmel Agius, President of the International Residual Mechanism for Criminal Tribunals.

A pre-recorded video statement was shown in the General Assembly Hall (see A/75/568).

Mr. Roughton (New Zealand): Allow me to begin by thanking President of the International Residual Mechanism for Criminal Tribunals for his statement today and for the submission of its annual report (A/75/276). I have the honour today of speaking on behalf of Canada, Australia and my own country, New Zealand (CANZ).

CANZ would like to take this opportunity to reaffirm its continued support for the important work of the International Residual Mechanism for Criminal Tribunals. The ongoing work of the Mechanism ensures that the legacies of the ad hoc tribunals, the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, endure.

The tribunals and the work of the Mechanism have been instrumental in the jurisprudence and practice of

international criminal law and in ending impunity for the most serious crimes of concern to the international community. Together, they have added breadth and depth to international criminal law jurisprudence and administered justice in cases involving some of the most horrific crimes in recent history. This is a concrete example of how the international community can utilize rules-based institutions to realize accountability for serious international crimes committed in complex conflict situations. The Mechanism carries on this important work and continues to perform this crucial mandate.

We take this opportunity to take note of the work of the Mechanism and appreciate that it continues to proceed even amid the current coronavirus disease pandemic. The global health crisis has had an impact on numerous aspects of the Mechanism's operations. We take note that the Mechanism was on track to conclude its ongoing judicial caseload by the end of 2020, with the exception of any new appeals from judgment. However, owing to travel bans, remote work arrangements and other measures, those anticipated and commendable timelines have been affected. We commend the fact that the Mechanism has been quick to adapt to the new reality. It has taken steps to protect the health and safety of staff members and non-staff personnel and has continued to proceed with its mandate.

We remain strong supporters of international criminal justice mechanisms and believe that the Mechanism and other international courts are crucial cornerstones of the international rules-based order. We reiterate the importance of providing support for

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the Mechanism. The administration of justice is an ongoing course and commitment; it is as important to support such mechanisms and international bodies in the continuation and completion of their mandates as it is in their initial establishment. CANZ believes it is important for the international community to continue to support the Mechanism in order to enforce and support lasting and positive impacts on affected communities and victims.

CANZ would like to acknowledge the achievements of the Mechanism this year with respect to its ongoing trial and appeal proceedings; the finalization of other judicial matters; and other activity, such as the tracking of fugitives indicted by the International Criminal Tribunal for Rwanda, the enforcement of sentences, the protection of witnesses and victims, and assistance to national jurisdictions.

We note the confirmation of the death of Augustin Bizimana and would particularly like to call attention to the arrest of Félicien Kabuga in France, which the Mechanism has called a major breakthrough, meaning that two of the three major fugitives indicted by the International Criminal Tribunal for Rwanda have now been accounted for. The arrest of Mr. Kabuga after nearly 23 years was made possible through the efforts of international law enforcement and judicial cooperation, not just in France but also in Austria, Belgium, Germany, Luxembourg, the Netherlands, Rwanda, Switzerland, the United Kingdom, the United States and others. This achievement underlines the importance of cooperation in allowing all international courts and tribunals to undertake their work in combating impunity.

That the work of the Mechanism has continued to this extent even in the face of significant difficulties and constraints presented by the current pandemic is a credit to the Mechanism and its staff and we commend the Mechanism for its performance. These actions are a significant step towards the completion of the Mechanism's mandate. We appreciate the work done by the Mechanism in support of national jurisdictions and acknowledge that both staff and necessary resources are required to respond to requests for assistance. CANZ urges Member States to prioritize such efforts.

Canada, Australia and New Zealand renew their pledge of support for the Mechanism. We will continue to offer our full commitment to the Mechanism in order to give practical effect to our steadfast and unwavering commitment to international criminal justice.

The President: I now give the floor to the observer of the European Union.

Ms. Popan (European Union): I have the honour to speak on behalf of the European Union (EU) and its member States. The candidate countries Turkey, the Republic of North Macedonia, Montenegro and Albania, and the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as the Republic of Moldova and Georgia, align themselves with this statement.

