

STATEMENT DELIVERED BY MR. ANANTH KUMAR, MEMBER OF PARLIAMENT, CHAIRMAN,
PARLIAMENT COMMITTEE ON EXTERNAL AFFAIRS AND MEMBER OF THE INDIAN
DELEGATION, ON AGENDA ITEM 73: REPORT OF THE INTERNATIONAL CRIMINAL
TRIBUNAL FOR RWANDA (ICTR) AND THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE
TERRITORY OF FORMER YUGOSLAVIA (ICTY) AT THE SIXTY-SEVENTH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY ON OCTOBER 15, 2012

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These are my greetings to you all Excellencies in my mother tongue Kannada. That means Honourable President and brothers and sisters from all over the world good morning to all of you.

Mr. President,

I am honoured speaking before the UN General Assembly.

At the outset, I would like to join others in thanking the President of the ICTY, Judge Meron and the President of the ICTR, Judge Joensen for their excellent presentations and congratulate them for expediting the work of the Tribunals.

India is committed to global peace, upholding human rights and is steadfast in its support for counter-terrorism.

India welcomes the progress made by the two Tribunals to implement their Completion Strategy.

We are happy that all organs of the Tribunals are ensuring their best efforts to complete their work expeditiously and to prepare for a smooth transition to the Mechanism for International Criminal Tribunals (MICT).

We are also pleased to note that while focusing on their goal of completing their judicial proceedings as soon as possible, through intense trial, referral, and appeals activity and judgment drafting, the two tribunals were equally mindful that the due process is not sacrificed.

It is very reassuring that the preparations for the commencement of the MICT are on track, including the development of a budget proposal for the biennium 2012 and 2013 and a Rules of Procedure and Evidence for the Mechanism.

We welcome the opening of the Arusha Branch of the MICT that has started its operations from 1 July 2012.

We are confident that MICT will make good progress under the leadership of Judge Meron who is also double hatting as the President of MICT.

Mr. President,

We appreciate the close cooperation between the two tribunals and the Security Council.

We are happy to note that the recommendations made by the Security Council pursuant to the request of the Tribunals, including on hiring and retaining qualified interns and other issues has brought tangible results and helped the Tribunals progress faster towards the implementation of completion strategy and the commencement of the MICT.

We appreciate the untiring efforts made by Judge Meron who adopted a variety of reforms to improve the functioning of various sections of the Tribunal.

As a result the trial of Mladic, Hadzic and Karadzic could be advanced many months ahead of their expected schedule. Similarly appeals in some cases were advanced significantly ahead of their schedule. This is a very positive sign and we congratulate Judge Meron for this welcoming development.

We are also happy to note that ICTR has completed work at the trial level.

The Appeals Chamber upheld the decision to refer the first ICTR case to Rwanda for trial and a further six cases of fugitive accused have been referred to Rwanda. It is important that all trials are on track and will be completed by end 2012.

Mr. President,

It is critical to help Tribunals finish their work on time.

We have listened very carefully to the concerns raised by the Presidents of the two Tribunals in relation to their ability to keep pace with their work while adhering to expected timelines until the 'close of business'.



The Judges have pointed out that trials and appeals continue to be affected by staffing shortages and the loss of highly efficient staff members. We share the concerns expressed by the Judges, especially on the need for retaining adequate and experienced staff.

Judges have also raised the issue concerning the relocation of acquitted persons and those who have already served their sentences. Some of them are living in safe homes in Arusha for the last 5 years. This is an important humanitarian issue and needs careful consideration.

We urge the Secretariat and the Security Council to give careful consideration to the suggestions made by the Judges on how to address this challenge.

This is a practical issue and requires consideration of pragmatic and innovative solutions and we stand ready to work with other members of the Council to solve this problem.

We also commend the efforts of the Prosecutors of the two Tribunals for undertaking outreach initiatives, including training, aimed at strengthening capacity of national systems to handle referred cases effectively.

We would like to see that the legacy of the Tribunals is preserved. We agree with Judge Joensen's conclusion that the tribunal's impact will not only be challenging impunity, but also helping to improve the means to dispense justice for an entire region.

Mr. President,

The cooperation of all concerned States is vital to ensure the completion of the mandates of the Tribunals as well as for the successful implementation of the Completion Strategy.

We appreciate Serbia's sustained efforts in this regard and request other States to extend effective cooperation so that the remaining fugitives could be located soon and surrendered to end impunity.

We also note with satisfaction the progress made in the implementation of the MICT.

Any functional, operational or institutional issue in the implementation of the Completion Strategy or the MICT may be addressed by the Council in consultation with the Council's Informal Working Group on International Tribunals (IWGIT) and with the assistance of the Office of Legal Affairs.

Mr. President,

We believe that the two Tribunals have admirably implemented their mandates.

We consider that the support of the Security Council is crucial at this critical juncture in the life of the Tribunals.

At the same time, we urge both Tribunals to continue taking all necessary measures to keep the trial and appeal schedules on track. This will pave the way for successful trials of the remaining accused and a smooth implementation of an efficient MICT.

I thank you.

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