

**Security Council**

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**Letter dated 16 May 2025 from the President of the International
Residual Mechanism for Criminal Tribunals addressed to the
President of the Security Council**

I am pleased to submit herewith the assessments of the President (see annex I) and of the Prosecutor (see annex II) of the International Residual Mechanism for Criminal Tribunals, pursuant to paragraph 16 of Security Council resolution [1966 \(2010\)](#).

I would be grateful if you could transmit the present letter and its annexes to the members of the Security Council.

(Signed) Graciela **Gatti Santana**
President



**Annex I to the letter dated 16 May 2025 from the President of the
International Residual Mechanism for Criminal Tribunals
addressed to the President of the Security Council**

[Original: English and French]

**Assessment and progress report of the President of the
International Residual Mechanism for Criminal Tribunals, Judge
Graciela Gatti Santana, for the period from 16 November 2024 to
15 May 2025**

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1. The present report, the twenty-sixth in a series, is submitted pursuant to Security Council resolution [1966 \(2010\)](#), by which the Council established the International Residual Mechanism for Criminal Tribunals.¹ The reporting requirement set out in paragraph 16 of that resolution is contained in article 32 (2) of the statute of the Mechanism (resolution [1966 \(2010\)](#), annex 1). The information contained in the report takes into account the parameters set out in paragraphs 13 and 14 of Security Council resolution [2740 \(2024\)](#), including the views and recommendations of the Council's Informal Working Group on International Tribunals. The report covers the progress made by the Mechanism during the period from 16 November 2024 to 15 May 2025.

I. Introduction

2. The Mechanism was created in 2010 to carry out a number of essential residual functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, which closed in 2015 and 2017, respectively. Its branch in Arusha, United Republic of Tanzania, commenced operations on 1 July 2012, assuming functions derived from the International Criminal Tribunal for Rwanda, while its branch in The Hague commenced operations on 1 July 2013, assuming functions derived from the International Tribunal for the Former Yugoslavia. The Mechanism has been a stand-alone institution since 1 January 2018.

3. The Security Council established the Mechanism to operate as a small, temporary and efficient structure, whose functions and size would diminish over time, with a small number of staff commensurate with its reduced functions. Having inherited the active caseloads and responsibilities of two tribunals, however, the Mechanism was in reality a fully operational court from the beginning. The unprecedented scale of functions entrusted to it bore little resemblance to that of a genuinely residual institution. Only after the final trial and appeal proceedings in core crimes cases were effectively concluded in 2023 could the Mechanism start to truly embody its name. Since that time, the Mechanism has done its utmost to align with the Council's vision. It has in this respect undergone a major transformation, significantly reducing its staffing levels, resources and operational footprint. The period between 1 January 2023 and 1 January 2025 saw a 50 per cent decrease in staff and a budget reduction of \$20,930,000, as well as the closure of the Sarajevo and Kigali field offices, the United Nations Detention Facility in Arusha and the External Relations Office, and other internal restructuring measures. At the same time, and thanks to the dedicated efforts of its staff and judges, the Mechanism has been able to keep fulfilling its remaining mandated functions to the highest standards while also methodically planning for the future.

4. Pursuant to Security Council resolution [1966 \(2010\)](#), the Mechanism was established for an initial period of four years, and subsequently for periods of two years, following reviews of the progress of its work, unless the Council decided otherwise. The Council conducted its fifth such review in 2024 (see [S/2024/308](#); see also [See S/PRST/2024/1](#)), culminating in the adoption of resolution [2740 \(2024\)](#) and the successful renewal of the Mechanism's mandate. The Mechanism continued to implement the requests and recommendations set out in that resolution during the reporting period. It remained mindful throughout of the Council's sustained emphasis on the future of the Mechanism's operations, including the Council's request that the Secretary-General present by 31 December 2025 an updated report on the administrative and budgetary aspects of the options for possible locations of the archives of the ad hoc Tribunals and the Mechanism, along with a report on options

¹ Unless otherwise specified, figures set out in the present report are accurate as at 15 May 2025.

for the transfer of the functions of supervision of enforcement of sentences and the pardon or commutation of sentences, and assistance to national jurisdictions on prosecutions.

5. In order to ensure systematic thinking and planning regarding those such issues, the principals of the Mechanism engaged in extensive consultations, and the cross-organ working group of senior managers met regularly to discuss the future of the institution. As a result, the Mechanism refined its position on potential options for the transfer of functions and stands ready to provide comprehensive inputs to the Secretary-General and the Security Council, as required. More generally, the Mechanism continued to strive for greater efficiencies wherever possible. Internal processes were further streamlined, with the President taking the lead on the further restructuring of the sentence enforcement portfolio and the elaboration of possible amendments to the Rules of Procedure and Evidence of the Mechanism.²

6. The Mechanism also focused on the implementation of outstanding recommendations made by the Office of Internal Oversight Services (OIOS), following the OIOS evaluation of the methods and work of the Mechanism to inform the Security Council's fifth review (see [S/2024/199](#)). The Mechanism is pleased to share that one more recommendation has been closed since its previous report, and it is expected that the final two recommendations will be submitted for closure in the coming months. In March 2025, OIOS commenced a new evaluation of the methods and work of the Mechanism, which will inform the Council's sixth review of the Mechanism's progress of work, to be undertaken in 2026. The Mechanism considers such processes to be crucial to ensuring ongoing transparency and accountability, as well as allowing the institution to showcase its best practices and share ongoing challenges. It looks forward to engaging with OIOS in an active and open manner throughout the year and to another positive evaluation experience.

7. In a significant development related to its mandated judicial functions, the Mechanism completed the review proceedings in the case of *Prosecutor v. Gérard Ntakirutimana* during the reporting period. The review hearing before the Appeals Chamber was held at the Arusha branch in November 2024. Having heard all the relevant evidence and submissions over two days, the Appeals Chamber pronounced its judgment later the same week, unanimously rejecting Mr. Ntakirutimana's request and maintaining his convictions. In the case of *Prosecutor v. Félicien Kabuga*, the Trial Chamber continued to closely monitor Mr. Kabuga's health and take steps to identify a State willing to accept him for release, and to recover the funds expended for his legal aid. Separately, a single judge initiated contempt proceedings against Peter Robinson on 25 February 2025, with the Appeals Chamber denying Mr. Robinson's appeal against the decision on 15 May 2025. Another single judge has been assigned to determine, inter alia, whether the matter should be referred to the authorities of a State in line with the statute of the Mechanism.

8. The Mechanism applied the same dedication to fulfilling its other mandated residual functions, namely, supervising the enforcement of sentences, ensuring ongoing support in connection with protected victims and witnesses, providing assistance to national jurisdictions, managing the archives of the ad hoc Tribunals and the Mechanism, and monitoring cases referred to national jurisdictions. Strong progress was made in each of these areas, as detailed in the present report. With regard to the latter function, the Mechanism continued to actively monitor the contempt case against Vojislav Šešelj and others in Serbia, within existing resources. Likewise, a

² The Rules of Procedure and Evidence are available at www.irmct.org/en/documents/rules-procedure-and-evidence.

monitor was appointed and has commenced duties in the contempt case against François Ngirabatware, which had been referred to Belgium.

9. Throughout the reporting period, Member States and other key stakeholders provided the Mechanism with robust assistance and support, including the 10 States that currently enforce sentences imposed by the ad hoc Tribunals or the Mechanism. Although further State cooperation is required in this and other areas, including the contempt case against Petar Jojić and Vjerica Radeta, the Mechanism is heartened by the value that the international community continues to place in its mission. The Mechanism will again rely on such support in the coming period.

II. Organization of the Mechanism

A. Organs and principals

10. The Mechanism consists of three organs: (a) the Chambers; (b) the Prosecutor; and (c) the Registry. The work of the Chambers and the Registry is discussed in the present annex, while annex II details the activities of the Office of the Prosecutor.

11. Each organ is led by a full-time principal who exercises responsibility over both Mechanism branches. The President is the institutional head and highest authority of the Mechanism and is responsible for the overall execution of its mandate, presiding over the Appeals Chamber, assigning judges to cases and carrying out other functions as specified in the statute and the Rules of Procedure and Evidence. The Prosecutor is responsible for the investigation and prosecution of persons covered by article 1 of the statute, while the Registrar is responsible for the administration and servicing of the institution, under the authority of the President.

12. The President, Graciela Gatti Santana (Uruguay), is based in The Hague, while the Prosecutor, Serge Brammertz (Belgium), and the Registrar Abubacarr M. Tambadou (Gambia), are based in Arusha. The current terms of all three principals run until 30 June 2026.

B. Branches

13. The Mechanism, with branches in The Hague and Arusha, functions as a single, unified institution. The Mechanism continues to benefit from excellent cooperation with the Kingdom of the Netherlands and the United Republic of Tanzania and is grateful to both host States for their continued support and engagement in accordance with the respective headquarters agreements.

14. The Kingdom of the Netherlands, the host State, informed the Mechanism that it had revised its planning and that, at present, the Mechanism may remain in the current premises in The Hague. As part of its efforts to implement Security Council resolution [2740 \(2024\)](#), the Mechanism, led by the Registrar, is actively engaged with the host State to achieve further cost reductions in relation to its facilities. The Mechanism continued to accommodate staff of the Residual Special Court for Sierra Leone at its branch premises at The Hague.

15. In Arusha, the Mechanism's Lakilaki premises are situated on land made available by the United Republic of Tanzania. The premises also provide public access to the Mechanism's well-resourced library on international law, which features, in particular, materials on international humanitarian law and international criminal justice. The Arusha branch premises continue to accommodate three staff members of

the World Food Programme and efforts are ongoing to attract other United Nations entities to make use of the facilities.

III. President and Chambers

A. President

16. During the reporting period, the President of the Mechanism remained committed to leading the institution while advancing the overarching priorities of her Presidency, namely: (a) to continue to evaluate the work and operations of the Mechanism as a truly residual institution, in order to ensure alignment with the Security Council's vision of the Mechanism as a small, temporary and efficient structure; (b) to promote effective leadership and good governance in the performance of mandated functions and residual activities; and (c) to continue consolidating the legacy of the ad hoc Tribunals and the Mechanism and working closely with all main stakeholders.

17. As previously reported, the President refined her first priority following the adoption of Security Council resolution [2740 \(2024\)](#), wherein the Council emphasized, inter alia, the substantially reduced nature of the residual functions and the need for the Mechanism to complete its remaining functions expeditiously. The President's priority reflects the Mechanism's responsiveness to the Council and its flexibility during this time of change, as it prepares for the possible transfer and ultimate drawdown of its functions. The cross-organ working group, which was reconvened in 2024 at the initiative of the President, has played a pivotal role in the advancement of this priority to date. Separately, the President worked constructively with the Registrar to streamline processes relating to the designation of enforcement States and has spearheaded the drafting of proposed amendments to the Rules of Procedure and Evidence aimed at streamlining both continuous and ad hoc judicial operations (see paragraph 57 below). Under the President's leadership, the Office of the President and the Chambers Legal Support Section have sought to minimize costs, including through staffing reductions and streamlined court proceedings, while ensuring complete support to judicial functions, which remain at the core of the Mechanism's mandate.

18. The President's second main priority signals her dedication to ensuring transparency, accountability and fairness in the performance of the Mechanism's mandated responsibilities and the way its leadership takes institutional decisions. As previously reported, such qualities take on heightened relevance in a downsizing institution, where decisions to reduce resources have a significant impact not only on operations, but also on the lives of staff members. Moreover, the Security Council, in its resolution [2740 \(2024\)](#), specifically requests the Mechanism to take steps to further enhance efficiency and effective and transparent management, including through coordination and information-sharing across the three organs of the Mechanism on matters that affect them equally in order to ensure systematic thinking and planning about the future. In this context, the President encouraged particularly close collaboration between the principals and senior management on future planning and the preparation of the 2026 budget submission. Moreover, she welcomed the constructive engagement and valuable insights of OIOS and the Board of Auditors during their respective audits relating to the Mechanism's residual activities. In line with her additional role as an International Gender Champion, the President continued to actively support the work of the Mechanism's focal points for gender, including training sessions for staff on prevention of sexual harassment, exploitation and abuse.

19. The President's third key priority remains critical in a world where disinformation and misinformation have, regrettably, become commonplace. The President will keep doing her utmost to ensure that the public judicial records of the Mechanism and its predecessors are widely available and easily accessible, and that their precious legacies can be safeguarded. During a recent mission, the President encouraged the Rwandan authorities to consider establishing information centres in Rwanda, in line with Security Council resolution 1966 (2010). The President again also raised the matter of the establishment of an information centre in Zagreb, Croatia, in her bilateral meetings with representatives of the Government of Croatia and looks forward to further advancing talks on the proposed facility. She remains hopeful that additional information centres will be established elsewhere in countries of the former Yugoslavia in due course, following the success of the centre in Sarajevo. Separately, the President continued to actively support the educational activities undertaken by the Mechanism Information Programme for Affected Communities, funded by the European Union. Together with the Mechanism's website, public databases and library, such initiatives can play a powerful role in preserving and promoting the truth.

20. The President continued to work closely with the other principals to advance her priorities and other cross-cutting matters involving the three organs. One meeting of the Coordination Council was convened, alongside a series of meetings to discuss future planning and frequent informal communications. The President and Registrar also held regular management meetings to discuss areas of shared responsibility. To keep staff members informed, a virtual town hall meeting for all staff took place on 26 March 2025, during which the President, the Prosecutor and the Registrar provided updates on the Mechanism's current priorities and responded to questions from staff. Furthermore, the President continued to meet with the leadership of the Staff Union in order to stay apprised of staff concerns during this period of ongoing change.

21. With regard to her representational role, in December 2024, the President presented the Mechanism's twenty-fifth progress report to the Security Council. During her mission, she also briefed the Informal Working Group on International Tribunals, held bilateral meetings with numerous representatives of Member States and met with high-level officials of the United Nations.

22. The President also participated in events directly related to the work of the Mechanism and its predecessors. While in New York in December 2024, she was honoured to speak at a conference organized by the office of the Special Adviser to the Secretary-General on the Prevention of Genocide, marking 76 years since the adoption of the Convention on the Prevention and Punishment of the Crime of Genocide. In April 2025, the President undertook an official visit to Rwanda on the occasion of Kwibuka 31, where she met with governmental and other authorities and attended formal events marking the thirty-first commemoration of the 1994 genocide against the Tutsi in Rwanda. Looking ahead, July 2025 will mark 30 years since the 1995 genocide in Srebrenica, a significant occasion in the calendar of the Mechanism. The President, together with the Prosecutor and the Registrar, will be attending the formal commemoration and associated events in Bosnia and Herzegovina.

B. Judges

23. Article 8 (1) of the statute provides that the Mechanism has a roster of 25 independent judges. According to article 8 (3) of the statute, the judges are to be present at the seat of the Mechanism's branches only when necessary, as requested by the President, and will otherwise carry out their functions remotely. In line with article 8 (4), judges of the Mechanism are not remunerated for being on the judicial

roster but receive compensation only for the days on which they exercise their functions.

24. The current judicial roster of the Mechanism comprises (in order of precedence): Judge Graciela Gatti Santana, President (Uruguay), Judge Jean-Claude Antonetti (France), Judge Joseph E. Chiondo Masanche (United Republic of Tanzania), Judge William H. Sekule (United Republic of Tanzania), Judge Lee G. Muthoga (Kenya), Judge Carmel Agius (Malta), Judge Alphons M. M. Orie (Kingdom of the Netherlands), Judge Burton Hall (Bahamas), Judge Florence Rita Arrey (Cameroon), Judge Vagn Prüsse Joensen (Denmark), Judge Liu Daqun (China), Judge Prisca Matimba Nyambe (Zambia), Judge Aminatta Lois Runeni N'gum (Zimbabwe/Gambia), Judge Seon Ki Park (Republic of Korea), Judge José Ricardo de Prada Solaesa (Spain), Judge Ivo Nelson de Caires Batista Rosa (Portugal), Judge Seymour Panton (Jamaica), Judge Yusuf Aksar (Türkiye), Judge Mustapha El Baaj (Morocco), Judge Claudia Hoefer (Germany), Judge Iain Bonomy (United Kingdom of Great Britain and Northern Ireland), Judge Fatimata Sanou Touré (Burkina Faso), Judge Margaret M. deGuzman (United States of America) and Judge René José Andriatianarivelo (Madagascar).