We would like to thank President Carmel Agius for the eighth annual report (A/75/276) of the International Residual Mechanism for Criminal Tribunals, covering the period from 1 July 2019 to 30 June 2020. We congratulate him on his reappointment as President of the Mechanism. We equally congratulate the Office of the Prosecutor for successfully accounting for two of the remaining fugitives indicted by the International Criminal Tribunal for Rwanda (ICTR). The arrest and upcoming transfer of Mr. Kabuga sends a clear and powerful message that those who are alleged to have committed crimes cannot evade justice and that there is no impunity for serious international crimes. It is a testament to the determination of the international community to bring the perpetrators of such horrendous crimes to justice.

On that note, we would like to extend our gratitude to all States that cooperated with the Mechanism to achieve this remarkable result. These successful outcomes highlight once again the importance of cooperation between Member States and the Office of the Prosecutor in locating and arresting fugitives. We deeply regret the lack of such cooperation on the part of some Member States. We underline that this is a legal obligation.

We are grateful for the President's remarkable leadership over the course of this particularly demanding period, marked by the coronavirus disease pandemic. We are impressed by the Mechanism's ability to remain operational despite the current constraints during the pandemic and its ability to continue to carry out its mandate, while safeguarding the health and safety of its employees and of those in detention facilities. We welcome the extension of its mandate by the Security Council last June via Security Council resolution 2529 (2020).

We recognize that the pandemic caused unavoidable delays to the estimated timetable and commend the

implementation of written procedures by the Judges to try to minimize such delays. We are following with interest the progress of all ongoing cases. It is important that they be concluded by the first half of 2021, as expected. We welcome the Mechanism's commitment to that effect.

We wish to acknowledge the progress concerning the legal and regulatory framework of the Mechanism. The Practice Direction on the Provision of Support and Protection Services to Victims and Witnesses incorporates important gender-sensitive and gender-appropriate approaches. We very much welcome this development. We are also particularly pleased to see other steps being taken to enhance transparency and clarify relevant procedural matters.

The commemoration of the twenty-fifth anniversary of the Rwandan genocide last year and the commemoration of the twenty-fifth anniversary of the Srebrenica genocide this year remind us of the atrocities committed and underline the crucial role of the Mechanism in the delivery of justice for the victims and survivors of those tragic events. The International Tribunal for the Former Yugoslavia and the ICTR — the predecessors of the Mechanism — were born out of the shared commitment of the international community to prevent such horrendous crimes from happening again. They were a beacon of international criminal accountability and key factors in the fight against impunity worldwide. It is this legacy that the Mechanism carries on.

The rule of law and the maintenance of international peace and security are the heart of the foreign policy of the EU and its member States. We take this opportunity to reiterate our unwavering support for international criminal justice in general and for the Mechanism in particular.

Mr. Mills (United States of America): Let me virtually express my appreciation as well for the briefing by President Agius, which we heard earlier. We are very grateful in the United States for his hard work and the unwavering commitment of all the Judges, attorney and staff in Arusha and The Hague, as well as in the field offices in Kigali and Sarajevo, to the pursuit of justice for the victims in Rwanda and the former Yugoslavia.

I appreciate the President's mention of the twenty-fifth anniversary of the signing of the Dayton Peace Accords. This is an opportune time to reflect on the Accords, we must never forget the commitments made in Dayton with regard to justice. We must ensure that

the International Residual Mechanism for Criminal Tribunals is able to complete its vital work of delivering justice and accountability to survivors.

The United States was very pleased to hear that, despite the ongoing impacts of the coronavirus disease pandemic, which affect all of us every day, the Mechanism has been able to carry out its important work and deliver results. We join others in commending the Judges for their ability to adapt to the trying circumstances and avoid serious delays in the judicial proceedings.

The United States would also like to congratulate the Mechanism and France on the recent arrest of the Rwandan businessman, Félicien Kabuga, who was indicted for genocide, crimes against humanity and violations of international humanitarian law. Kabuga's arrest, after he was at large for 26 years, demonstrates the continued relevance of the Mechanism and the importance of its work. We support the Mechanism's efforts to ensure justice for Kabuga's alleged role in the horrific acts perpetrated in Rwanda.

