



# Security Council

Sixty-eighth year

*Provisional*

## 7088<sup>th</sup> meeting

Wednesday, 18 December 2013, 10 a.m.  
New York

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*President:* Mr. Araud . . . . . (France)

*Members:*

Argentina . . . . .	Mrs. Perceval
Australia . . . . .	Ms. King
Azerbaijan . . . . .	Mr. Mehdiyev
China . . . . .	Mr. Liu Jieyi
Guatemala . . . . .	Mr. Carrera
Luxembourg . . . . .	Ms. Lucas
Morocco . . . . .	Mr. Loulichki
Pakistan . . . . .	Mr. Sahebzada Ahmed Khan
Republic of Korea . . . . .	Mr. Oh Joon
Russian Federation . . . . .	Mr. Zagaynov
Rwanda . . . . .	Mr. Nkerabigwi
Togo . . . . .	Mr. M'Beou
United Kingdom of Great Britain and Northern Ireland . . . . .	Sir Mark Lyall Grant
United States of America . . . . .	Mr. DeLaurentis

## Agenda

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the International Tribunal for the Former Yugoslavia (S/2013/463)

Letter dated 18 November 2013 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council (S/2013/678)

Letter dated 18 November 2013 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (S/2013/679)

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*The meeting was called to order at 10.05 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

#### **Report of the International Tribunal for the Former Yugoslavia (S/2013/463)**

#### **Letter dated 18 November 2013 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council (S/2013/678)**

#### **Letter dated 18 November 2013 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (S/2013/679)**

**The President** (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2013/746, which contains the text of a draft resolution submitted by Guatemala.

I wish to draw the attention of Council members to document S/2013/463, which contains the report of the International Tribunal for the Former Yugoslavia. I also wish to draw the attention of members to documents S/2013/678 and S/2013/679, respectively containing letters dated 18 November 2013 from the President of the International Tribunal for the Former Yugoslavia and from the President of the International Residual Mechanism for Criminal Tribunals, addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

*A vote was taken by show of hands.*

*In favour:*

Argentina, Australia, Azerbaijan, China, France, Guatemala, Luxembourg, Morocco, Pakistan,

Republic of Korea, Rwanda, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America

*Abstaining:*

Russian Federation

**The President** (*spoke in French*): There were 14 votes in favour, none against and one abstention. The draft resolution has been adopted as resolution 2130 (2013).

I now give the floor to those members of the Council who wish to make statements after the voting.

**Mr. Zagaynov** (Russian Federation) (*spoke in Russian*): At the outset, we wish to thank the delegation of Guatemala for its efforts in preparing the text of resolution 2130 (2013). We abstained in the voting on the resolution on the basis of the following concerns.

The situation with respect to the exit strategy of the International Tribunal for the Former Yugoslavia has, objectively, not improved in any way. On the contrary, the practice of trial delays, in contravention of the speedy exit strategy called for in resolution 1966 (2010), has continued. In our opinion, no comprehensive steps have been taken to fulfil its provisions. Moreover, the deadline for achieving that goal has been continuously pushed back beyond 2014, as reflected, unfortunately, even in the resolution adopted today. Such a course of action, as we have noted, is costly not only to some of the accused, but also to the international community. It has also resulted in a growing financial burden on the States Members of the United Nations.

For reasons that largely escape us, our concrete proposals aimed at correcting this situation have not been understood by a number of delegations. As a result, in our view, the text of resolution 2130 (2013) has taken on no positive changes since resolution 2081 (2012), adopted last year. In such circumstances, our position on the resolution has also not changed, and as in 2012 (see S/PV.6889) our delegation abstained in the voting.

We hope that the Tribunal will take all possible steps in 2014 to maximize the effective discharge of its functions in the delivery of justice, objectively and without bias, while respecting the relevant rights of the accused. With that in mind, we will develop our future approach to the work of the Tribunal on its exit strategy.

*The meeting rose at 10.10 a.m.*