25. On 5 May 2025, the Mechanism received the resignation of Judge Lydia Mugambe (Uganda) from the judicial roster, following her conviction and sentencing before the Oxford Crown Court, United Kingdom, for crimes of modern slavery, immigration violations and witness intimidation. The Mechanism first became aware that Judge Mugambe was under criminal investigation in July 2024. The Secretary-General was promptly informed and thereafter waived Judge Mugambe's immunity under article 29 (2) of the statute in respect of the aforementioned and all related criminal proceedings. Pending the conclusion of the criminal investigation, trial and sentencing, the President took all appropriate administrative actions to protect the integrity and proper and efficient functioning of the Mechanism, including by discontinuing Judge Mugambe's participation in the business of the Mechanism.

26. The President continued to assign on an alternating basis Judges Masanche, Sekule and Joensen as the duty judge at the Mechanism's Arusha branch. As previously reported, the decision to assign judges who are resident in the United Republic of Tanzania maximizes efficiency, and their assignment is remunerated only to the extent that they are authorized by the President to exercise functions in this capacity.

27. Preparations are currently under way for the next plenary of Mechanism judges, to be held in early September 2025. This will be a virtual event, with the majority of judges attending online from their home countries. The Mechanism looks forward to being able to provide relevant updates in its next report.

C. Judicial activities

28. During the reporting period, the President and judges of the Mechanism issued a total of 107 decisions and orders. Of these, 89 (or approximately 4 in 5) related to the Mechanism's continuous judicial functions, including matters pertaining to the protection of victims and witnesses, assistance to national jurisdictions, the enforcement of sentences, the investigation of allegations of contempt and the referral of contempt proceedings, as well as the management of the work of Chambers, rather than to the adjudication of the core crimes incorporated in the statute.

29. The leadership of the Chambers Legal Support Section, which supports the judges in their work, continued to employ streamlined working methods and

processes, in collaboration with other sections of the Mechanism, and to draw on resources at both branches to address the judicial workload wherever arising.

30. In addition to supporting the judges with their judicial work, the Chambers Legal Support Section maintains the Mechanism's Case Law Database, which provides the public with direct access to extracts and full-text versions of key judgments and decisions rendered by the Appeals Chambers of the ad hoc Tribunals and the Mechanism. During the reporting period, the Section continued in its efforts to ensure that the Case Law Database was up to date and to make this valuable resource accessible to researchers, practitioners and judges as part of the assistance provided to national jurisdictions.

1. Proceedings related to core crimes

31. With respect to cases relating to the core crimes incorporated in the statute of the Mechanism, the judges, whose individual legal backgrounds are roughly evenly split between civil and common law, worked primarily on ongoing matters in one trial case, in which proceedings are indefinitely stayed, and on one request for review from final judgment, in which the review judgment was pronounced on 22 November 2024.

(a) Trial proceedings

32. The trial proceedings in the *Kabuga* case remain indefinitely stayed, following the Trial Chamber's order of 8 September 2023. During the reporting period, the Trial Chamber focused on matters relating to monitoring Mr. Kabuga's health, consideration of his possible release and the recovery of legal aid funds expended in connection with his defence. The Trial Chamber held status conferences on 11 December 2024 and 1 May 2025 to discuss these issues and to enquire into Mr. Kabuga's current conditions of detention. The Trial Chamber is presently considering preliminary submissions in relation to whether, in view of Mr. Kabuga's health situation, Rwanda can be considered a possible destination for provisional release. In connection with this, the Trial Chamber requested on 16 December 2024 and received on 22 April 2025 an expert medical report on the feasibility of Mr. Kabuga's travel by air. The expert concluded that Mr. Kabuga was not generally fit to fly. In determining the weight to be given to this report, the Trial Chamber may seek additional information and clarification from the expert.

33. The Trial Chamber, composed of Judges Bonomy, presiding, El Baaj and deGuzman, continues to work remotely and its judges are being remunerated only on a limited basis each month. Status conferences, which are required to be held within 120 days of the preceding conference, are conducted in person by the presiding judge, with the other members of the bench participating by video-conference link.

(b) Review proceedings

34. Under article 24 of the statute, a convicted person has the right to request a review of a final judgment issued by the ad hoc Tribunals or the Mechanism. Review proceedings require a threshold determination of whether the applicant has identified a new fact that was unknown during the original proceedings, which, if established, would have been a decisive factor in reaching the verdict. If the threshold is met, a review of the judgment is authorized, further proceedings may be held, and a review judgment is issued. Review is an extraordinary remedy and, while it has been seldomly granted, a convicted person's ability and right to seek review remains an essential fair trial guarantee enshrined in the statute of the Mechanism.

35. In the *Ntakirutimana* case, the Appeals Chamber, on 21 May 2024, partially granted review of Mr. Ntakirutimana's convictions on the basis of Witness HH's

purported recantations of his testimony before the International Criminal Tribunal for Rwanda. The testimony of Witness HH before that Tribunal exclusively underpinned Mr. Ntakirutimana's convictions for aiding and abetting genocide and extermination as a crime against humanity in relation to attacks at Gitwe Hill, near Gitwe Primary School, in late April or the beginning of May 1994.

36. During the review hearing, held on 18 and 19 November 2024 at the Arusha branch of the Mechanism, the Appeals Chamber heard testimony from Witness HH as well as oral submissions from the parties. The Appeals Chamber pronounced its judgment on 22 November 2024 and, in accordance with rule 122 (C) of the Rules of Procedure and Evidence, issued its written reasons on 12 December 2024. The Appeals Chamber determined that Mr. Ntakirutimana had not demonstrated that Witness HH had credibly recanted his testimony before the International Criminal Tribunal for Rwanda. Consequently, Mr. Ntakirutimana's convictions based on Witness HH's testimony remain unaffected. The fact that the Appeals Chamber was able to dispose of these proceedings so efficiently reflects not only the resolve of the judges to do so, but also the superb assistance and teamwork of numerous sections of the Mechanism, as well as the cooperation of the parties.

(c) Proceedings related to fugitives

37. As previously reported, Fulgence Kayishema was arrested in South Africa on 24 May 2023, having been a fugitive for more than 20 years. He was originally indicted by the International Criminal Tribunal for Rwanda in 2001, with his case later referred for trial in Rwanda in February 2012. Mr. Kayishema continues to be subject to domestic criminal proceedings in South Africa, which have recently been further delayed. Once these proceedings have concluded, it is expected that Mr. Kayishema will be transferred first to Arusha, on a temporary basis, and thereafter to Rwanda, where he will be tried. Between June 2024 and the date of the present report, a single judge and the Appeals Chamber have issued decisions pertaining to several matters, including Mr. Kayishema's requests for disclosure of materials and reclassification of certain judicial filings. On 11 October 2024, Mr. Kayishema filed a notice of his intention to seek revocation of the referral of his case to Rwanda. Once filed, any such request for revocation will be assigned by the President to a trial chamber.

38. The Mechanism recalls separately that, on 15 May 2024, the Prosecution announced that Ryandikayo and Charles Sikubwabo, the final two fugitives of the International Criminal Tribunal for Rwanda, were deceased, as reflected in the Mechanism's twenty-fourth progress report. On 9 April 2025, the Prosecution filed requests for the termination of proceedings against these two individuals, on account of their deaths. On 13 May 2025, a single judge issued decisions terminating the proceedings before the Mechanism against Ryandikayo and Charles Sikubwabo.

2. Continuous judicial activities

39. Even after all cases related to core crimes have been disposed of, the Mechanism remains responsible for several other discreet, yet crucial and ongoing, judicial functions. Many of the matters the Mechanism retains jurisdiction over, however, are not the subject of frequent or regular litigation. Furthermore, the resources required to adjudicate continuous functions are far fewer than the resource requirements for core crimes trials and appeals. Such matters require less administrative, operational and financial support as they are adjudicated principally based on written submissions rather than relying on in-court proceedings. One key component of this is the Mechanism's reliance on a remote system of judges, who, as mentioned above, are

remunerated only based on the number of days utilized to complete an assignment and which have been authorized by the President in advance.

(a) Judicial activity of the President

40. The President's continuous judicial responsibilities relate mainly to the supervision of the enforcement of sentences and judicial review of administrative decisions. The President is also mandated to assign judges to cases.

41. During the reporting period, the President issued a total of 46 decisions and orders. These included 17 decisions and orders relating to enforcement matters, one decision on review of an administrative decision and 27 orders relating to the assignment of judges. Of the latter, 17 orders pertained to witness protection matters falling under rule 86 of the Rules of Procedure and Evidence.

42. In connection with the enforcement of sentences, the President issued decisions on four applications for early release, one decision on sentence remission and one order for the transfer of a convicted person to the United Nations Detention Unit in The Hague on a temporary basis. Three new applications for early release were filed during the reporting period and the President is currently seized of five pending applications.

43. The President also dealt with litigation relating to the conditions of imprisonment in the Mechanism's enforcement States. On 20 January 2025, for example, the President issued a consolidated decision on motions raised by six convicted persons relating to the seizure of electronic devices from convicted persons serving their sentences in Benin. The President concluded that the relevant seizures did not violate the rights of the convicted persons. However, she also instructed the Registrar to liaise with the Beninese authorities to, inter alia, ensure the security and physical integrity of the devices and to facilitate the convicted persons' work on post-conviction matters. The Registrar's reporting on these efforts to the President is ongoing and will continue until the President orders otherwise.

44. Alongside her enforcement-related judicial activity, the President dealt with a diverse range of other substantive matters during the reporting period. These included reviewing a decision of the Registrar to deny a request by Fulgence Kayishema for the assignment of counsel in connection with his forthcoming request for revocation of the referral of his case to Rwanda. On 16 December 2024, the President denied the relevant motion, finding that Mr. Kayishema had failed to demonstrate that the Registrar's decision was procedurally unfair, unreasonable or considered irrelevant material. The President considered, inter alia, that Mr. Kayishema, who was not in the custody of the Mechanism and did not have a case pending before it, already benefited from pro bono legal assistance and was not precluded from seeking legal aid at the appropriate juncture.

45. With regard to the acquitted and released persons relocated to the Niger, the President issued one decision on 19 November 2024, wherein she rejected a request to encourage or direct the Registrar to engage a special adviser to support the Mechanism's efforts in relation to those persons. Emphasizing that the Registrar is leading said efforts, which are continuous, the President found that the motion failed to substantiate that the Registrar required the assistance of a special adviser.

46. Lastly, in her role as presiding judge of the Appeals Chamber, the President presided over two matters, in which the Appeals Chamber issued five decisions and a review judgment.

(b) Judicial activities of single judges/benches

47. Other continuous judicial functions for which the Mechanism retains responsibility include the adjudication of applications for information on or the rescission, variation or augmentation of protective measures, as provided for in rule 86 of the Rules of Procedure and Evidence; requests for the assistance of the Mechanism in obtaining testimony of a person under the Mechanism's authority, in line with rule 87 of the Rules; issues pertaining to the *non bis in idem* principle, as enshrined in article 7 of the statute and rule 16 of the Rules; submissions seeking the reclassification of judicial filings for reasons of transparency or, conversely, reasons of security; the determination of various matters arising from contempt investigations and cases, including referral to national authorities in accordance with article 6 (2) of the statute; and financial assistance and relocation of acquitted and released persons. Notwithstanding the scope of matters that fall within the Mechanism's ongoing jurisdiction, the summary of activity below reflects that many are not the subject of regular litigation.

48. On average, the Chambers adjudicate 20 to 30 applications pursuant to rule 86 of the Rules of Procedure and Evidence a year. During the reporting period, 30 orders and decisions were issued concerning applications for information on or the rescission, variation or augmentation of protective measures. All were issued by single judges. In doing so, the Mechanism discharged its residual functions in relation to both the protection of victims and witnesses, in line with article 20 of the statute, and responding to requests for assistance from national authorities, as set out in article 28 (3) of the statute.

49. Turning to contempt-related judicial activity, the continued protection of victims and witnesses and the effective administration of justice require judicial oversight to sanction any violation of orders of the ad hoc Tribunals or the Mechanism. The Mechanism remained seized of a number of matters pertaining to allegations of contempt during the reporting period, in accordance with article 1 (4)(a) of the statute. There are no active matters concerning possible false testimony as provided for by article 1 (4)(b) of the statute. Pursuant to the statute, before proceeding to try any person alleged to be responsible for contempt or false testimony, the Mechanism shall consider referring the case to the authorities of a State and such a consideration is to take into account the interests of justice and expediency.

50. In relation to the case against Peter Robinson, on 25 February 2025, a single judge issued an order in lieu of indictment against Mr. Robinson for contempt of the Mechanism pursuant to article 1 (4) of the statute and rule 90 (A) of the Rules of Procedure and Evidence. This matter arose from events concerning alleged witness interference during the review proceedings in the case of *Prosecutor v. Augustin Ngirabatware*, information that surfaced during the trial proceedings in the contempt case of *Prosecutor v. Anselme Nzabonimpa et al.* and an extensive investigation by an *amicus curiae*. An appeal by Mr. Robinson against the single judge's decision to initiate contempt proceedings was dismissed by the Appeals Chamber on 15 May 2025. Following assignment by the President, another single judge is presently considering whether to refer the case to a national jurisdiction prior to proceeding with the case. In this regard, having received written submissions from the *amicus curiae* and Mr. Robinson, on 13 May 2025 the single judge invited written submissions from the United States on its jurisdiction, willingness and preparedness to accept the case for trial.

51. Regrettably, in relation to the case against Petar Jojić and Vjerica Radeta, Serbia continues to refuse to execute arrest warrants and orders for transfer of the accused, despite its obligation to cooperate with the Mechanism and the International Tribunal for the Former Yugoslavia before it and the multiple referrals of the situation to the

Security Council. The Mechanism reiterates that all Member States, including Serbia, must abide by their obligations under Chapter VII of the Charter of the United Nations.

52. Lastly, the situation of the acquitted and released persons relocated to the Niger gave rise to further litigation before single judges of the Mechanism. On 22 November 2024, a single judge, noting the Mechanism's obligation to provide continued assistance to the acquitted and released persons, ordered the Registrar to organize the renewal of the lease of the relocated persons' house in Niamey and provide necessary rental payment, and to pay monthly lump-sum settlements at a pro rata share to each of the relocated persons. The single judge is presently considering whether the relocated persons can safely return to Rwanda in the context of determining the Mechanism's obligations to provide them with continued financial assistance.

IV. Future planning

53. During the reporting period, the Mechanism made significant strides in planning for the future of its operations.

54. To advance the implementation of Security Council resolution [2740 \(2024\)](#), the Mechanism's principals and organs collaborated extensively to ensure that the Mechanism can provide assistance, as necessary, for the preparation of the reports that the Council has requested the Secretary-General to present by 31 December 2025. As noted above, the Security Council requested from the Secretary-General an updated report on the administrative and budgetary aspects of the options for possible locations of the archives of the ad hoc Tribunals and the Mechanism, as well as a report on options for the transfer of the functions of supervision of enforcement of sentences and the pardon and commutation of sentences under articles 25 (2) and 26 of the statute, and assistance to national jurisdictions on prosecutions under article 28 (3) of the statute.

55. In particular, the Mechanism's cross-organ working group met regularly, having been reconvened in the second half of 2024. This group, composed of senior managers from the three organs and across both branches, is guided by the Security Council's instruction to ensure coordination and information-sharing across the three organs of the Mechanism to ensure systematic thinking and planning about the future. One of the group's key tasks during the reporting period was to gather relevant information and produce a thorough analysis of the feasibility of concrete options for the transfer of the above-mentioned functions, along with associated practical and resource implications, to share with the Secretary-General as part of the preparation of the reports to be submitted at the end of the year.

56. Another focus of the cross-organ working group was exploring opportunities for budget reductions in order to ensure the Mechanism's further alignment with the Security Council's vision of a small, temporary and efficient structure, whose functions and size will diminish over time. In this context, the group has met with the United Nations Department of Operational Support in relation to preparing recommendations on ways to cut the costs of operations, overhead and administration, and potentially conducting a comprehensive staffing review.