The United States further thanks the Mechanism for confirming the death of long-time fugitive Augustin Bizimana. We will continue to support the 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 five \$5 million for information that will lead to the arrest, the transfer or the conviction of any of the remaining fugitives. We strongly urge all countries to cooperate fully with the Mechanism and bring to justice these persons wanted for horrific atrocities.

We were also pleased that the Mechanism was able to hold a hearing in the *Mladić* appeal and we hope that the Mechanism will be able to proceed quickly since the conclusion of that case will be an important moment for the victims. We welcome the Mechanism's work to adjudicate General Mladić's responsibility for grave crimes committed during the war.

Similarly, the United States acknowledges 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 from Bosnia and Herzegovina.

With regard to the contempt proceedings in the *Maximilien Turinabo et al.* and the *Petar Jojić and*

Vjeric Radeta cases, let us reaffirm that attempts to interfere with witnesses or otherwise undermine judicial proceedings are a grave threat to the rule of law and must be dealt with seriously. We understand that the ongoing pandemic complicates the matter, but we hope that these ongoing cases will be completed early in 2021.

We were happy to participate in the negotiation of Security Council resolution 2529 (2020), concluding the Council's review (see S/2020/309) of the Tribunal's work for the past two years, and we would like to thank Viet Nam for its skilful handling of the review. We would also like to welcome the appointment of the new Mechanism Registrar, Mr. Tambaou. We are very confident that he will contribute significantly to the effectiveness and the efficiency of the Mechanism's work.

While the Mechanism continues to contribute to the documentation and redress of the crimes that are within its purview, it is deeply troubling to hear the Prosecutor's continuing reports of the ongoing challenge of genocide denial and the non-acceptance of historical truths in both Rwanda and Bosnia.

Let me conclude by saying that, when we consider the hope and the promise that were set forth in the Dayton Peace Accords 25 years ago, one thing is clear. While we cannot bring back those whose lives were lost, we can pursue justice for them and their loved ones and respond forcefully when leaders seek to turn certain populations into scapegoats or deny historical facts. The Mechanism has been and continues to be an important part of that work and the United States continues to support its efforts on behalf of victims.

Ms. Bade (Germany): We align ourselves with the statement delivered earlier by the observer of the European Union.

First, we would like to thank Judge Carmel Agius for his briefing today and the eighth annual report of the International Residual Mechanism for Criminal Tribunals (see A/75/276).

Since its establishment, the Mechanism has made remarkable achievements in our common fight against impunity. During the reporting period, the Office of the Prosecutor successfully accounted for two of the remaining fugitives indicted by the International Criminal Tribunal for Rwanda. We express our great satisfaction that, after 26 years, one of the remaining fugitives will now face justice by due process of law.

We congratulate the Office of the Prosecutor for its extraordinary work in pursuing this matter and express our appreciation for all the law enforcement agencies involved. The detention of Félicien Kabuga is a great example of what can be achieved when Member States and the Mechanism work together. It sends a strong signal in the fight against impunity for the most serious crimes.

In 2019, we commemorated the twenty-fifth anniversary of the 1994 genocide against the Tutsi. This year we commemorated the twenty-fifth anniversary of the genocide in Srebrenica. These commemorations are powerful reminders of the essential role that the Mechanism plays in holding the perpetrators accountable and delivering justice to the victims.

Germany will continue to support the Mechanism, both politically and financially, in fulfilling its mandate and implementing its vision of being a small, temporary and efficient institution of international justice. We urge States, particularly those States where fugitives of international justice are suspected of being at large, to cooperate fully with the Mechanism to bring an end to impunity.

Furthermore, we commend the Mechanism on having managed to continue with its work despite the coronavirus disease pandemic while trying to ensure minimal disruption to the trial schedule that it had set out before the pandemic struck. We are pleased that the timeline for the trials is being kept under constant review by the President.

Mr. Kayinamura (Rwanda): Allow me to join the speakers who spoke before me in thanking President Carmel Agius for his always useful briefings and continued efforts in the pursuit of justice for the victims of genocide.

Rwanda welcomes the appointment of Mr. Abubacarr Tambaou as the new Register of the International Residual Mechanism for Criminal Tribunals. His impressive credentials and experience will be an invaluable contribution to the Mechanism. The Registrar can count on Rwanda's full support.

