
Security Council

Sixty-third year

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New York

[...]

***International Tribunals for Rwanda
and the ex- Yugoslavia***

Mr. Ambassador Giancarlo Soler T.

Deputy Permanent Representative of Panama to the United Nations

Mr. Soler Torrijos (Panama) (*spoke in Spanish*): First of all, allow me to join others in congratulating the Presidents and Prosecutors of both Tribunals on their briefings this morning. Our delegation acknowledges the significant work carried out by both Tribunals in providing peace, justice and reconciliation to Rwanda and to the republics of the former Yugoslavia. In that context, we hail and thank all of the staff of the Tribunals for their work, in particular their efforts to ensure compliance with the goals of the completion strategies as laid out in resolutions 1503 (2003) and 1534 (2004).

With regard to the International Criminal Tribunal for the Former Yugoslavia (ICTY), we are pleased to note the satisfactory cooperation received from the Governments of Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Montenegro. It is important that that cooperation and dialogue continue, in particular with regard to witness protection and enforcing sentences. However, we are concerned by the report's observation that cooperation by the Government of Serbia is not satisfactory with regard to access to archives and key documents and to the capture of those who are still fugitives, including Radovan Karadzic and Ratko Mladic.

With regard to the work of the International Criminal Tribunal for Rwanda (ICTR), our delegation has taken note of the recent arrests, the workload that those new cases mean

for the Tribunal and the effects that will have on the expectations contained in the completion strategy. We therefore await with interest the result of the deliberations that the Tribunal will have to carry out as soon as possible to deal with this new workload. We are committed to working constructively on the basis of that analysis.

With regard to the situation of ICTR fugitives, my delegation is concerned at the recent report by the Office of the Prosecutor that indicates insufficient cooperation by the Governments of Kenya and the Democratic Republic of the Congo. We urge the parties to comply with their legal obligations in order to meet the objectives of the Tribunal as established in resolution 1503 (2003).

The ICTY and ICTR were not established as permanent institutions, and therefore their task should be completed in full, as established in the completion strategies adopted by the Security Council. Therefore, the Tribunals need the infrastructure and the administrative and judicial staff necessary to ensure that both of them can meet their objectives with the same diligence as we have seen thus far in their work.

We also believe that it is of the greatest importance to listen to the concerns and considerations put forward by both Tribunals with regard to the retention of experienced staff. That issue could indubitably have negative repercussions for the work of the Tribunals. We acknowledge and thank the United Nations Secretariat for the measures taken last year in that context, and we urge it to take additional measures to ensure that the Tribunals have the personnel they need to finish their tasks on time and in an efficient manner.

Finally, we note the studies and proposals made by the Tribunals on their legacies and residual issues, and we thank them in particular for the effective communication and interaction with the Council's informal working group on the Tribunals. We agree with them that the Council should ensure the creation of an effective jurisdictional mechanism to resolve those residual issues and to consider options for trials of individuals captured after 2010.