57. Alongside these future planning efforts, the Mechanism again took steps to further streamline operations in the meantime, where possible. At the initiative of the President, the process of designating enforcement States has been altered to increase the efficiency and effectiveness of internal processes and of the Mechanism's engagements with States. In this context, the President recently issued a revised

Practice Direction, adapting the necessary legal framework.³ Separately, the President submitted to the Mechanism's Rules Committee proposed amendments to the Rules of Procedure and Evidence, which are aimed at limiting the prospect of resource-intensive proceedings and, in particular, in-court hearings. The proposals seek to align the legal framework of the Mechanism more fully with its truly residual posture and facilitate the drawdown of possible future resource requirements.

58. The Mechanism looks forward to being able to provide any inputs on the future of its operations that may be required by the Secretary-General or the Security Council.

V. Assistance to national jurisdictions

59. During the reporting period, the Mechanism, pursuant to article 28 (3) of the statute, continued to receive and process requests from national authorities for access to certified copies of judicial records of the Mechanism and the ad hoc Tribunals, as well as requests made pursuant to rule 86 of the Rules of Procedure and Evidence.

60. Rule 86 provides for variation of protective measures granted to witnesses who provided evidence in cases before the ad hoc Tribunals or the Mechanism. Unless specified otherwise in the original decision granting the protective measures, such measures remain in force until a subsequent judicial decision to rescind, vary or augment them is issued. Similarly, judicial records marked as confidential will remain inaccessible to national jurisdictions and the public until otherwise determined by a judicial decision. The handling of requests for assistance pursuant to these rules will therefore continue for the foreseeable future as domestic prosecutions seek to close the impunity gap.

61. During the reporting period, the Registry processed 33 requests for assistance from national authorities or parties to domestic proceedings and provided 500 documents. The requests related predominantly to proceedings concerning the conflicts in the former Yugoslavia.

62. Similar to the assistance previously provided to Serbia, the Registry continued to provide Bosnia and Herzegovina with certified copies of all trial and appeal judgments issued by the International Tribunal for the Former Yugoslavia and the Mechanism, together with summaries of convictions. This is pursuant to the memorandum of cooperation that the Mechanism concluded with Bosnia and Herzegovina on 30 January 2024, to facilitate the domestic registration of convictions of citizens of Bosnia and Herzegovina rendered by the International Tribunal for the Former Yugoslavia and the Mechanism.

63. Furthermore, in light of the upcoming thirtieth commemoration of the 1995 genocide in Srebrenica, the Registry concluded an agreement with the Srebrenica Memorial Centre on 7 April 2025. In line with the agreement, and at the request of the Centre, the Registry will shortly transmit Srebrenica-related public judicial records to the Centre.

64. As noted above, the Chambers issued 30 orders and decisions in relation to applications made pursuant to rule 86 of the Rules of Procedure and Evidence (see para. 48 above).

³ Practice Direction on the procedure for designation of the State in which a convicted person is to serve his or her Sentence, MICT/2/Rev.2, 7 May 2025. The revised Practice Direction is available on the Mechanism's website in Bosnian/Croatian/Serbian, English, French and Kinyarwanda.

65. The assistance provided to national jurisdictions by the Prosecution is detailed in annex II.

66. The Mechanism remains mindful that the potential transfer of the function of provision of assistance to national jurisdictions on prosecutions is of particular interest to the Security Council, as reflected in resolution 2740 (2024). It stands ready to provide any information and support required in relation to the Secretary-General's forthcoming report on this matter. In the meantime, the Mechanism will continue to conscientiously discharge its mandated responsibilities in connection with this mandated function.

VI. Cases referred to national jurisdictions

67. In accordance with its obligation under article 6 (5) of the statute, the Mechanism actively monitored two cases referred to national jurisdictions and is expected to monitor another case, as described below.

68. Regarding the case against Vojislav Šešelj and others, the appointed staff monitor continued to engage with the Serbian authorities regarding the status of the case, including the status of disclosure of the relevant material. During the reporting period, the monitor undertook a second mission to Serbia from 3 to 6 December 2024. To date, three monitoring reports have been filed by the monitor, which are available in public redacted versions.⁴ A new staff monitor was appointed by the Registrar on 22 April 2025 following the departure of the previous monitor from the Mechanism.

69. On 28 January 2025, the Registrar appointed a Mechanism staff member to monitor the *Ngirabatware* case with immediate effect. The case was referred to Belgium during the previous reporting period by order of a single judge issued on 17 September 2024. The monitor undertook a first monitoring mission to Belgium from 25 to 26 March 2025 and the first monitoring report was filed on 22 April 2025.

70. In relation to the case against Fulgence Kayishema, which was referred to Rwanda in February 2012, the appointed staff member will start monitoring the case as soon as Mr. Kayishema is transferred to Rwanda.

71. It is expected that the Mechanism will continue to fulfil its monitoring responsibilities for the duration of the proceedings in these cases, relying predominantly on existing staff resources.

VII. Enforcement of sentences

72. Pursuant to article 25 of the statute, the Mechanism supervises the enforcement of sentences pronounced by the ad hoc Tribunals or the Mechanism. Sentences are served within the territory of States that have concluded enforcement of sentence agreements with the United Nations.

73. In accordance with article 25 of the statute, rule 127 of the Rules of Procedure and Evidence and the relevant Practice Direction,⁵ following the delivery of a final judgment, the President designates the State in which a convicted person is to serve his or her sentence. In line with the revised Practice Direction, the President may now directly engage with potential enforcement States and collect information necessary for this process.

⁴ These and other monitoring reports can be found on the Mechanism's website.

⁵ See footnote 3.

74. The President's supervisory powers with regard to the enforcement of sentences include addressing complaints on conditions of imprisonment and requests for transfer, interacting with monitoring bodies tasked with inspecting conditions of imprisonment and, for the most part, adjudicating applications pertaining to early release, pardon or commutation of sentence. In the latter respect, the President has the power to grant pardon or commutation of sentence to persons convicted by the ad hoc Tribunals or the Mechanism in accordance with article 26 of the statute. While article 26, like the corresponding provisions in the statutes of the ad hoc Tribunals, does not specifically mention applications for early release of convicted persons, the Rules of Procedure and Evidence reflect the President's authority to receive and adjudicate such requests in accordance with the longstanding practice of the ad hoc Tribunals and the Mechanism.

75. The above-mentioned responsibilities remain a central focus for the President and her office, as demonstrated by the President's enforcement-related judicial activity, set out in paragraphs 41 to 43 above. In the exercise of her supervisory function, the President is supported by the Registry, which plays a critical role in securing the enforcement of the Mechanism's remaining sentences and the overall administration thereof.

76. At the end of the reporting period, 41 convicted persons continue to serve their sentences in the territories of 10 Member States, under the supervision of the Mechanism.

77. In relation to the International Criminal Tribunal for Rwanda, 25 convicted persons are serving their sentences in two different States: Benin (17) and Senegal (8). With respect to the International Tribunal for the Former Yugoslavia, 16 convicted persons are serving their sentences in eight different States: Austria (1), Belgium (1), Estonia (4), Finland (1), France (1), Germany (4), Norway (2) and the United Kingdom (2).

78. In addition, three convicted persons are currently housed at the United Nations Detention Unit (see paragraph 111 below). Jovica Stanišić and Ratko Mladić both remain at the Unit following the completion of appeal proceedings and Mićo Stanišić returned to the Unit on a temporary basis in January 2025. During the reporting period, Radislav Krstić, who had been temporarily returned to the Unit in November 2023, was transferred to a new enforcement State in April 2025. Transferring the remaining convicted persons to enforcement States continues to be a top priority for the Mechanism. Moreover, three convicted persons who were previously granted conditional early release by the Mechanism remain under its supervision until their sentences have been completed. This brings the total number of convicted individuals under the supervision of the Mechanism to 47.

79. The conditions of imprisonment in the enforcement States must be compatible with international standards of detention.⁶ The International Committee of the Red Cross (ICRC) and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment continued to serve as independent inspecting bodies. These organizations regularly monitor the conditions of imprisonment to ensure that international standards are being met, and any recommendations made are considered and addressed by the Mechanism, which also coordinates with relevant national authorities and/or the United Nations Development Programme. At the Arusha branch, the Registry continued to support the ageing convicted persons in Benin and Senegal, in light of their specific vulnerabilities.

⁶ These include the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

80. The Mechanism takes this opportunity to again express heartfelt thanks to the enforcement States, in particular Estonia, which commenced enforcing the remainder of Mr. Krstić's sentence during the reporting period. Estonia is now enforcing the sentences of four persons convicted by the International Tribunal for the Former Yugoslavia, and the Mechanism is extremely grateful for its ongoing assistance. Each of the 10 States referenced above has volunteered to take on the weighty responsibilities of sentence enforcement, thereby demonstrating a resolute commitment to international criminal justice. Their outstanding support makes it possible for the Mechanism to keep fulfilling this critical aspect of its mandate.

81. The Mechanism will continue to rely heavily on the cooperation of enforcement States and encourages other States to provide similar assistance. Securing additional cooperation is particularly important, given the recent trend of convicted persons being returned to the United Nations Detention Unit by European enforcement States due to limitations within domestic legislation or for other reasons internal to those States. As the Unit was never intended to house returned convicted persons in such a manner, these returns are straining the Mechanism's resources and they unnecessarily prolong the adjustment periods for prisoners transferred between multiple detention facilities. While negotiations with potential enforcement States are ongoing, the Mechanism continues to require additional Member States that are willing to enforce the sentences of those convicted by the ad hoc Tribunals or the Mechanism to come forward. Cooperation from Member States is crucial to ensure that the Mechanism can adhere to the Security Council's call to expeditiously work towards the completion of its mandate.

82. Supervising the enforcement of sentences is a long-term residual activity of the Mechanism. In this respect, 15 convicted persons are currently serving life sentences, while 16 will complete their sentences between 2030 and 2040, and another 8 after 2040. The fair and effective supervision of sentence enforcement is key to the conclusion of the justice cycle that the Security Council initiated more than 30 years ago when establishing the ad hoc Tribunals. In its resolution [2740 \(2024\)](#) the Council clearly indicates that the enforcement function and its potential transfer are of particular interest to it. Moreover, rule 128 of the Rules of Procedure and Evidence, which provides that the Council may designate a body to assist it and to proceed to supervise the sentences after the Mechanism legally ceases to exist, already reflects that this function may outlast the Mechanism. As described above, the Mechanism has been actively assessing how this function might appropriately be transferred, and it stands ready to provide any information and support required for the related report to be prepared by the Secretary-General. In the meantime, the Mechanism will continue to conscientiously discharge its mandated responsibilities in connection with this function.

VIII. Relocated persons

83. Despite the Mechanism's significant and persistent diplomatic efforts, the situation of the six acquitted and released persons who were relocated to the Niger in December 2021, pursuant to an agreement between the United Nations and the Government of the Niger, remains unresolved, following the issuance of an expulsion order on 28 December 2021 by the Nigerien authorities. This situation continues to affect the rights and freedom of the six individuals.

84. In February 2025, the Registrar conducted a high-level mission to the Niger to engage with the national authorities as well as the relocated persons regarding the regularization of their stay in the Niger. In addition, during the reporting period, the Registrar continued to pursue efforts towards identifying possible relocation States

for these persons, in close collaboration with their respective Counsel, as appropriate. In order to receive updates on the situation on the ground, the Registry maintained frequent contact with ICRC before that organizations ceased its operations in the Niger. Furthermore, the Registry was in regular contact with the focal point designated by the relocated persons to act on their behalf.

85. The Registry continues more generally to focus on securing the collective support of Member States, drawing attention to the Security Council's continued calls for their cooperation in receiving the relocated persons on their territory. Relatedly, and in line with the second recommendation made by OIOS in its 2024 evaluation report (see para. 138 below), the Registrar, in consultation with the President, developed an advocacy plan to engage the broader United Nations system, including entities with field presence in potential relocation countries, to find a long-term solution.

86. In accordance with the President's order of 19 December 2022 instructing the Registrar to, *inter alia*, file regular reports on his efforts to find a solution in line with the Mechanism's duty of care towards the relocated persons, the Registrar filed additional bi-monthly submissions on 6 January, 6 March and 6 May 2025. In addition, the Registrar commenced implementing the order of the single judge issued on 22 November 2024 regarding the renewal of the lease and the payment of monthly lump-sum settlements to the relocated persons on a pro rata basis.

87. The President continued to raise this matter at every opportunity, including during her meetings with Member States, the Security Council and the Informal Working Group on International Tribunals, emphasizing that Member States' engagement remains critical to addressing this challenge. As described above (see paras. 45 and 52 above), the President and single judges of the Mechanism also dealt with further litigation concerning the relocated persons.

88. The Mechanism refers to Security Council resolution [2740 \(2024\)](#), wherein the Council reiterated its call to all States to cooperate with and render all necessary assistance to the Mechanism. The Mechanism also recalls the 2024 evaluation report of OIOS, in which OIOS acknowledged that the situation concerning the acquitted and released persons could only be resolved with the support of Member States. The Mechanism would welcome any such support and assistance in relation to this protracted matter.

IX. Cooperation and information dissemination

89. In accordance with paragraph 23 of Security Council resolution [2256 \(2015\)](#), the Mechanism continued to pursue avenues to enhance its cooperation with the Government of Rwanda. The principals of the Mechanism once more engaged with the Rwandan authorities on matters such as improving access to the Mechanism's archives and its overall work. Following the closure of the Mechanism's Kigali field office in 2024, including the medical services, the Rwandan National Public Prosecution Authority and the Ministry of Health assumed responsibility for the continuation of the medical care of witnesses who consented to the transfer. The Mechanism is grateful to the Rwandan authorities for supporting the medical needs of the relevant witnesses, allowing the Mechanism to further streamline its activities concerning protected witnesses.

90. In its resolution [1966 \(2010\)](#), the Security Council requested the Mechanism to cooperate with Rwanda and the countries of the former Yugoslavia to facilitate the establishment of information centres. The Mechanism continues to pursue the potential establishment of information centres in Croatia, in the countries of the

former Yugoslavia more generally and in Rwanda. Information centres can greatly contribute to combating genocide denial, historical revisionism and the glorification of convicted war criminals by providing access to public judicial records and information on the mandate, work and achievements of the ad hoc Tribunals and the Mechanism. A prime example in this regard is the existing information centre in Sarajevo. During the reporting period, the Mechanism contributed to lectures organized by that information centre for groups of students on the legacy of the International Tribunal for the Former Yugoslavia and the Mechanism, as well as other events such as exhibitions and panel discussions.

91. The Mechanism, with support from the European Union, also continued its Information Programme for Affected Communities.⁷ During the reporting period, 60 secondary school history teachers participated in two workshops organized by the Mechanism on using the archives of the International Tribunal for the Former Yugoslavia and the Mechanism. This brings the total number of teachers from the Western Balkans region who have participated in the Programme's workshops to over 550. In addition, the Programme supported two regional events and several other initiatives focused on transitional justice, including a regional youth workshop on the legacy of the International Tribunal for the Former Yugoslavia and the Mechanism, organized in cooperation with the United Nations Development Programme in Serbia.

92. The sixth cycle of the video lecture series by the Information Programme for Affected Communities, entitled "International law and facts established before the ICTY", began in November 2024 with a lecture by the President and concluded with a lecture by the Registrar in March 2025. The series included 12 lectures delivered by Mechanism officials from all organs, members of the Association of Defence Counsel practising before the international courts and tribunals, former staff members of the International Tribunal for the Former Yugoslavia and experts from other United Nations bodies. It engaged postgraduate students from 15 faculties across countries of the former Yugoslavia, and students from the University of Rwanda joined the final session, marking a significant step toward expanding the Programme's reach. The Programme also contributed to several lectures on the legacy of the International Tribunal for the Former Yugoslavia, hosted by local groups and organizations, which were addressed to young people, journalists and researchers from the region.

93. Overall, the Mechanism Information Programme for Affected Communities continued to be well received, with its social media campaigns now having reached close to 6,550,000 people since January 2019. The Mechanism wishes to reiterate its sincere gratitude to the European Union and its Member States for their ongoing and generous support.

94. Numerous visits to the premises of the Mechanism took place during the reporting period. Regarding the judicial work of the Mechanism, visitors had the opportunity to view the status conferences in the *Kabuga* case on 11 December 2024 and 1 May 2025 in the public gallery in The Hague. These proceedings were also streamed on the Mechanism's website.