Even in the face of the challenges that all of us are facing with regard to the coronavirus disease, the Mechanism has demonstrated the ability to carry out its mandate and complete ongoing proceedings in a timely and efficient manner. Rwanda is grateful for the continued cooperation between the Court and the

Government of Rwanda, and the able leadership of Judge Agius.

In its decision 72/550, the General Assembly designated 7 April as International Day of Reflection on the 1994 Genocide against the Tutsi in Rwanda. Every year we all gather in this Hall to commemorate the genocide against the Tutsi. It is a reminder that the victims are still waiting for justice. All those who committed genocide must be held accountable, without exception.

In that regard, Rwanda welcomes the recent arrest of Félicien Kabuga. We commend the efforts of the Prosecutor of the Mechanism, his staff and all those who played a part in his arrest. We also welcome the recent decision of the French Cour de Cassation to transfer Kabuga's case to be tried at the Mechanism's court and we believe that this is where his trial should be held.

In the interest of justice, Mr. Kabuga's trial is desirable given his old age. It will make an important contribution to reconciliation and the healing of our society. This case is a reminder to all perpetrators that they cannot rely on their profiles — whether high or low — to evade justice. Eventually, all of them will be held accountable for what they have done.

The arrest of Kabuga has demonstrated the vital importance for Member States of swift and effective cooperation, which is an issue that Rwanda has raised for decades. Unfortunately, despite such successes, the Office of the Prosecutor largely struggled to obtain the cooperation it required from Member States, which significantly hindered the Office's efforts.

During the reporting period, the Office of the Prosecutor submitted several requests for assistance to national authorities relating to numerous false or illegally procured passports that the fugitives had obtained and used to travel internationally. Regrettably, however, despite numerous follow-ups, the Office received little or no additional information to help advance those cases.

Furthermore, Rwanda has sent more than 1,000 indictments to countries around the world, requesting their cooperation in arresting and prosecuting the indicted individuals or transferring them to Rwanda to face justice. Very few countries have responded to the indictments.

Rwanda would like to remind Member States that all relevant Security Council resolutions urge States, especially States where genocide fugitives are suspected of being at large, to intensify their cooperation with and render all necessary assistance to the Mechanism in order to quickly obtain the arrest and surrender of the remaining fugitives. The Security Council has reiterated that call in subsequent resolutions, including most recently in resolution 2529 (2020).

The failure of Member States to cooperate pursuant to Security Council resolutions is unacceptable. One expects decisive action to be taken against Member States that fail to abide by Security Council resolutions concerning the arrest of internationally wanted genocide suspects.

Two key issues stand out in the report of the President of the Mechanism (see A/75/276) presented today.

The first issue is the continued lack of cooperation of some Member States with efforts to arrest, try or extradite fugitives. It remains the key obstacle faced by the Court. Yet judicial cooperation is essential for ensuring that those responsible for genocide and crimes against humanity are held accountable.

The second issue is genocide denial. The Office of the Prosecutor has regularly reported on genocide denial. The Court has expressed its grave concern in this regard and called for urgent attention to be focused on this issue. On several occasions, Rwanda has also made the same urgent request. As a moral imperative, the General Assembly must once and for all condemn all forms of genocide denial as intolerable and altogether unacceptable.

Efforts to deny, trivialize or minimize the genocide against the Tutsi have diverted attention from the facts of the genocide. They hide the fact that a lingering genocidal ideology is on the rise, aided by fugitives of the genocide and their sympathizers around the world, including what we have read in the Prosecutor's report. This is unacceptable and should be condemned by the General Assembly in the strongest terms.

Lastly, Rwanda welcomes the efforts of the Prosecutor to investigate and prosecute those who interfere with witnesses with the aim of undermining the established facts of the genocide committed against the Tutsi. We must all recall that the Mechanism is a current undertaking that mandates activities of significant importance, including the prosecution

of an alleged conspiracy to interfere with protected witnesses in order to overturn final judgments issued by the International Criminal Tribunal for Rwanda (ICTR). Corrupt and fraudulent efforts to overturn the final judgments of the ICTR are a form of genocide denial that must be brought to a halt through effective investigation and prosecution. We commend the efforts of the Mechanism in this regard.

Mr. Wickremasinghe (United Kingdom): The United Kingdom would like to congratulate President Agius on the work completed by the International Residual Mechanism for Criminal Tribunals over the past year. The ongoing coronavirus disease (COVID-19) pandemic has made this significantly more challenging than we could ever have expected. Yet the Mechanism has continued its important work. This shows that we are not losing sight of the importance of international justice and that impunity is not and cannot be allowed to prevail. We congratulate the Mechanism on its achievements and note the ongoing challenges that are set out in its eighth report (see A/75/276).

At the outset, I should reiterate the United Kingdom's unwavering commitment to the Mechanism and reaffirm my country's willingness to assist it wherever possible in fulfilling its mandate and implementing its vision of being a small, temporary and efficient organization. As part of this commitment, we are proud that Judge Lord Iain Bonomy was appointed to the roster of Judges earlier this year.

We commend the successful efforts of the Office of the Prosecutor in locating two of the remaining Rwandan fugitives, including the arrest of Félicien Kabuga. His arrest is another demonstration that international justice can succeed with the support of the international community, even decades after the event. We note that six fugitives remain at large. We therefore call on all Member States to extend their full cooperation to the Office of the Prosecutor to locate and arrest those who remain at large. It is our collective responsibility to ensure justice for victims.

In The Hague, we note the Mechanism's efforts to minimize the COVID-19-related delays to trials. We are pleased to hear of the Mechanism's progress in the *Mladić* and *Stanišić and Simatović* cases, which continue despite the challenges. We also commend the Mechanism for its work to build capacity with State prosecutors in the Western Balkans and its overall outreach work.

Regional cooperation, however, continues to face impediments and remains problematic. We reiterate our calls for Member States to honour their commitments to supporting and removing impediments to effective regional cooperation in the fields of justice made in the joint declaration on war crimes made at the Western Balkans Summit held in London in 2018. This is all the more important this year, as we mark the twenty-fifth anniversary of the genocide at Srebrenica and the Dayton Peace Agreement.

It is deeply concerning that the glorification of war criminals continues on all sides, making reconciliation more difficult. It is unacceptable that individuals and sections of society continue to deny what happened in Rwanda and the Western Balkans. The United Kingdom will continue to condemn such instances of denial, however and wherever they occur.

Mrs. Pejic-Glymph (Serbia): I thank you, Mr. President, for the opportunity to address the General Assembly today on behalf of the Republic of Serbia.

At the outset, allow me to present some of the key moments in Serbia's cooperation with the International Residual Mechanism for Criminal Tribunals (IRMCT), as well as progress made at the national and regional levels. Despite the current circumstances caused by the outbreak of the coronavirus disease pandemic, Serbia has continued to cooperate with the Mechanism. Serbia's results in its cooperation with the Mechanism have been positive, as well as indicative of the highest level of my country's commitment to complying with its international obligations. Our cooperation with the Mechanism has been successful and widely recognized.

Serbia has responded to all requests that it has received with regard to documentation, archives and witnesses. No request for assistance remains unattended and the realization of those of most recent date is under way. All the witnesses whom the Office of the Prosecutor and the defence teams of the IRMCT have requested to be released of obligations to keep secrets in order to testify have been released of the obligations. The conditions under which the indicted persons have been released on parole have been honoured in full, and, in all cases, the indicted persons have behaved in accordance with the decisions made by the Mechanism's Chambers.

On numerous occasions, Serbia's representatives have pointed to the failure to respect the basic human

rights of the persons indicted by the Mechanism. In this context, I would like to recall my country's initiative that Serbian nationals sentenced by the International Tribunal for the Former Yugoslavia serve their sentences in Serbia. Although that was proposed in 2009, we have yet to receive an answer. We are also concerned about the health of some of the accused or convicted persons and their access to adequate medical care. We believe that the provision of adequate health care is a question of basic human rights.