95. In Arusha, the Mechanism welcomed 164 visitors to the Lakilaki premises, including from various international, national and regional universities, as well as from local law firms and international organizations based in Arusha. The Mechanism also hosted the Ambassadors of Italy and France to the United Republic of Tanzania on working visits. Furthermore, the Arusha branch library continued to provide a wide range of services to internal and external users.

⁷ See www.irmct.org/en/mip for further information.

96. Approximately 1,500 visitors were welcomed to the Mechanism's branch at The Hague. This included 50 official visits, including from several high-level delegations, such as the Advisory Legal Committee of the Minister of Foreign Affairs of Poland, a delegation from the Ministry of Justice of Germany, a delegation of judges from the Philippines, and judges and prosecutors from the National School for the Judiciary of France.

97. In addition, the Mechanism continued to share information about its work and judicial updates on its website and social media channels. The Mechanism remains dedicated to ensuring that its legacy, as well as those of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, are visible in the public sphere. During the reporting period, the Mechanism website received 489,000 page views, reflecting the continued importance of disseminating judicial information, court records, case updates and legacy-related content. In addition, a total of 11 social media campaigns were implemented.

X. Registry support to Mechanism activities

A. Judicial support services

98. During the reporting period, the Registry continued to provide support to the Mechanism's judicial activities at both branches.

99. The Judicial Records Unit at both branches continued to process, distribute and manage the judicial records of the ad hoc Tribunals and the Mechanism related to residual activities such as the supervision of the enforcement of sentences, review and contempt proceedings, applications pursuant to rule 86 of the Rules of Procedure and Evidence, and the monitoring cases referred to national jurisdictions. The Judicial Records Unit in both branches processed and disseminated 795 filings during the reporting period, including 179 Registry legal submissions, amounting to a total of 6,548 pages.

100. In line with rule 69 of the Rules of Procedure and Evidence, which requires that status conferences be held within 120 days of the preceding conference, the Judicial Records Unit at the branch at The Hague provided support for status conferences in the *Kabuga* case held on 11 December 2024 and 1 May 2025. In Arusha, the Judicial Records Unit assisted with the review hearing held on 18 and 19 November 2024 in the *Ntakirutimana* case and the pronouncement of the judgment on 22 November 2024.

101. In relation to the case against Peter Robinson, the Judicial Records Unit provided necessary out-of-court support, mainly related to the management and service of relevant judicial documents.

102. During the reporting period, the Language Support Services at both branches collectively translated approximately 6,500 pages. Across the branches, the Language Support Services provided 37 conference interpreter days and produced approximately 360 pages of transcripts in English and French.

103. The availability of all judgments in languages that the convicted persons understand is essential and part of ensuring fair and open judicial proceedings. In this regard, the Language Support Services in Arusha completed the translation into Kinyarwanda of one review judgment of the Mechanism and two appeal judgments of the International Criminal Tribunal for Rwanda. Eight appeal judgments of that Tribunal remain to be translated into Kinyarwanda. The Language Support Services in The Hague completed the translation into French of one review judgment of the Mechanism and one appeal judgment of the International Tribunal for the Former

Yugoslavia. Six judgments – four of the International Tribunal for the Former Yugoslavia and two of the Mechanism – are still to be translated from English to French, with a number of translations in progress. Progress in translating the remaining judgments into Kinyarwanda and French may be affected by the demands of ongoing functions and available resources.

104. As to legal aid and matters pertaining to the defence and *amicus curiae* teams, following the Registrar's October 2023 decision deeming Mr. Kabuga non-indigent and capable of fully funding his entire defence before the Mechanism, the Registry continues to support the Trial Chamber in pursuing the recovery of the funds expended for his legal aid. Furthermore, the Registry continues to provide financial and administrative assistance as needed. Such efforts involved 51 defence and *amicus curiae* teams, comprising a total of approximately 68 team members. The majority of these teams are engaged in pro bono efforts in post-conviction proceedings. Relevant staff supporting this portfolio processed 40 defence and *amicus curiae* invoices, travel requests and expense reports during the reporting period. The list of those eligible for assignment to indigent suspects and accused before the Mechanism now includes 37 counsel, while the roster of prosecutors and investigators eligible for assignment as an *amicus curiae* increased to 63.

B. Victims and witnesses

105. The Mechanism is responsible for the protection of witnesses who have provided evidence in cases before the ad hoc Tribunals and the Mechanism, pursuant to article 20 of the statute. Approximately 3,200 witnesses currently benefit from judicial and/or extra-judicial protective measures. Physical protection by security personnel, beyond facilitating participation in judicial proceedings, is not provided by the Mechanism.

106. The effective conclusion of all core crimes trials and appeals before the Mechanism has resulted in a decrease in responsibilities. Nevertheless, the Witness Support and Protection Unit at both branches, within existing resources, continues to inform protected witnesses of the release of convicted persons in cases where they have testified and serves as the point of contact for witnesses in connection with any amendments to their protective measures or additional assistance. Expenses such as travel costs for witnesses, the provision of protection officers, daily subsistence allowances and safe houses in secure locations are expected to continue to decrease. In addition, the Unit conducts threat assessments to ensure the continued effectiveness of protective measures ordered for specific victims and witnesses and maintains cooperation with relevant States to which protected witnesses have been resettled.

107. During the reporting period, the Witness Support and Protection Unit at the Arusha branch facilitated the delivery of testimony of one witness in relation to the review hearing in the *Ntakirutimana* case.

108. The Witness Support and Protection Unit at both branches also continued to facilitate applications in connection with prosecutions in national jurisdictions that require the variation of protective measures pursuant to rule 86 of the Rules of Procedure and Evidence and implemented 18 judicial orders involving 44 witnesses. In addition, it provided witness-related assessments concerning 317 witnesses to the President in relation to four requests by convicted persons for early release. Lastly, the Unit continued to monitor the general security situations in the countries of the former Yugoslavia and Rwanda and to maintain the capability to respond to requests from victims and witnesses following the closure of the Mechanism's field offices.

109. The responsibilities of the Witness Support and Protection Unit will continue to be relied upon in the future, in accordance with judicial protection orders that will continue to apply unless rescinded or waived.

C. Detention facilities

110. During the reporting period, the United Nations Detention Unit in The Hague continued to provide custodial capacity to persons detained by the Mechanism awaiting provisional release or transfer to an enforcement State.

111. The United Nations Detention Unit housed a total of five detainees during the reporting period, four of whom remain there as at the date of submission of the present report. One convicted person, Mićo Stanišić, was transferred to the United Nations Detention Unit and will be temporarily detained there until he is transferred to a new State where he can serve the remainder of his sentence. Two other convicted persons, Ratko Mladić and Jovica Stanišić, still await transfer to a State, or States, for the enforcement of the remainder of their respective sentences. Radislav Krstić, who was temporarily housed at the Unit, was transferred to Estonia to serve the remainder of his sentence. In addition, Félicien Kabuga continues to be housed at the Unit, pending the identification of a State for his provisional release.

112. As mentioned above, identifying and securing enforcement States for the convicted persons at the Unit is a priority for the Mechanism and it is actively negotiating with potential States in this regard. Similarly, the Mechanism continues to support Mr. Kabuga's efforts to find a suitable State for provisional release. In parallel, the Registry continues to discuss with the authorities of the Kingdom of the Netherlands the possibility of setting up an ad hoc arrangement for any residual detention requirements of the Mechanism and to facilitate the possible closure of the United Nations Detention Unit.

113. The United Nations Detention Unit is regularly inspected by ICRC to ensure that the Mechanism's Rules of Detention⁸ are properly applied and the facilities operate in accordance with international standards.

114. The Mechanism is particularly mindful of its duty of care in line with paragraph 16 of Security Council resolution 2740 (2024), where the Council reiterates the importance of ensuring that the rights of persons detained on the authority of the Mechanism are maintained in accordance with the applicable international standards relating to healthcare, including the United Nations Standard Minimum Rules for the Treatment of Prisoners. The Mechanism's established legal and regulatory framework supports full compliance with this duty, including through the Mechanism's Regulations on the Complaints Procedure for Detainees,⁹ regular status conferences¹⁰ and the above-mentioned independent inspections.

⁸ Rules Governing the Detention of Persons Awaiting Trial or Appeal Before the Mechanism or Otherwise Detained on the Authority of the Mechanism, 5 November 2018.

⁹ International Residual Mechanism for Criminal Tribunals Regulations on the Complaints Procedure for Detainees, MICT/25, 5 December 2018. See also Rules of Detention, rules 91–97; International Residual Mechanism for Criminal Tribunals Regulations on the Disciplinary Procedure for Detainees, MICT/24, 5 December 2018, regulations 8 and 10; and International Residual Mechanism for Criminal Tribunals Regulations on the Supervision of Visits to and Communications with Detainees, MICT/23, 5 December 2018, regulation 23.

¹⁰ Rules of Procedure and Evidence, rule 69.

D. Archives and records

115. The Mechanism Archives and Records Section currently manages approximately 4,700 linear metres of physical records and around 3 petabytes of digital records of the ad hoc Tribunals and the Mechanism. Effective management of the archives includes preservation and provision of access, to both physical and digital records, while ensuring the protection of confidential information. This is critical to the performance of other Mechanism functions, such as the provision of assistance to national jurisdictions.

116. Regarding the preservation of digital records, the Archives and Records Section, working in close collaboration with the Information Technology Services Section, completed the review and repair of over 72,000 files that had been compromised by technical issues. In addition, 8.6 terabytes of digital records, comprising 2,285 files, were ingested into the Mechanism's digital repository. To date, a total of 384.2 terabytes comprising 302,247 files have been ingested. This corresponds to 14.2 per cent of the digital archives in the custody of the Archives and Records Section. Separately, a project was initiated to migrate digital records of the International Tribunal for the Former Yugoslavia from CDs, DVDs and floppy disks, which are at risk of loss due to material decay, to more robust and networked magnetic storage. Over 20,000 records were migrated to that type of storage during the reporting period.

117. The project to preserve physical documents from the early years of the International Tribunal for the Former Yugoslavia, which are on thermal paper and at risk of loss due to fading ink, was successfully completed during the reporting period. On completion, over 6,355 folders containing approximately 300 linear metres of records had been reviewed, and 542 documents with fading ink on thermal paper had been preserved.

118. Regarding audiovisual records, the digitization of the analogue audiovisual recordings of the International Tribunal for the Former Yugoslavia continued and is nearly complete, with only 2.5 per cent remaining to be digitized. In total, over 44,000 recordings have now been digitized, of which 85 per cent still need to be checked for quality and redacted. Correspondingly, 917 audiovisual recordings of the International Criminal Tribunal for Rwanda were digitized during the reporting period, bringing the cumulative total of records digitized so far to 22,911, with 19 per cent of the recordings remaining to be digitized. Approximately 54 per cent of the digitized recordings still need to be checked for quality and redacted. In addition, a total of 8,788 physical audiovisual recordings at the branch at The Hague were assessed to determine their preservation needs, bringing the total number of recordings assessed to over 111,400, and marking the completion of this important task. Efforts will now focus on quality control and the creation of redacted versions.

119. In accordance with resolution [79/255](#), the most recent General Assembly resolution concerning the Mechanism's budget, the Registry continues to pursue multiple strategies to raise voluntary contributions for various archival activities, including digitization. A concept note was developed on various archival activities that require funding and multiple solicitation requests were submitted in writing and through high-level meetings with Member States. However, none of these requests have been successful thus far. The Mechanism will continue to update its fundraising and implementation plan and explore ways to leverage partnerships to garner support from a wider range of potential donors.

120. Over 380,000 judicial records are currently available through the Unified Court Records database, which brings together all public judicial records of the ad hoc Tribunals and the Mechanism. During the reporting period, these public judicial records were accessed by 18,588 users. Separately, the Mechanism Archives and

Records Section responded to 95 requests for access to records, 73 in The Hague, where requesters were provided with more than 650 hours of the public audiovisual recordings of the International Tribunal for the Former Yugoslavia, and 22 in Arusha, where requesters received 55 hours of public audiovisual recordings and 192 transcripts of the International Criminal Tribunal for Rwanda.

121. In addition, the Mechanism Archives and Records Section delivered briefings about the archives to 65 visitors in The Hague and 192 visitors in Arusha. The visitors included members of the public, students and academics, as well as staff from other United Nations offices, law firms, national and regional judicial institutions, archival institutions and non-governmental organizations. The Mechanism also extended the loan of an artifact from the judicial archives of the International Tribunal for the Former Yugoslavia to Museon-Omniversum in The Hague for its United Nations-themed exhibition entitled, “One planet, let’s UNite!”.

122. The cataloguing of the archives in accordance with international standards also continued, and 1,308 new catalogue entries were created during the reporting period, resulting in a total of over 12,320 descriptions of judicial and non-judicial archives. Separately, the publicly accessible catalogue on the Mechanism’s website, which now contains over 4,400 entries, was accessed by 200 new users from across the globe. Along with other long-term archiving work, the cataloguing of the archives is continuing to the extent that resources permit, and will only be completed after all the archives of the ad hoc Tribunals and the different sections and units of the Mechanism have been transferred to the Archives and Records Section.

123. Archives are, by definition, records deemed to be of permanent value.¹¹ Consequently, their management is an ongoing task that will need to continue for as long as the Mechanism exists, unless a decision is taken by the Security Council to transfer the Mechanism’s archiving functions to another body. In this context, the Registry worked closely with the Mechanism Archives and Records Section, as well as the United Nations Archives and Records Management Section, to compile information that may be required in relation to the Secretary-General’s updated report on the administrative and budgetary aspects of the options for possible locations of the archives, which is due to be presented to the Security Council at the end of 2025.

E. Budget, staffing and administration

124. By resolution [79/255](#), the General Assembly appropriated to the special account for the Mechanism a total amount of \$60,963,800 gross (\$56,127,700 net) for 2025. The Mechanism implemented the decision of the Assembly¹² regarding a reduction of \$1,323,600 in non-post resources and continues to ensure the prompt and efficient completion of its remaining work. The Mechanism expects to fully support its continuous residual work in 2025 within the approved budgetary resources. Details and a breakdown of the Mechanism’s expenditures in 2025, presented in terms of funds committed, are set forth in enclosure I.

125. As previously reported, the 2025 budget of the Mechanism supports its mandated activities, namely: supervising the enforcement of sentences; fulfilling other residual judicial responsibilities; ensuring ongoing support in connection with protected victims and witnesses; providing assistance to national jurisdictions; managing the archives; and monitoring cases referred to national jurisdictions.

¹¹ [ST/SGB/2007/5](#), sect. 1(a), in which archives are defined as records to be permanently preserved for their administrative, fiscal, legal, historical or informational value.

¹² In resolution [79/255](#), the General Assembly endorsed the recommendations of the Advisory Committee on Administrative and Budgetary Questions to this effect (see [A/79/619](#)).

Despite the indefinite stay of proceedings in the *Kabuga* case, the budget includes resources to support any ancillary activity arising out of this case. Such activity may include Mr. Kabuga's provisional release and subsequent monitoring, in accordance with the Mechanism's ongoing jurisdictional responsibilities.

126. The 2025 budget reflects the abolition of 27 posts and positions and a 7 per cent reduction in requested funds, demonstrating the Mechanism's efforts to further reduce costs and enhance efficiency. The budget also reflects the continuation of the following factors used in previous years to arrive at further staff reductions, namely: (a) a comprehensive review of staffing requirements to maximize efficiencies by considering the redistribution of functions, merging of organizational units and reprioritization of activities, as appropriate; and (b) greater use of service centres and external contractors for administrative and security support services.

127. The Mechanism has already started preparing the proposed programme budget for 2026 and, as in previous years, it will follow recommendations and suggestions provided by the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee of the General Assembly.

128. Regarding staffing levels, following the downsizing of general temporary assistance as part of the 2025 budget, 22 positions will be abolished in 2025. There has also been a reduction of 5 posts. A total of 112 posts will remain on 31 December 2025.

129. As at 1 May 2025, the Mechanism had 108 staff on posts and a further 126 staff on general temporary assistance positions, for a total of 234 staff.¹³ Details concerning the staffing of the Mechanism by division are provided in enclosure II.

130. The Mechanism's continuous and general temporary assistance positions include nationals of 53 States: Algeria, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, China, Congo, Croatia, Democratic Republic of the Congo, Denmark, Egypt, Fiji, Finland, France, Gambia, Germany, Greece, Haiti, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Lebanon, Lesotho, Madagascar, Malaysia, Nepal, Netherlands (Kingdom of the), Nigeria, North Macedonia, Pakistan, Philippines, Poland, Republic of Korea, Russian Federation, Rwanda, Serbia, Spain, Sudan, Sweden, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States and Zimbabwe.

131. Female staff members comprised 54 per cent of staff at the Professional level averaged across the two branches. However, the average percentage of female staff remains lower when General Service and Field Services staff are also taken into account, with a total of 47 per cent overall. Despite the constraints imposed by its nature as a downsizing institution, further improving gender parity remains a critical priority for the Mechanism. Indeed, the Mechanism remains committed to advancing the Secretary-General's gender parity objectives and worked diligently to enhance its efforts in accordance with the pertinent administrative instruction, particularly in the context of recruitment processes. In addition, the Mechanism amended its downsizing policy, which now requires, inter alia, that, in determining operational requirements for the purposes of staff retention, management must incorporate a gender perspective. The revised downsizing policy was applied in relation to the downsizing of posts in 2025 and will be applied during future downsizing exercises.

132. Under the Registrar's guidance and leadership, the Mechanism's focal points for gender continued to promote gender equality and the empowerment of women by

¹³ This number does not include staff on posts made available to the Programme Planning and Budget Division or to OIOS.

advocating for policy changes and organizing screenings, panel discussions and information sessions for Mechanism personnel. Increased focus was again placed on raising awareness of standards of conduct through the delivery of in-person training sessions on the topic “Sexual harassment, exploitation, and abuse – victim-centred approach” for senior leadership and various categories of staff and non-staff personnel at both branches. The focus of the training on taking a victim-centred approach in addressing allegations of misconduct places the Mechanism at the forefront of United Nations prevention and response efforts. Awareness-raising of women’s health and workplace accommodations for the purpose of maintaining an enabling environment has also intensified.

133. Although the post of a Stress Counsellor was abolished at the end of 2023, the Mechanism has engaged with the United Nations Office at Nairobi to provide counselling services to Mechanism staff through the Office’s Joint Medical Services. The Mechanism has also engaged with the Office of the United Nations Ombudsman and Mediation Services to conduct in-person workshops for staff at both branches, aimed at fostering a positive and harmonious work environment.

134. The Mechanism’s downsizing is uniquely guided by its operational requirements and in accordance with a governing framework and methodology that is periodically assessed and revised by the Mechanism’s Joint Negotiating Committee, an advisory body to the Registrar composed of both management and Staff Union representatives. The Mechanism strives for a transparent and fair downsizing process through the comparative review platform, while affected staff members are able to voice any concerns through internal mechanisms and the United Nations internal justice system.

135. As additional support to staff members subject to downsizing measures, continued efforts were made to further encourage other United Nations agencies and programmes to prioritize such Mechanism staff in their recruitment processes, where appropriate. This effort resulted in former staff members securing new employment opportunities with other entities.

XI. Reports of the Office of Internal Oversight Services

136. Following on from the evaluation it concluded in 2024, OIOS recently initiated a new evaluation of the methods and work of the Mechanism. This exercise will inform the Security Council’s sixth review of the Mechanism’s progress of work and culminate in the delivery of an evaluation report by OIOS in early 2026.

137. During the reporting period, the Mechanism worked diligently towards the full implementation of outstanding recommendations made by OIOS following its previous evaluation exercise (see [S/2024/199](#); see also [S/PRST/2024/1](#)). As previously reported, the 2024 evaluation focused on a qualitative assessment of the Mechanism’s engagement with its main stakeholders in the discharge of its residual functions, and the Mechanism was satisfied that OIOS independently verified that it had effectively rendered quality services to Member States in line with its mandated functions.

138. Four recommendations were made by OIOS, the first of which was successfully closed during the previous reporting period. Since then, the second recommendation – to further strengthen the ways the Mechanism leverages partnerships with the United Nations system to find long-term solutions to the challenges it faces regarding cooperation with Member States – has also been closed, following the development of the advocacy plan to engage the broader United Nations system (see para. 85 above). In addition, it is anticipated that the Mechanism will request the closure of

the remaining two recommendations by OIOS in the coming months. These recommendations relate to: (a) applying lessons learned and best practices from the closure of the Sarajevo field office, including to the closure of the Kigali field office; and (b) taking steps to further client orientation, including by improving statistics on assistance activities and soliciting feedback from requesters of assistance and recipients of capacity-building.

139. Separately, during the reporting period, OIOS continued its audit of the Mechanism's management of records and archiving processes.

140. In addition, two open recommendations from previous OIOS audits were closed during the reporting period, namely, to develop terms of reference to guide the objectives, scope, authority and activities of the Mechanism's cross-organ working group, and to improve the fire-detection and firefighting equipment at the Lakilaki facility in Arusha.

XII. Conclusion

141. The year 2025 marks the Mechanism's second full year as a truly residual institution. While the Mechanism's resources and operational footprint have been significantly reduced since the conclusion of the core crimes trials and appeals, its residual activities have continued apace. The statistics show sustained – and in certain areas, increased – activity in connection with the Mechanism's remaining functions. For example, 2024 saw the third highest number of enforcement-related decisions and orders in the life of the Mechanism. Moreover, during the present reporting period, the judges issued the highest number of decisions and orders relating to the Mechanism's continuous judicial functions since the November 2021–May 2022 reporting period. This activity demonstrates the intensive, ongoing nature of the responsibilities entrusted to the Mechanism, as well as national jurisdictions' need for assistance with regard to their own pursuit of justice.

142. Although the volume of residual work shows no sign of abating in the near term, the Mechanism continues to streamline operations wherever possible and otherwise advance the implementation of Security Council resolution [2740 \(2024\)](#). The Mechanism's future planning has been instructive in this regard, as have been the valuable audit and evaluation processes undertaken by OIOS. The Mechanism will keep monitoring and adjusting its resource requirements as functions diminish. The Mechanism is also prepared to support the transfer of certain functions if the Security Council determines that this will bring about their just, fair and efficient conclusion. In this context, the Mechanism stands ready to provide inputs for the forthcoming reports of the Secretary-General and any information that the Council itself may require.

143. It bears repeating that the cycle of justice is long and complex, requiring meaningful support and investment through to the end. Indeed, the Mechanism requires active cooperation from Member States to assist in the conclusion of its residual activities, including finding a suitable State for Félicien Kabuga's release, States willing to enforce the sentences of the remaining convicted persons currently housed in the United Nations Detention Unit and a durable solution for the relocated persons in the Niger. Without the support of Member States, these and other activities critical to the justice cycle cannot be completed and the quest for accountability in accordance with fundamental human rights is undermined.

144. Even as it navigates uncertainty regarding the future of its residual functions, the Mechanism has been unwavering in its determination to keep fulfilling its mandate to the highest standards. The results achieved during the reporting period

demonstrate this commitment. Until the Security Council decides otherwise, the Mechanism will conscientiously discharge its myriad duties in response to the international community's insistence that justice for atrocity crimes be delivered. The Mechanism pays special tribute to its outstanding staff, to whom it owes a debt of gratitude, as well as all States and stakeholders that contribute to its vital mission. The Mechanism is confident that, with continued support, the justice cycle can be seen through to the end in an efficient and responsible manner.

Enclosure I

International Residual Mechanism for Criminal Tribunals: approved appropriations and commitments for 2025

Table 1

Approved appropriations for the period from 1 January to 30 April 2025 (net of staff assessment)

(United States dollars)

		Chambers	Office of the Prosecutor	Registry	<i>Liabilities: pensions of former judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia and after-service health insurance of former staff of both Tribunals</i>	Mechanism
Arusha	Post	–	3 243 300	6 511 700		9 755 000
	Non-post ¹	103 600	2 210 300	7 386 600	5 439 000	15 139 500
	Subtotal	103 600	5 453 600	13 898 300	5 439 000	24 894 500
The Hague	Post	–	1 542 200	4 975 100	–	6 517 300
	Non-post	669 600	3 428 600	20 114 600	–	24 212 800
	Subtotal	669 600	4 970 800	25 089 700	–	30 730 100
New York	Post	–	–	209 800	–	209 800
	Non-post	–	–	1 500	–	1 500
	Subtotal	–	–	211 300	–	211 300
Office of Internal Oversight Services	Post	–	–	108 900	–	108 900
	Non-post	–	–	182 900	–	182 900
	Subtotal	–	–	291 800	–	291 800
Overall	Post	–	4 785 500	11 805 500	–	16 591 000
	Non-post	773 200	5 638 900	27 685 600	5 439 000	39 536 700
	Total	773 200	10 424 400	39 491 100	5 439 000	56 127 700

Table 2

Commitments net of staff assessment as at 1 May 2025 (from Umoja)

(United States dollars)

		Chambers	Office of the Prosecutor	Registry	<i>Liabilities: pensions of former judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia and after-service health insurance of former staff of both Tribunals</i>	Mechanism
Arusha	Post	–	976 281	2 492 887	–	3 469 168
	Non-post	61 740	564 522	2 177 295	3 168 602	5 972 189
	Subtotal	61 740	1 540 833	4 670 182	3 168 602	9 441 357

¹ The non-post category includes all commitment items other than posts, such as general temporary assistance, travel and rental of premises.

		Chambers	Office of the Prosecutor	Registry	<i>Liabilities: pensions of former judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia and after-service health insurance of former staff of both Tribunals</i>	Mechanism
The Hague	Post	–	490 264	1 480 880	–	1 971 144
	Non-post	372 524	1 015 153	10 206 731	–	11 594 408
	Subtotal	372 524	1 505 417	11 687 611	–	13 565 552
New York	Post	–	–	64 250	–	64 250
	Non-post	–	–	–	–	–
	Subtotal	–	–	64 250	–	64 250
Office of Internal Oversight Services	Post	–	–	60 236	–	60 236
	Non-post	–	–	33 600	–	33 600
	Subtotal	–	–	93 836	–	93 836
Overall	Post	–	1 466 545	4 098 253	–	5 564 798
	Non-post	434 264	1 579 705	12 417 626	3 168 602	17 600 197
	Total	434 264	3 046 250	16 515 879	3 168 602	23 164 995

Table 3
Annual budget committed as at 1 May 2025

(Percentage)

		Chambers	Office of the Prosecutor	Registry	<i>Liabilities: pensions of former judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia and after-service health insurance of former staff of both Tribunals</i>	Mechanism
Arusha	Post	–	30.1	38.3	–	35.6
	Non-post	59.6	25.5	29.5	58.3	39.4
	Subtotal	59.6	28.3	33.6	58.3	37.9
The Hague	Post	–	31.8	29.8	–	30.2
	Non-post	55.6	29.6	50.7	–	47.9
	Subtotal	55.6	30.3	46.6	–	44.1
New York	Post	–	–	30.6	–	30.6
	Non-post	–	–	–	–	0.0
	Subtotal	–	–	30.4	–	30.4
Office of Internal Oversight Services	Post	–	–	53.3	–	55.3
	Non-post	–	–	18.4	–	18.4
	Subtotal	–	–	32.2	–	32.2
Overall	Post	–	30.6	34.7	–	33.5
	Non-post	56.2	28.0	44.9	58.3	44.5
	Total	56.2	29.2	41.8	58.3	41.3

Enclosure II

Staffing of the International Residual Mechanism for Criminal Tribunals

Table 1

Numbers of staff, by branch and organ, as at 1 May 2025

<i>Category</i>	<i>Arusha branch</i>	<i>The Hague branch</i>	<i>Chambers</i>	<i>Office of the Prosecutor</i>	<i>Registry</i>	<i>Mechanism overall</i>
All staff	96	138	22	67	145	234
Staff on continuous posts	65	43	7	28	73	108
Staff on general temporary assistance positions	31	95	15	39	72	126
International (Professional and higher categories and Field Service)	62	62	17	42	65	124
Local (General Service)	34	76	5	25	80	110

Table 2

Geographical representation, by regional group, as at 1 May 2025

	<i>Arusha branch</i>	<i>The Hague branch</i>	<i>Mechanism overall</i>
Number of nationalities	25	41	53
All staff			234
African	74	8	82 (35%)
Asia-Pacific	3	15	18 (7.7%)
Eastern European	1	30	31 (13.2%)
Latin American and Caribbean	—	4	4 (1.7%)
Western European and Others	18	81	99 (42.3%)
International (Professional and higher categories and Field Service)			124
African	40	1	41 (33%)
Asia-Pacific	3	8	11 (8.8%)
Eastern European	1	13	14 (11.3%)
Latin American and Caribbean	—	1	1 (0.8%)
Western European and Others	18	39	57 (45.9%)
Local (General Service)			110
African	34	7	41 (37.3%)
Asia-Pacific	—	7	7 (6.4%)
Eastern European	—	17	17 (15.5%)
Latin American and Caribbean	—	3	3 (2.7%)
Western European and others	—	42	42 (38.2%)

(Footnotes on following page)

(Footnotes to table 2)

Group of African States: Algeria, Cameroon, Congo, Democratic Republic of the Congo, Egypt, Gambia, Kenya, Lesotho, Madagascar, Nigeria, Rwanda, Sudan, Uganda, United Republic of Tanzania and Zimbabwe.

Group of Asia-Pacific States: China, Fiji, Indonesia, Iraq, Japan, Lebanon, Malaysia, Nepal, Pakistan, Philippines and Republic of Korea.

Group of Eastern European States: Bosnia and Herzegovina, Bulgaria, Croatia, North Macedonia, Poland, Russian Federation, Serbia and Ukraine.

Group of Latin American and Caribbean States: Bolivia (Plurinational State of), Haiti and Jamaica.

Group of Western European and Other States: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Netherlands (Kingdom of the), Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America.