Nonetheless, Serbia's cooperation with the Residual Mechanism continues to be active and constructive. Last December, Serbia's war crimes deputy and assistant prosecutors attended the introductory training at The Hague, with courses led by the Mechanism's experts designed to draw on their vast knowledge and rich experience in the matter. In addition, my country's war crimes prosecutor continues to request that the Mechanism provide the necessary documentation for concrete cases that his Office prosecutes, relative to each stage of criminal procedure. Serbia continues to participate in the joint European Union-Mechanism training project for national prosecutors and young professionals, which makes it possible for the liaison officers to remain and work at the Office of the Prosecutor.

In conclusion, let me reiterate that Serbia will continue to fully comply with its obligations in its cooperation with the International Residual Mechanism for Criminal Tribunals.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): This year saw the conclusion of the third two-year cycle of the International Residual Mechanism for Criminal Tribunals (IRMCT). The Security Council carried out a review of its work (see S/2020/309) in accordance with Security Council resolution 1966 (2010). Consequently, it revealed what we have been saying for years — that in the more than 25 years of their existence, the criminal tribunals established by the Council have lacked a planning system for their legal proceedings.

That fact has been confirmed by experts from the Office of Internal Oversight Services (OIOS). In its March report (S/2020/236), the OIOS clearly states that the Mechanism was reluctant to commit to specific time frames both at the outset and in the course of its legal proceedings. The work of the Mechanism's predecessor — the International Tribunal for the

Former Yugoslavia — undermined the credibility of international criminal justice as a whole. Unfortunately, the Mechanism has inherited the shortcomings of that body.

The impact of the coronavirus disease has been felt in the work of the Mechanism. However, those circumstances do not absolve it of the need to comply with the rights of, and the procedural guarantees for, suspects in custody, especially with regard to providing them with timely and proper medical assistance. We are seriously concerned about the health of Ratko Mladić. We are not certain that he is receiving quality care and suitable treatment in the Mechanism's detention facilities.

We believe that the General's health has significantly deteriorated only recently and his lawyers and relatives are concerned. Even Judge Nyambe, who is presiding over his appeal process, has called for his swift admission to the hospital. Yet neither his relatives and lawyers nor any Russian nor Serbian doctors have been able to obtain access to Mr. Mladić. That seems especially remarkable by comparison with the treatment of Mr. Kabuga, who was recently arrested in France. Given his advanced age, the Office of the Prosecutor supported a request for the accused to receive an independent expert examination. The entire Court expressed its concern whether the accused would survive the long flight to Arusha. Would it not be preferable to transfer him to The Hague? For some reason, Ratko Mladić has been denied the luxury of a medical examination by independent doctors for several years.

We call on the Residual Mechanism to take measures to ensure that proper medical assistance is provided to the accused, Mr. Mladić. We also assume that, at least for the last phase of its existence, the Mechanism will follow transparent plans for the completion of its work.

Mrs. Dime Labille (France) (*spoke in French*): I thank the team of the International Residual Mechanism for Criminal Tribunals for its eighth annual report (see A/75/276). We commend its members for their efforts to continue the work of the Mechanism during these turbulent times brought about by the coronavirus disease pandemic. We also congratulate Mr. Tambadou on his appointment as the Registrar of the Mechanism. France reiterates its support for the Mechanism, commends its work and emphasizes its contribution to the fight against impunity. Similarly, France underscores the

work of the Office of the Prosecutor and of Mr. Serge Brammertz, whose efforts make it possible.

After a 20-year long active search of the suspect, the arrest of Félicien Kabuga in France on 16 March is a major step forward. His arrest would not have been possible without the close international cooperation of French and international judges, European law enforcement agencies, Governments and the Mechanism.

I can confirm that this very morning, French judges authorized the transfer of Mr. Kabuga to The Hague where he will be handed over to the authorities of the Mechanism. This represents an important chapter for the Rwandan victims, for national reconciliation in Rwanda following the genocide against the Tutsis and for international criminal justice. It is imperative that the last remaining suspects at large be brought to justice and that States cooperate fully with the Mechanism in conformity with their international obligations.

With regard to the situation in the former Yugoslavia, we deplore the fact that, throughout the region, the glorification of war criminals is being perpetuated and, in some cases, encouraged by the open support of certain national and local authorities. No lasting reconciliation can take place without an acknowledgement of crimes and responsibilities. We call for full cooperation with the Mechanism.