Table 3
Gender representation, by branch, as at 1 May 2025

<i>Category</i>	<i>Arusha branch</i>	<i>The Hague branch</i>	<i>Mechanism overall</i>
Professional and higher			
All Professional and higher	41	62	103
Male	24 (58.5%)	24 (38.7%)	48 (46.6%)
Female	17 (41.5%)	38 (61.3%)	56 (54.4%)
Professional (P-4 and above)			
All P-4 and above	17	21	38
Male	12 (70.6%)	8 (38.1%)	20 (52.6%)
Female	5 (29.4%)	13 (61.9%)	18 (47.4%)
Field Service			
All Field Service	21	—	21
Male	12 (57.1%)	—	12 (57.1%)
Female	9 (42.9%)	—	9 (42.9%)
General Service			
All General Service	34	76	110
Male	24 (70.6%)	40 (52.6%)	64 (58.2%)
Female	10 (29.4%)	36 (47.4%)	46 (41.8%)
All staff	96	138	234
Male	60 (62.5%)	64 (46.4%)	124 (53%)
Female	36 (37.5%)	74 (53.6%)	110 (47%)

Table 4
Number of staff by organ

	<i>Arusha branch</i>	<i>The Hague branch</i>	<i>Mechanism overall</i>
Chambers (including the Office of the President)	6	16	22
Office of the President	2	9	11
Legal Support Section	4	7	11
Office of the Prosecutor	31	36	67
Registry	59	86	145
Immediate Office of the Registrar	8	7	15
Mechanism Archives and Records Section	4	5	9
Witness Support and Protection Unit	2	3	5
Judicial Records Unit	2	3	5
Language Support Services	4	8	12
Division of Administration	21	43	64
Security and Safety Section	18	13	31
United Nations Detention Unit	—	4	4

**Annex II to the letter dated 16 May 2025 from the President of the
International Residual Mechanism for Criminal Tribunals
addressed to the President of the Security Council**

[Original: English and French]

**Progress report of Serge Brammertz, Prosecutor of the
International Residual Mechanism for Criminal Tribunals,
provided to the Security Council under paragraph 16 of
Security Council resolution [1966 \(2010\)](#)**

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I. Overview

1. The Prosecutor submits this twenty-sixth progress report pursuant to Security Council resolution [1966 \(2010\)](#), covering developments from 16 November 2024 to 15 May 2025.
2. During the reporting period, the Office of the Prosecutor continued to advance its two strategic priorities: assisting national jurisdictions prosecuting international crimes committed in Rwanda and the former Yugoslavia and effectively litigating mandated residual matters.
3. Regarding national prosecutions of crimes committed during the 1994 genocide against the Tutsi in Rwanda, during the reporting period the Office of the Prosecutor provided assistance to 65 national cases. Cooperation between the Office, the Prosecutor General of Rwanda and other national prosecutors continued to strengthen and increase. The Office handed over to the Prosecutor General of Rwanda information and evidence on the whereabouts and status of 31 fugitives. The Office provided direct support to national investigations and prosecutions conducted by the authorities of Member States, including by providing investigative support and transferring nine analytical reports. In furtherance of article 28 (3) of the statute of the Mechanism and the completion strategy of the International Criminal Tribunal for Rwanda, the Office will continue providing requested support to the accountability process.
4. Regarding national prosecutions of war crimes committed in the former Yugoslavia, during the reporting period the Office of the Prosecutor provided assistance to 128 national cases. The Office continued to respond to a wide range of requests for assistance from national prosecutors. In addition to searching its evidence collection, the Office responded to requests for direct case assistance, which entailed providing legal, investigative and prosecutorial support to ongoing cases. During the reporting period the Office provided an extensive investigative dossier to the Prosecutor's Office of Bosnia and Herzegovina and assisted the Montenegrin authorities in advancing investigations in relation to a dossier previously provided by the Office. Lastly, the Office continued its efforts to improve regional judicial cooperation in war crimes cases, with a particular focus on the transfer of cases concerning unavailable suspects and accused from Bosnia and Herzegovina to partners in the Western Balkans region. All these efforts, pursuant to article 28 (3) of the statute and the completion strategy of the International Tribunal for the Former Yugoslavia, are highly valued by national prosecutors in the region and produce meaningful results in the justice process.
5. During the reporting period, the Office of the Prosecutor addressed and litigated other residual matters. Unfortunately, two issues arising from mid-2023 have not yet been brought to completion. Most importantly, Fulgence Kayishema, who was arrested in May 2023, remains in the custody of South Africa. There is not yet a prospect for his initial transfer to the Mechanism and subsequent transfer to Rwanda for trial. Conversely, Félicien Kabuga remains in the custody of the Mechanism following the indefinite stay of his trial ordered on 8 September 2023.
6. During the reporting period, the Office of the Prosecutor greatly advanced its thinking and planning for the Mechanism's future, consistent with Security Council resolution [2740 \(2024\)](#). With respect to its function of assisting national jurisdictions, which generates most of its workload, the Office remains satisfied that the transfer of this mandate, together with the Office's evidence collection and its experienced staff, to another United Nations office is feasible and would contribute to bringing the work of the Mechanism to completion. The Office will be prepared to expeditiously implement any decision by the Security Council in this regard. With respect to the

Mechanism's other residual functions, the possibility of significant change must be considered. In all respects, the Office emphasizes that whatever decisions are taken should be motivated by and focused on ensuring that Member States receive the support and assistance necessary to continue the justice process in their domestic courts.

7. In managing its work, the Office of the Prosecutor continued to be guided by the Security Council's views and requests as set forth, *inter alia*, in paragraphs 18 to 20 of its resolution [2256 \(2015\)](#) and paragraphs 7 and 8 of its resolution [2422 \(2018\)](#). The Office continued to manage its resources appropriately and efficiently during the reporting period.

II. Residual prosecutorial functions

8. During the reporting period, the Office of the Prosecutor litigated and addressed some residual matters.

9. As previously noted, on 21 May 2024, the Appeals Chamber issued its decision on the request for review filed in the case *Prosecutor v. Gérard Ntakirutimana*. Mr. Ntakirutimana had been convicted for genocide, extermination as a crime against humanity and murder as a crime against humanity and sentenced to 25 years of imprisonment. On 26 March 2014, Mr. Ntakirutimana was granted early release. In its decision on the request for review, the Appeals Chamber decided that a review of the appeal judgment was warranted in relation to Mr. Ntakirutimana's convictions for the events at Gitwe Hill, near Gitwe Primary School, based on the alleged recantation of a witness. The Appeals Chamber further decided that a review hearing to consider evidence on the alleged new fact would be held.

10. In response to the Appeals Chamber's decision, the Office of the Prosecutor undertook urgent investigations into the veracity of the alleged witness recantation. These investigations uncovered evidence that the recantation was the result of interference with the witness, including financial incentives. This evidence was submitted to the Appeals Chamber.

11. On 22 November 2024, the Appeals Chamber pronounced its judgment on review. The Appeals Chamber determined that Mr. Ntakirutimana had not demonstrated that the witness credibly recanted his testimony in the *Ntakirutimana* case and declined to disturb the appeal judgment.

12. The Office of the Prosecutor is satisfied that the Appeals Chamber accepted its arguments that the alleged recantation was not reliable and accordingly upheld Mr. Ntakirutimana's conviction. There have now been two review proceedings in recent years concerning convictions of the International Criminal Tribunal for Rwanda, the first being in the case *Prosecutor v. Augustin Ndirabatswe*. In both cases, witnesses have recanted their testimonies in prior trials of the Tribunal. Following investigations, the Office obtained evidence in both cases that the recantations were the result of interference with the witnesses by persons associated with the convicts. The Office will continue to safeguard the integrity of prior judgments by investigating alleged recantations to determine whether there has been improper interference with witnesses. Review proceedings cannot be a licence for convicted persons to rewrite history and erase their crimes by tampering with evidence.

13. During the reporting period, the Office of the Prosecutor worked to implement the single judge's decision of 29 February 2024 referring the case *Prosecutor v. Šeselj et al* to Serbia for trial. On 12 December 2024, following litigation in the interim, the

Office completed the transfer of relevant evidence and information to the Serbian authorities.

14. With respect to the *Prosecutor v. Félicien Kabuga* case, which was indefinitely stayed on 8 September 2023, the Office of the Prosecutor continued to make submissions in relation to the Trial Chamber's consideration of the potential provisional release of Mr. Kabuga, who remains detained at the United Nations Detention Unit in The Hague. The Office has taken the position that the only country willing and able to accept Mr. Kabuga is Rwanda, his country of origin. The Office has further submitted that it is the appropriate time to issue a decision as to whether Mr. Kabuga can be transported to and provisionally released in Rwanda or whether the Mechanism continues to have legal authority to retain Mr. Kabuga in its custody.

15. With respect to referred case against Fulgence Kayishema, who was arrested on 24 May 2023 but remains in South African custody, the Office of the Prosecutor responded to several filings from Mr. Kayishema to the President and single judges of the Mechanism. The Office is concerned that Mr. Kayishema continues to litigate matters before the Mechanism without submitting to its jurisdiction by surrendering to the Mechanism's custody. In this manner, he seeks to prevent execution of the Mechanism's arrest warrant and manufacture a standstill in the separate proceedings before the Mechanism and before South African courts by playing the two jurisdictions against each other. The Office calls on South Africa to immediately surrender Mr. Kayishema to the Mechanism.

16. With respect to applications by convicted persons for early release, the Office of the Prosecutor during the reporting period provided comments and information in relation to five such applications.

17. As part of its ongoing operations, the Office of the Prosecutor has continued to address witness-related issues, including responding to communications from witnesses and liaising with national authorities regarding witnesses. The Office also litigated a matter concerning public transcripts of proceedings at the International Criminal Tribunal for Rwanda that the Registry has not made available publicly. The Office understands that thousands of public transcripts of that Tribunal are not publicly available even though it closed nearly a decade ago.

III. Assistance to national prosecutions

18. National prosecutions remain essential to achieving greater justice for the victims of war crimes, crimes against humanity and genocide committed in the former Yugoslavia and Rwanda. The Office of the Prosecutor is mandated to assist and support national prosecutions of these crimes, in accordance with the completion strategies of the ad hoc Tribunals, Security Council resolution 1966 (2010) and the statute of the Mechanism. During the reporting period, the Office continued to receive a high volume of requests for assistance from national judiciaries and international organizations. These requests address three related areas where support from the Office is needed: first, requests for access to evidence and information; second, requests for substantive legal, investigative and prosecutorial direct case assistance, including through the preparation and transfer of investigation dossiers; and third, requests for assistance in resolving strategic and/or cross-cutting issues affecting the accountability process, including the challenges of fugitives and international cooperation. The Office also provides strategic advice, feedback and support to national prosecution services and justice sectors. Lastly, the Office continued to assist and engage with a range of stakeholders concerning issues directly related to the accountability process such as denial and glorification, missing persons and capacity-building.

A. Provision of evidence and expertise to national prosecutors

19. Pursuant to article 28 (3) of the statute, the Office of the Prosecutor is mandated to respond to requests from national authorities for assistance in relation to justice for international crimes committed in Rwanda and the former Yugoslavia. During the reporting period, in implementing this mandate, the Office provided assistance in relation to 193 national case files.

20. National authorities require and request such assistance because the Office of the Prosecutor possesses extensive evidence and invaluable expertise that can greatly benefit national justice efforts. The Yugoslavia-related evidence collection comprises more than 9 million pages of documents, tens of thousands of hours of audio and video records and thousands of artifacts, most of the collection was not introduced into evidence in any proceeding before the International Tribunal for the Former Yugoslavia and thus is only available from the Office. The Rwanda-related evidence collection comprises more than 1 million pages of documents. These large evidence collections are partly available remotely. In addition, staff members of the Office assist national partners by providing their demonstrated expertise in investigations and prosecutions and unique insight into the crimes committed. The Office also offers its good offices to facilitate the work of national partners, particularly in strengthening international and regional cooperation.

21. The volume and complexity of requests for assistance received, as well as the wide range of authorities who are submitting requests for assistance, clearly demonstrate both the large number of cases still to be processed and that continued assistance from the Office of the Prosecutor is vital for greater accountability.

22. During the reporting period, the Office of the Prosecutor continued its consultations with national prosecutors in Rwanda and countries of the former Yugoslavia to discuss their needs and the provision of assistance from the Office for national criminal cases. In March and May 2025, the Prosecutor visited Rwanda for high-level meetings with the Minister of Justice, the Prosecutor General and other senior officials, while staff of the Office visited Bosnia and Herzegovina and Montenegro in May 2025 for consultations with the respective Chief Prosecutors. Throughout the reporting period, staff of the Office remained in regular communication with counterparts regarding their investigations and prosecutions.

23. Concerning crimes committed in Rwanda, during the reporting period and pursuant to its cooperation with the National Public Prosecution Authority of Rwanda and other national prosecution services, the Office of the Prosecutor received 81 requests for assistance from six Member States. Forty-six requests for assistance were submitted by authorities in Rwanda, 15 were from France, 6 were from the United Kingdom of Great Britain and Northern Ireland, 3 were from the Kingdom of the Netherlands, 2 were from Belgium, 2 were from the United States of America and 1 was from Norway.

24. With respect to requests for access to evidence concerning Rwanda, the Office of the Prosecutor received 27 requests for access to evidence and information from five Member States during the reporting period. In total, the Office handed over 398 documents comprising approximately 15,000 pages of evidence. In addition, the Office confirmed the whereabouts of and obtained cooperation from 36 witnesses who had appeared before the International Criminal Tribunal for Rwanda and the Mechanism to support national authorities. The Office also filed 12 submissions related to witness protective measures and/or access to evidence in support of national authorities.

25. With respect to requests for direct case assistance concerning Rwanda, during the reporting period, the Office of the Prosecutor provided legal, evidentiary and strategic assistance with respect to 54 such requests from four Member States. This entailed providing nine analytical reports and five investigative memorandums. In addition, the Office transferred 42 documents comprising more than 1,500 pages of material. This work further entailed eight operational meetings with national counterparts.

26. Concerning crimes committed in the former Yugoslavia, during the reporting period, the Office of the Prosecutor received 96 requests for assistance from five Member States and one international organization. Sixty-six requests for assistance were submitted by authorities in Bosnia and Herzegovina, eight were from the United States, five were from Serbia, five were from Montenegro and one was from Canada.

27. With respect to requests for access to evidence, the Office of the Prosecutor received 86 requests for access to evidence and information from four Member States and one international organization. In total, the Office handed over nearly 7,200 documents comprising more than 117,000 pages of evidence and 36 audiovisual records. In addition, the Office filed three submissions related to witness protective measures and/or access to evidence in support of national authorities, as well as one submission in relation to one witness's request to waive protective measures in six cases.

28. With respect to direct care assistance requests concerning the former Yugoslavia, during the reporting period, the Office of the Prosecutor provided legal, evidentiary and strategic assistance with respect to 10 such requests from three Member States. This work entailed four memorandums and analytical reports and one operational meeting, as well as the transfer of 1,460 documents comprising 42,247 pages of material and eight audiovisual files. Upon the request of Member States, the Office used its good offices and held two meetings with witnesses to secure their cooperation for national proceedings. The Office also transferred an investigative dossier to the Prosecutor's Office of Bosnia and Herzegovina concerning the involvement of one mid-level suspect in the commission of crimes during the conflict in Bosnia and Herzegovina, which included more than 35,000 pages of evidence.

29. A backlog of requests for assistance dating back more than six months had previously developed as a result of the significant increase in requests received. That backlog has been reduced from 280 requests in 2021 to 17 as at 15 May 2025. To avoid creating a critical risk to the success of national investigations and prosecutions, as well as to the search for missing persons, it is vital for the Office of the Prosecutor to receive support for its reasonable resource requests to meet its mandate under article 28 (3) of the statute.

B. National justice for crimes committed in Rwanda

1. Completion strategy of the International Criminal Tribunal for Rwanda

30. The completion of trials before the International Criminal Tribunal for Rwanda and the Mechanism is not the end of the justice process for the victims of the 1994 genocide against the Tutsi in Rwanda. National authorities now have primary responsibility for the continued implementation of the Tribunal's completion strategy. Courts in countries around the world continue to process cases of international crimes committed during the Rwandan genocide. Consistent with the principle of complementarity and national ownership of post-conflict accountability, prosecutions by the Rwandan justice sector in accordance with international due process and fair trial standards are in principle the most advantageous accountability mechanism.

31. During the reporting period, the Prosecutor visited Rwanda from 10 to 12 March and from 5 to 9 May 2025 for high-level meetings with the Minister of Justice, Emmanuel Ugirashebuja, the Minister of State for Foreign Affairs in Charge of Regional Cooperation, James Kabarebe, the Inspector General of Police, Felix Namuhoranye, the Prosecutor General, Angélique Habyarimana, and the Secretary-General of the Rwanda Investigation Bureau, Pacifique Kayigamba Kabanda. The Prosecutor and interlocutors discussed future cooperation and collaboration. The Rwandan authorities reaffirmed their strong support for the Office's work to assist prosecutors in Rwanda and other countries in locating fugitives, complete investigations and bring perpetrators to justice. In particular, the Prosecutor General requested the Office to establish joint teams with the National Public Prosecution Authority of Rwanda to conduct investigations of fugitives recently located by the Office. The Minister of Justice and Prosecutor General further requested the Office's assistance to liaise with other national prosecutors and strengthen trilateral cooperation, including in the extradition of fugitives to Rwanda.

32. The Prosecutor and his Office also engaged intensively throughout the reporting period with national prosecutors in a number of other countries concerning progress in the extradition or prosecution of those suspected of committing crimes during the genocide.

2. Fugitives

33. The Prosecutor General of Rwanda is currently searching for more than a thousand fugitives. In the course of its activities to track the remaining fugitives under its jurisdiction and provide assistance to national authorities, the Office of the Prosecutor has been identifying additional persons who may be reasonably suspected to be responsible for participating in the 1994 genocide against the Tutsi in Rwanda. Similarly, law enforcement and prosecutorial authorities, as well as civil society and others, also continue to identify such persons, particularly in Europe.

34. At the request of the Prosecutor General of Rwanda, the Office of the Prosecutor is providing vital assistance to find solutions to this ongoing challenge. During the reporting period, the Office worked with the Prosecutor General to collect, collate and analyse information and confirm the whereabouts and status of 65 fugitives, whose fugitive files can now be closed. This included fugitives who the Office successfully located in third countries, as well as fugitives who the Office determined were deceased or could otherwise be accounted for. The Office continues to conduct tracking activities and engage with national partners regarding additional fugitives and anticipates being able to report more positive progress in the coming period.

3. Cases referred to Rwanda

35. Following his arrest on 24 May 2023, Fulgence Kayishema will be brought to trial in Rwanda, as his case was referred to Rwanda by the International Criminal Tribunal for Rwanda on 22 February 2012. The arrest warrant provides that Mr. Kayishema will be initially transferred to the custody of the Mechanism in Arusha, from where he will then be transferred to Rwanda.

36. Two years have passed since Mr. Kayishema's arrest, yet no evident progress has been made by the South African authorities in transferring him to the Mechanism. Relevant legal proceedings have commenced in South Africa but have been repeatedly delayed. Hearings were conducted before the High Court in Cape Town in late 2023, then postponed to March 2024, then postponed again until August 2024. The case has now been further postponed until 30 July 2025.

37. The Office of the Prosecutor strongly encourages South Africa to promptly carry out its international legal obligations under the statute and transfer Mr. Kayishema to the Mechanism's custody so that he can then be transferred to Rwanda for trial. The victims have already waited 30 years for justice, and it is incumbent on the South African authorities to ensure that the victims do not have to wait any longer.

4. Progress in national investigations and prosecutions

38. In Rwanda, during the reporting period, the chamber for international crimes of the High Court conducted one trial in the case against Jean-Paul Micomyiza and issued judgments in four cases on appeal, while the Court of Appeal issued judgments in four cases. As at the end of the reporting period, 17 cases are ongoing at the chamber for international crimes of the High Court, while four cases are ongoing at the Court of Appeal.

39. On 13 December 2024, the Court of Appeal confirmed the conviction of Jean-Claude Iyamuremye for genocide crimes and sentenced him to 20 years of imprisonment. On 14 February 2025, the Court of Appeal confirmed the conviction of Jean-Baptiste Mugimba for conspiracy to commit genocide and complicity in genocide and upheld his sentence of 25 years' imprisonment. Mr. Iyamuremye and Mr. Mugimba were both extradited from the Kingdom of the Netherlands in 2016. Mr. Iyamuremye was convicted for crimes committed by Interahamwe in Kicukiro District, Kigali. Mr. Mugimba was Secretary-General of the Coalition for the Defence of the Republic party and convicted for killings in the Nyakabanda and Nyamirambo sectors of Nyarugenge District, Kigali.

40. On 17 December 2024, a French appeal court affirmed the conviction of Philippe Hategekimana for complicity in genocide and crimes against humanity and conspiracy to commit genocide and crimes against humanity and upheld his sentence of life imprisonment. Mr. Hategekimana, a former gendarme, was convicted for crimes committed in Butare.

41. On 21 November 2024, a Belgian pretrial chamber issued an arrest order for Rwandan national "E.K.", who is suspected of participation in genocide crimes in the former Kibuye prefecture. The case against "E.K." has now been referred to the *Cour d'assises*.

42. In April 2025, Faustin Nsabumukunzi was indicted and arraigned in the United States in connection with crimes committed in the former Nyaruhengeri commune, Butare prefecture. Mr. Nsabumukunzi has been charged with visa fraud and attempted naturalization fraud for allegedly concealing his participation in the genocide.

C. National justice for crimes committed in the former Yugoslavia

1. Completion strategy of the International Tribunal for the Former Yugoslavia

43. As the Prosecutor of the International Tribunal for the Former Yugoslavia emphasized in his final report on the Tribunal's completion strategy (S/2017/1001, annex II), it had always been foreseen that the completion of trials under the Tribunal and the Mechanism would not be the end of justice for war crimes committed in the former Yugoslavia, but the beginning of the next chapter. Further accountability for the crimes now depends fully on the national authorities of the countries of the former Yugoslavia. The work of the Tribunal has created a solid foundation for national judiciaries to continue implementing the completion strategy and securing justice for more victims.

44. National judiciaries have achieved progress in accountability for war crimes, albeit unevenly between different countries. Looking forward, national judiciaries continue to face a very large backlog of war crimes cases to process, with several thousand cases remaining across the region. Most importantly, much more remains to be done to bring to justice senior- and mid-level suspects who worked together with or were subordinate to senior war criminals prosecuted and convicted by the International Tribunal for the Former Yugoslavia.

45. The Prosecutor of the Mechanism and his Office continued to engage intensively with the authorities of Bosnia and Herzegovina, Croatia, Montenegro and Serbia. Through meetings with senior officials, media appearances and engagements with the diplomatic community, the Office of the Prosecutor sought to bring visibility and attention to war crimes justice. The Prosecutor and his Office also continued to support solutions to challenges in regional cooperation. National prosecutors and government officials further reported that the assistance provided by the Office is valued and having significant impact. They requested that such cooperation be strengthened even further, recognizing the difference that support from the Office makes in ensuring accountability.

2. Regional judicial cooperation

46. Judicial cooperation between the countries of the former Yugoslavia is essential for ensuring that those responsible for war crimes are held accountable. Many suspects are not present in the territory where they are alleged to have committed the crimes, and extradition is blocked. Cooperation to transfer investigations and indictments is thus essential to achieve justice. Together with regional prosecutors and authorities, the Office of the Prosecutor has been working intensively over the last several years to reverse this trend. These efforts continue to generate notable improvements in regional cooperation in war crimes cases. However, there are still significant challenges. As prosecutors in both countries report, cooperation between Croatia and Serbia largely continues to be at a standstill.

47. The Office of the Prosecutor reported extensively in the Mechanism's twenty-fifth progress report ([S/2024/836](#), annex II) on the many case files in Bosnia and Herzegovina that concern suspects and accused persons who currently reside in other countries in the region, predominately Croatia and Serbia. There are more than 300 persons suspected or indicted by the Prosecutor's Office of Bosnia and Herzegovina who are unavailable. During the previous reporting period, the Office of the Prosecutor of the Mechanism and the Prosecutor's Office of Bosnia and Herzegovina discussed and agreed on the way forward.

48. During the current reporting period, the Prosecutor's Office of Bosnia and Herzegovina transmitted nine cases in the pre-investigative or investigative phase to Croatia and Serbia. Authorities in Croatia and Serbia now need to accept the transferred cases for processing. The Prosecutor's Office of Bosnia and Herzegovina will continue to identify additional cases for transfer. The Office of the Prosecutor of the Mechanism will follow this matter closely and provide further updates on progress.

3. Bosnia and Herzegovina

49. Throughout the reporting period, the Office of the Prosecutor continued its close cooperation with the Prosecutor's Office of Bosnia and Herzegovina, including through assistance on concrete cases, strategic support and activities to transfer lessons learned. Staff of the Office of the Prosecutor of the Mechanism visited Bosnia and Herzegovina from 8 to 9 May 2025 to hold consultations with the Chief Prosecutor of Bosnia and Herzegovina, Milanko Kajganić.

50. During the reporting period, the Prosecutor's Office of Bosnia and Herzegovina filed 12 indictments against 39 suspects, while 14 cases against 70 persons were terminated or closed due to insufficient evidence. That Office further transferred two cases against 14 suspects to entity-level prosecution services. The remaining backlog at the Prosecutor's Office of Bosnia and Herzegovina consists of 187 cases against 2,221 persons. Of these, 95 cases are under investigation; the remaining cases are in the pre-investigative phase.

51. The Office of the Prosecutor of the Mechanism continues to develop its strong collaboration and cooperation with the Prosecutor's Office of Bosnia and Herzegovina in three key areas.

52. First, as noted, the Prosecutor's Office of Bosnia and Herzegovina has a significant backlog of cases concerning suspects known to reside outside Bosnia and Herzegovina, primarily in Croatia and Serbia. The Office of the Prosecutor of the Mechanism is working to facilitate the transfer of these proceedings to the jurisdictions where the suspects reside for further processing.

53. Second, the Office of the Prosecutor continues to collaborate with the Prosecutor's Office of Bosnia and Herzegovina to advance its ongoing investigations and prosecutions. In particular, the Chief Prosecutor of Bosnia and Herzegovina has instituted a practice of identifying annually priority cases with the goal of completing investigations and issuing prosecutorial decisions as expeditiously as possible. For 2025, the Chief Prosecutor identified 11 new priority cases. The Prosecutor's Office of Bosnia and Herzegovina has requested the Office of the Prosecutor of the Mechanism to provide direct support to these priority cases. During the reporting period, the Office of the Prosecutor of the Mechanism assisted a number of priority investigations and provided one legal and analytical memorandum, evidentiary materials including 156 documents totalling 2,404 pages and strategic advice.

54. Third, there are still significant impunity gaps that remain to be addressed by the Prosecutor's Office of Bosnia and Herzegovina. During the reporting period, as had been previously agreed with that Office, the Office of the Prosecutor of the Mechanism handed over an investigative dossier concerning the involvement of a mid-level suspect for crimes committed during the conflicts in the former Yugoslavia. The transfer included 1,296 documents comprising 39,191 pages of evidence. The dossier addresses the suspect's acts and conduct and individual responsibility for many serious crimes, including war crimes and crimes against humanity. This investigative dossier provides the Prosecutor's Office of Bosnia and Herzegovina the basis on which to address a significant accountability gap. As agreed with the Chief Prosecutor of that Office, the Office of the Prosecutor of the Mechanism will continue to provide assistance to further investigations and for the preparation of an indictment, including by forming a joint task force.

55. As the Prosecutor's Office of Bosnia and Herzegovina continues to complete investigations and file indictments, the caseload of the State Court of Bosnia and Herzegovina will increase. This will present an important challenge, particularly as limited courtroom capacity, scheduling issues and other constraints are already delaying the timely completion of trials. Solutions will need to be identified to ensure that war crimes cases are appropriately managed and expeditiously concluded.

56. Overall, and taking into account the completion strategy of the International Tribunal for the Former Yugoslavia, the next few years will be critical to delivering more justice for war crimes in Bosnia and Herzegovina. There remains a significant backlog of cases to investigate and prosecute, and it is clear that the remaining cases are likely to be among the most challenging. Completing this work, even under ideal circumstances, will take many years, and the passage of time only heightens the

urgency to work more expeditiously. The Office of the Prosecutor of the Mechanism and the Prosecutor's Office of Bosnia and Herzegovina will also continue to strengthen their cooperation.

4. Croatia

57. During the reporting period, the Office of the Prosecutor continued to engage with the State Attorney's Office and the Ministry of Justice of Croatia.

58. As previously reported in the Mechanism's twenty-fifth progress report (S/2024/836, annex II), the Prosecutor of the Mechanism discussed with the Minister of Justice, Public Administration and Digital Transformation and the State Attorney General ways to improve cooperation in the processing of war crimes cases, particularly between Bosnia and Herzegovina and Croatia. It was agreed that more war crimes justice was urgently needed and that victims rightly expect to see perpetrators punished for their crimes. The Prosecutor, the Minister and the State Attorney General agreed that the transfer of such investigations from Bosnia and Herzegovina to Croatia for further processing should be prioritized, that the necessary prosecutorial resources would then need to be allocated and that the State Attorney's Office would appropriately process all cases transferred. During the reporting period, Croatia accepted for transfer from Bosnia and Herzegovina one case in the investigation phase.

59. Relatedly, the Office of the Prosecutor has been monitoring three category II cases that were transferred to Croatia from Bosnia and Herzegovina five years ago. Two such cases remain in the investigation phase. In the third, an indictment has been filed against Nedjeljko Obradović and is pending confirmation. The Office will continue to monitor and report on the progress of the trial and trusts that prosecutorial decisions will expeditiously be made in the other two outstanding cases.

60. As previously reported, there is a large backlog of pending requests for assistance submitted to the Croatian authorities by prosecutors in Bosnia and Herzegovina. Available information indicates that these requests still have not been responded to. Prosecutors from Bosnia and Herzegovina have further confirmed that this situation is obstructing the processing of investigations and trials. The Office of the Prosecutor trusts that the Croatian authorities will prioritize responding to these requests so that prosecutorial activities can be completed and the approximately 100 related cases can be transferred to Croatia for trial.

61. Overall, and taking into account the completion strategy of the International Tribunal for the Former Yugoslavia, there is an important opportunity to strengthen regional cooperation and deliver war crimes justice in Croatia. The Croatian authorities have confirmed their commitment to achieving more justice, and there are a significant number of cases that provide opportunities to demonstrate this commitment in practice, including investigative files to be transferred from Bosnia and Herzegovina. The filing of an indictment against Nedjeljko Obradović was a positive step forward, and the remaining two category II cases can be also. The Office of the Prosecutor hopes that the Government of Croatia will take a fresh approach and serve as the model it should be.

5. Montenegro

62. During the reporting period, the Office of the Prosecutor continued its engagement with the Montenegrin authorities. Staff of the Office visited Montenegro from 6 to 8 May 2025 for consultations with the Minister of Justice, Bojan Božović, the Supreme State Prosecutor, Milorad Marković, and the Special State Prosecutor, Vladimir Novović.

63. The Special State Prosecutor's Office in Montenegro currently has three war crimes cases: one under investigation, one case pending confirmation of the indictment and one case at trial. Two cases relate to crimes committed in Bosnia and Herzegovina, and one relates to war crimes committed in Croatia. No indictments were filed during the reporting period. At the request of the Special State Prosecutor's Office, the Office of the Prosecutor of the Mechanism is reviewing its evidence to identify additional case files concerning potential Montenegrin suspects.

64. During the reporting period, the Office of the Prosecutor of the Mechanism continued to provide extensive support to the Special State Prosecutor's Office in relation to the two investigative dossiers the Office of the Prosecutor of the Mechanism had previously transferred. The joint task force comprising Montenegrin war crimes prosecutors and investigators and the Office of the Prosecutor of the Mechanism continued its operations. During the reporting period, the Office of the Prosecutor of the Mechanism also provided direct case assistance to the Special State Prosecutor's Office by supporting efforts to obtain the cooperation of key witnesses and providing assistance related to ongoing proceedings. The Office of the Prosecutor of the Mechanism will continue to provide the necessary assistance to the Special State Prosecutor's Office and looks forward to positive results.

65. Important reforms in domestic law to support war crimes justice are needed to ensure the successful prosecution of war crimes cases in Montenegro. During the reporting period, as had been previously agreed, the Office of the Prosecutor submitted to the Ministry of Justice a memorandum concerning the protection of witnesses, particularly victims of sexual violence, in war crimes cases. The Office will continue to provide requested support to ensure progress in this and other important areas.

66. The primary challenge to the delivery of war crimes justice in Montenegro at present is insufficient human resources. Montenegrin investigators and prosecutors have demonstrated their willingness and ability to achieve more accountability. However, with only two prosecutors assigned on a part-time basis to war crimes cases, the results that can be achieved are necessarily limited. The Office of the Prosecutor encourages the Montenegrin authorities to consider all potential options to strengthen the capacity of the Special State Prosecutor's Office, including by assigning additional prosecutors from other prosecution offices to war crimes cases.

67. While the delivery of war crimes justice in Montenegro is only beginning, the State authorities have accepted that far more needs to be done, and have made clear commitments to achieving more accountability for war crimes. Positive steps have already been taken, and cooperation between the Office of the Prosecutor of the Mechanism and Special State Prosecutor's Office is at a very high level. The Office of the Prosecutor of the Mechanism hopes to be able to report in the future that concrete results are being achieved in the delivery of war crimes justice in Montenegro.

6. Serbia

68. During the reporting period, the Office of the Prosecutor continued its engagement and cooperation with the Serbian authorities.

69. During the reporting period, the Public Prosecutor's Office for War Crimes of Serbia issued three new indictments against four accused persons. As at the end of the reporting period, the Public Prosecutor's Office for War Crimes has 15 ongoing war crimes trials. In addition, it has 27 open investigations and 29 cases in the pre-investigation phase against a total of 156 suspects. Eight first instance judgments were issued during the reporting period.

70. In the Mechanism's ninth progress report (S/2016/975, annex II), the Office of the Prosecutor reported that war crimes justice in Serbia was at a crossroads. Although some positive steps have been taken in the intervening period, progress has been limited and more determined efforts in Serbia are needed to meaningfully advance justice for war crimes. Notwithstanding the adoption of the prosecutorial strategy, as well as the allocation of additional human resources to the Serbian War Crimes Prosecution Office, the processing of war crimes cases since 2016 has not yet yielded the expected results. More vigorous efforts are needed to ensure that more complex cases against available suspects are prosecuted at a higher rate and that prosecutions meet high quality standards.