In conclusion, it is important to underline that recent developments demonstrate the vitality of the Mechanism, which continues its investigative work and its efforts to establish facts and accountability. These developments are also positive for the gradual and orderly completion of the work of the Mechanism.

Mr. Ziyera (Zimbabwe): Let me begin by thanking Judge Carmel Agius, President of the International Residual Mechanism for Criminal Tribunals (IRMCT), for the important and very comprehensive report on the work of the Mechanism (A/75/276). At the outset, I wish to assure Judge Agius and the General Assembly that the Government of the Republic of Zimbabwe takes its international obligations very seriously and will not do anything to disturb the work of the Mechanism in any way.

My delegation notes with great concern that the President of the International Residual Mechanism for Criminal Tribunals reported that cooperation with Zimbabwean authorities has largely stalled, resulting in little to no progress in the investigations. It is very

unfortunate that the report apportions blame to the Zimbabwean authorities without mentioning the impact of the change of leadership of the IRMCT Fugitives Tracking Team during the period under review.

I wish to place on record that the Mechanism has faced administrative and personnel challenges that are not addressed in the report, which are very pertinent. The retirement of Mr. Bob Reid and the appointment of Mr. Akingbolahan Adeniran as head of the IRMCT Fugitives Tracking Team gave rise to a new investigation strategy with respect to Protais Mpiranya. This change resulted in the Mechanism abandoning the strategy that had helped to confirm or dispel over 95 per cent of the leads that Mr. Reid had submitted to the task team for investigation. The new strategy was not backed up by tangible action on the part of the head of the IRMCT Fugitives Tracking Team, since Mr. Adeniran did nothing to advance cooperation with Zimbabwean authorities.

Within a few months of being appointed, Mr. Adeniran left the job after doing very little to continue engagement and cooperation with local authorities. It should also be noted that during that period, the Office of the Prosecutor stopped communicating with Zimbabwe completely. There is no doubt that the lack of proper and consistent IRMCT leadership had a negative impact on the work of the joint task force established to coordinate investigative activities and cooperation, since a lot of valuable time was lost.

My delegation also wishes to place on record that the Head of IRMCT Fugitives Tracking Team was alerted of the existence of a press article published in the *New Times*, a Rwandan newspaper, on 22 July 2019, alleging that an unnamed high-profile fugitive was hiding in a neighbouring Southern African country. However, the IRMCT head of the Fugitives Tracking Team appeared uninterested in the report when the task team sought clarification and never provided feedback on his findings.

As if that change of strategy were not enough, the head of the IRMCT Fugitives Tracking Team, Mr. Adeniran, resigned from his post in September 2019 after a short stint. He announced that the former Chief of Operations of the Office of the Prosecutor, Mr. Bob Reid, would temporarily come out of retirement to resume his previous duties. The IRMCT has not communicated anything to the Government

of Zimbabwe since then with regard to who is now in charge of the investigations or whether the new strategy announced by the head of the IRMCT Fugitives Tracking Team is still being pursued.

The Ministry for Foreign Affairs and International Trade of Zimbabwe conveyed all this information to the Office of the Prosecutor of the International Residual Mechanism for Criminal Tribunals in Arusha through a diplomatic note dated 6 February 2020. The delegation of Zimbabwe is actually surprised that the hiccups caused by the changes within a short space of time of both the head of the IRMCT Fugitives Tracking Team and the investigation strategy were not mentioned in the report presented today to the General Assembly.

In conclusion, I wish to reiterate that the Government of the Republic of Zimbabwe takes its international obligations seriously and is committed to cooperating with the International Residual Mechanism for

Criminal Tribunals to bring closure to this issue, which has been going on for far too long. The attempt to drag Zimbabwe into the reports of the Prosecutor by alleging lack of cooperation for unknown and unsubstantiated reasons is regrettable.

The President: We have heard the last speaker in the debate on this agenda item. May I take it that it is the wish of the Assembly to take note of the eighth annual report of the International Residual Mechanism for Criminal Tribunals contained in document A/75/276?

It was so decided.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 132?

It was so decided.

The meeting rose at 4.10 p.m.