71. At the same time, outstanding issues concerning suspected or accused war criminals who fled to Serbia have not been resolved. As regularly reported in previous reports of the Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia and the Office of the Prosecutor of the Mechanism, beginning with the completion strategy report of the Tribunal dated 19 November 2014 (S/2014/827, annex II), the enforcement of Novak Djukić's conviction entered by the Court of Bosnia and Herzegovina is still unresolved. In another category II case previously reported upon (S/2021/955, annex II), Mirko Vručinić, who in 2020 absconded before the completion of his trial in Bosnia and Herzegovina, has not been prosecuted in Serbia. Likewise, Milomir Savčić, who was standing trial in Bosnia and Herzegovina for his alleged involvement in the Srebrenica genocide, fled to Serbia where he remains free.

72. Unfortunately, the selection process for the Chief War Crimes Prosecutor has not yet been concluded. The mandate of the former Chief War Crimes Prosecutor ended in May 2023. Two different persons have served in that role on an acting basis in the interim. The absence of an appointed Chief War Crimes Prosecutor for two years has necessarily hindered the work of the Public Prosecutor's Office for War Crimes. The Office of the Prosecutor of the Mechanism encourages the Serbian authorities to complete the selection process for this important position as soon as possible.

73. While results have been limited over the past eight years, the Public Prosecutor's Office for War Crimes has demonstrated its ability to initiate proceedings against senior- and mid-level officials and establish effective cooperation with regional partners, in particular Bosnia and Herzegovina. It is critical that Serbian authorities build on these positive steps to address the substantial backlog of cases, in particular complex cases involving high- and mid-level officials residing in Serbia. In addition, there are more than one hundred cases that will need to be transferred from Bosnia and Herzegovina to Serbia for prosecution. The Office of the Prosecutor encourages Serbian authorities to review and optimize the efficiency and effectiveness of relevant practices and procedures. Substantial accountability gaps remain. The victims, the public and other stakeholders rightly hope to see concrete advancements demonstrating a will to realize the commitments made in the National War Crimes Strategy of Serbia. The Office hopes to report on tangible results and more meaningful progress over the next reporting periods.

D. Denial and glorification

1. Rwanda

74. In 2006, the Appeals Chamber of the International Criminal Tribunal for Rwanda held that the facts of the genocide committed in Rwanda were established beyond any dispute and thus constituted facts of common knowledge. In particular, the Appeals Chamber concluded that it was a universally known fact that, between

6 April 1994 and 17 July 1994, there was a genocide in Rwanda against the Tutsi ethnic group. Establishing that and other facts about the Rwandan genocide was one of the most important contributions of the Tribunal to re-establishing peace and security in Rwanda and promoting reconciliation between the affected communities.

75. Yet today, genocide denial continues. Efforts to minimize the scale of the death and destruction, or to detract attention from the judicially established facts of the genocide, are intolerable and unacceptable. There are no other facts or circumstances that in any way alter the truth that over a period of just 100 days in Rwanda, hundreds of thousands of innocents were senselessly targeted, murdered, tortured, raped and forced to flee their homes because they were Tutsi. Genocide ideology continues to present clear risks to international peace and security. Ideologies of discrimination, division and hate are factors promoting conflict and crimes in places all around the globe.

76. In an important development during the reporting period, on 9 December 2024, Charles Onana and Damien Serieyx were convicted by a French court for disputing crimes against humanity, downplaying the 1994 genocide against the Tutsi and bringing into disrepute judicial decisions recognizing the genocide. Mr. Onana is the author of the book *Rwanda, la vérité sur l'opération Turquoise: quand les archives parlent*, published in 2019, while Mr. Serieyx is the editor. Both were sentenced to payments of fines.

77. The Office of the Prosecutor firmly rejects genocide denial, and is committed to promoting education and remembrance as key tools in the fight against genocide ideology.

2. Former Yugoslavia

78. The Office of the Prosecutor has regularly reported that the denial of crimes and the non-acceptance of facts established in the judgments of the International Tribunal for the Former Yugoslavia are widespread throughout the region of the former Yugoslavia. Convicted war criminals are often glorified as heroes. Students in various countries, including within Bosnia and Herzegovina itself, are taught widely different and irreconcilable versions of the recent past. Anniversaries of crimes committed during the conflict, which should be used as opportunities for remembrance and reconciliation, are often co-opted to promote denial, revisionism and the glorification of war criminals. Throughout the region, convicted war criminals regularly appear in the media, at round tables and at other public events as experts and featured speakers. The Office of the Prosecutor has expressed its grave concern in this regard and has called for urgent attention to those issues. Acceptance of the truth of the recent past is the foundation for reconciliation and healing between communities in the countries of the former Yugoslavia.

79. Negative developments continued unabated during the reporting period. Government officials throughout the region continued to relativize and deny the crimes committed during the conflicts and glorify convicted war criminals. In Bosnia and Herzegovina, the mayor of Vlasenica publicly praised Radovan Karadžić and Ratko Mladić as heroes, stating that the path that they had laid out in the 1990s must be followed and their legacy defended and preserved. In Croatia, glorification of convicted war criminals featured in the 2024 presidential campaign, with one candidate making public statements honouring individuals convicted by the International Tribunal for the Former Yugoslavia. In Serbia, the town of Čuprija launched a publicly funded competition to create a mural in honour of Nebojša Pavković, a former army general convicted by the International Tribunal for the Former Yugoslavia for war crimes in Kosovo who is currently serving a 22-year prison sentence. This initiative lays bare the extent to which the glorification of war

criminals is not only widespread but also officially sanctioned. Murals of Ratko Mladić continue to appear across Serbia and Bosnia and Herzegovina, with over 300 documented in Belgrade alone, alongside tributes to other convicted war criminals.

80. The Office of the Prosecutor calls upon all officials and public figures in the region to act responsibly and put the victims and civilian suffering at the forefront in all activities. They should publicly condemn the denial of crimes and glorification of war criminals, rather than engaging in denial and glorification and supporting such efforts with public rhetoric, divisive actions and funds. A break with the rhetoric of the past is long overdue and leadership in favour of reconciliation and peacebuilding is urgently needed.

E. Missing persons

81. The search for persons still missing from the conflicts in the former Yugoslavia continues to be consistently identified as one of the most important outstanding issues. Significant results have been achieved, with approximately 30,000 missing persons found and identified. Unfortunately, the families of more than 12,000 missing persons still do not know the fates and whereabouts of their loved ones. The search for and exhumation of remains from mass graves and the subsequent identification of the remains need to be accelerated. Further progress on these issues is a humanitarian imperative and fundamental to reconciliation in the former Yugoslavia. Missing persons from all sides of the conflicts must be located, identified and returned to their families.

82. During the reporting period, the Office of the Prosecutor and the International Committee of the Red Cross continued their cooperation pursuant to the memorandum of understanding signed in October 2018. From 16 November 2024 to 15 May 2025, the Office responded to 42 requests for assistance from the International Committee of the Red Cross and handed over 4,870 documents comprising over 8,500 pages.

83. Support provided by the Office of the Prosecutor contributed to the overall process of clarifying the fate and whereabouts of missing persons. In addition to providing information about missing persons, the evidence provided by the Office under the joint project significantly contributed to locating grave sites, correcting misidentifications and helping identify bodies that were in mortuaries in the former Yugoslavia region. During the reporting period, information from the Office assisted in clarifying the fate and whereabouts of 43 missing persons.

IV. Future planning

84. During the reporting period, the Office of the Prosecutor greatly advanced its thinking and planning for the Mechanism's future, consistent with Security Council resolution [2740 \(2024\)](#). The Office conducted a review of its functions, assessed its future workload and analysed options for the transfer or completion of work. The Office also participated in cross-organ planning efforts led by the Office of the President.

85. The Office of the Prosecutor recognizes that the ad hoc Tribunals were established three decades ago. Two decades ago the completion strategies of those Tribunals were adopted, while 14 years have passed since the adoption of Security Council resolution [1966 \(2010\)](#). In that time, the plans formulated by the ad hoc Tribunals together with the Security Council for concluding their international trials and transferring their responsibilities to Member States have been successfully realized.

86. Critically, as planned, the Mechanism has now completed its core ad hoc functions by accounting for all fugitives and completing all outstanding trials and appeals. This is an important achievement that concluded the prosecutions begun by the ad hoc Tribunals.

87. The second key aspect of the completion strategies – to transfer to Member States the responsibility to investigate and prosecute the crimes committed in Rwanda and the former Yugoslavia – was also successfully executed. Member States have made the completion strategies a reality by demonstrating their willingness and ability to secure accountability. Rwanda and the countries of the former Yugoslavia have completed cases referred under rule 11 bis of the Rules of Procedure and Evidence of the ad hoc Tribunals in accordance with international standards, and domestic investigations and prosecutions have achieved important results. Furthermore, many other Member States have extradited or prosecuted suspects present in their territories.

88. In line with the aims of the completion strategies, international trials for crimes committed in Rwanda and the former Yugoslavia have concluded, while Member States have demonstrated their determination to continue the justice process, consistent with the principle of national ownership. While Member States still request international assistance, they are now in the driver's seat.

89. In the light of these developments, the Office of the Prosecutor considers that the future of the Mechanism, including the potential transfer or completion of functions, should be approached pragmatically, based on the practical realities of those functions as they exist today, 14 years after the adoption of Security Council resolution 1966 (2010). It is also important to assess the added value provided by the Mechanism in its current execution of its functions, while recognizing the work Member States are already undertaking. In some areas, responsibilities, such as the physical protection of witnesses, may have de facto already been transferred to national authorities. Similarly, some functions may mirror legal frameworks and principles national jurisdictions apply in domestic war crimes proceedings, such as the principle of *non bis in idem*.

90. With respect to its function of assisting national jurisdictions, the Office of the Prosecutor believes, for the reasons documented in this and previous reports, that this function is essential to the effective investigation, prosecution and trial by Member States of persons responsible for genocide, crimes against humanity and war crimes committed in Rwanda and the former Yugoslavia. National authorities request assistance from the Office because it possesses extensive evidence and invaluable expertise that can greatly benefit national justice efforts. The volume and complexity of requests received, as well as the wide range of authorities that are submitting requests, clearly demonstrate that continued assistance from the Office is vital for greater accountability. Curtailing international assistance to national justice efforts would be inconsistent with the completion strategies and the transfer of responsibility for the accountability process to Member States.

91. The Office of the Prosecutor has previously indicated that the transfer of this mandate to another United Nations office is possible. After further consideration, the Office is satisfied that such a transfer would be feasible in practice. As a technical assistance function, this would not entail the transfer of prosecutorial authority, but rather of the Office's evidence, expertise and developed partnerships. To be effective, the transfer of the mandate would need to be accompanied by a transfer of the Office's evidence collection and records, as well as certain Office staff who have developed unique expertise in the relevant crimes, prosecutions and in assisting national partners. As this function generates the majority of the Office's workload, its transfer would significantly reduce the number of staff needed for any remaining Mechanism

prosecutorial functions. The Office has considered lessons learned from the transitioning of the ad hoc Tribunals to the Mechanism as a possible model, as that process allowed for flexibility through double-hatting arrangements during the handover process. The Office of the Prosecutor continues to plan and develop options and prepare for the expeditious implementation of future decisions of the Security Council.

92. Relatedly, it may be desirable to review the current legal framework and practices for enabling national authorities to access the information and evidence of witnesses protected by judicial orders of the ad hoc Tribunals and the Mechanism. At present, national authorities require authorization by Mechanism judges under rule 86 of the Rules of Procedure and Evidence to learn the identities of these witnesses and utilize them in their domestic investigations and trials. A possible alternative to this arrangement would be to transform the authority to share such information with national jurisdictions into an administrative rather than a judicial matter, and to transfer this authority to another United Nations office, together with the Office of the Prosecutor's function of assisting national jurisdictions, which is directly related to such authority. Other alternative frameworks could also be identified. The Office considers that, no matter the approach, witness consent to participate in national proceedings will remain an important consideration, and Member States should continue to be required to apply the protective measures established under the ad hoc Tribunals and the Mechanism in their domestic proceedings.

93. With respect to the other prosecutorial functions of the Office of the Prosecutor, transferring these to national authorities, together with the related judicial functions, is generally a viable option. In light of past experiences and the practical situation today, the Security Council may wish to revisit its prior assessments of the considerations outlined in the Secretary-General's report on the administrative and budgetary aspects of the options for possible locations for the archives of the ad hoc Tribunals and the Mechanism (S/2009/258), particularly the issues set out in paragraphs 72 to 82. In this regard, the experience of referring cases under rule 11 bis, the record of national accountability efforts and the existing responsibilities of national authorities may be informative. The current assessment of the anticipated future workload to fulfil such functions may also be relevant. With respect to fair trial and human rights considerations, it will be important to take into account that Rwanda and the countries of the former Yugoslavia are signatories to core international human rights instruments, including the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. They are also participants in regional human rights systems, as the countries of the former Yugoslavia are parties to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), while Rwanda is a party to African Charter on Human and Peoples' Rights and the Treaty for the Establishment of the East African Community.

94. The Office of the Prosecutor is committed to providing relevant information to assist the Security Council in its consideration of options for the potential transfer of the Mechanism's residual functions.

V. Management

95. The Office of the Prosecutor is committed to managing its staff and resources in line with the Security Council's instructions that the Mechanism be a small, temporary and efficient structure. The Office continues to be guided by the Security Council's views and requests as set forth, inter alia, in paragraphs 18 to 20 of resolution 2256 (2015), paragraphs 7 and 8 of resolution 2422 (2018) and

paragraphs 7, 9 and 10 of resolution [2637 \(2022\)](#). An important part of those efforts is the Prosecutor's one-office policy to integrate the staff and resources of the Office across both branches of the Mechanism. Under this policy, staff and resources are available to be flexibly deployed to work on matters arising from either branch as necessary.

96. Consistent with its preparations for decisions on the Mechanism's future, the Office of the Prosecutor is undertaking projects to ensure that its records and evidence collection are preserved and can be accessed moving forward. Notably, the Office is reviewing and preparing plans to upgrade its legacy information technology infrastructure, including its evidence management systems. Technical failures and instability in current systems create significant risks to digitized evidence and to the long-term management of physical and digitized evidence.

97. As the Office of the Prosecutor continues to maintain a lean staffing structure, it is regularly confronting workloads that exceed its resources, placing a heavy burden on staff. As the Office cannot defer mandated activities, particularly when national partners are relying on it to support the expeditious completion of their investigations and prosecutions, Office staff members have been required to take on additional responsibilities and work extensive hours. The Office is grateful for the continued dedication and commitment of its staff. Nonetheless, the Office underscores that full approval of its limited budget requests is necessary to ensure the achievement of the its mandated functions.

VI. Conclusion

98. During the reporting period, the Office of the Prosecutor carried out its mandated functions, with a particular emphasis on its mandate under article 28 (3) of the statute to assist national prosecutors. The Prosecutor General of Rwanda and national war crimes prosecutors in the countries of the former Yugoslavia continue to emphasize that assistance from the Office is vital to support their efforts. The authorities of Rwanda are still seeking to bring to justice more than one thousand fugitive *génocidaires*, while prosecutors in the countries of the former Yugoslavia still have more than one thousand suspected war criminals to investigate and prosecute. By responding to requests for assistance and providing a wide range of legal, investigative, prosecutorial and strategic support, the Office enables Member States to achieve more justice for the crimes committed, implement their national priorities and strengthen the rule of law.

99. The Office of the Prosecutor fully recognizes that the Mechanism was always intended to be a temporary institution. In key respects, the plans adopted under the completion strategies and reflected in the statute of the Mechanism have been successfully achieved. International trials for the crimes committed in Rwanda and the former Yugoslavia have been completed, while Member States have fully assumed responsibility for the justice process. To ensure Member States receive the support they require to continue achieving justice, the mandate of the Office under article 28 (3) of the statute could be transferred to another United Nations office. Other residual functions could be transferred to national authorities or brought to a close. The Office welcomes the opportunity to provide information to and assist the Security Council as it considers the future of the Mechanism.

100. In all of its endeavours, the Office of the Prosecutor relies on and gratefully acknowledges the support of the international community and especially of the Security Council.