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Administrative and budgetary aspects of the options for possible locations for the archives of the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda and the International Residual Mechanism for Criminal Tribunals

Report of the Secretary-General

I. Introduction

1. In paragraph 11 of its resolution [2740 \(2024\)](#), the Security Council took note of the report of the Secretary-General on the administrative and budgetary aspects of the options for possible locations of the archives of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and the seat of the residual mechanism(s) for the Tribunals of 21 May 2009 ([S/2009/258](#)) and requested the Secretary-General to present an updated report by 31 December 2025 on the administrative and budgetary aspects of the options for possible locations of the archives of the Tribunals and the International Residual Mechanism for Criminal Tribunals, mindful of the importance of access to the archives in support of national investigative and prosecutorial processes and the views of the relevant States in connection with the hosting of the archives.

2. While the request to the Secretary-General is limited to the archives, it is recalled that it arose in the context of consideration by the Security Council of the completion strategy of the Mechanism that was requested by the Council pursuant to paragraph 11 of resolution [2637 \(2022\)](#) and subsequently recalled in resolution [2740 \(2024\)](#). As emphasized in resolution [1966 \(2010\)](#), by which the Mechanism was established, it was intended to be 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. In view of the considerably reduced nature of its residual functions since the conclusion of all core crime cases in 2023 and of the tracking of fugitives in 2024, and in light of the current financial context, now is the time for a significant reimagining of the Mechanism's structure and operations until its orderly closure.

3. In moving towards a significant reduction and eventual closure of the Mechanism, the Secretary-General is cognizant of the need to protect the legal legacy of the Tribunals and the Mechanism and to ensure proportionality and efficiency between functions as they remain in place. With this goal in mind, the present report, along with the report on the transfer of certain judicial and prosecutorial functions, focuses on feasible options that would allow for significant restructuring while at the



same time ensuring that the legacy of the Tribunals and the Mechanism is preserved. These options are intended to form part of a broader completion plan for the Mechanism, for which the Secretary-General would be prepared to provide further recommendations and implementation plans on the basis of the expected proposals of the Mechanism, should the Security Council so require.

4. The present report provides: (a) an overview of the composition of the archives of the Tribunals and the Mechanism; (b) a description of the ongoing archival work; (c) the requirements for maintaining the archives; (d) an analysis of possible locations; (e) tentative costing estimates; and (f) conclusions and recommendations.

5. The report focuses mainly on the legal framework underlying the options under consideration. Budgetary and administrative implications are addressed only in general terms, and only insofar as they are relevant to any decisions that the Security Council may wish to make in relation to the archives in light of the overall completion strategy of the Mechanism.

II. Composition of the archives

6. At the outset, it is recalled that the Tribunals and the Mechanism are subsidiary organs of the Security Council, and consequently their archives form part of the archival records of the United Nations and are, as such, the property of the Organization. This is confirmed by article 27 of the statute of the Mechanism.

A. Types of records

7. The archives of the Tribunals and the Mechanism are composed of four main categories of records: (a) judicial records; (b) non-judicial substantive records; (c) evidence collection of the Office of the Prosecutor and the Office's internal records; and (d) administrative records.

8. The judicial records are official case records of all phases of judicial procedures and include, but are not limited to, filings made in the cases, transcripts, audio and video recordings of hearings and exhibits admitted in the cases.

9. Non-judicial substantive records include records that are related to the judicial process but are not part of the official judicial records of the case. These include records pertaining to victim and witness support, detention matters, management of the legal aid scheme, including remuneration to defence teams, and notes of the plenary meetings during which judges, for example, adopted and modified the Rules of Procedure and Evidence. Other types of records include meetings of sub-organs such as the Coordination Council, general correspondence files, records concerning privileges and immunities, agreements with the host countries, other States and intergovernmental organizations, negotiations with individual States in order to conclude agreements relating to the enforcement of sentences and relocation of witnesses, other representational matters, press files, publications and websites.

10. The evidence collection of the Office of the Prosecutor includes records and material obtained in the course of investigations from Governments, United Nations organs and intergovernmental and non-governmental organizations, such as audiotapes, physical artefacts, and interviews and statements of suspects, accused, victims and witnesses. In most cases, the originals of official documents have been returned to the owner or provider, leaving only a copy in the archives. Separately, the Office also maintains documents related to prosecution policy and practice, and correspondence.

11. The administrative records include records related to human resources, procurement, finance and other administrative support functions.

B. Form and size of the archives

12. The Mechanism is responsible for the management of one of the largest, most complex and diverse archive collections held by the United Nations. The physical records of the Tribunals and the Mechanism comprise millions of documents, hundreds of thousands of tapes and disks and tens of thousands of photographs, as well as artefacts. The digital records are in over 90 file formats, comprising born-digital and digitized documents, audiovisual recordings, photographs, emails, databases and websites.

13. It is estimated that the physical archives of the International Tribunal for the Former Yugoslavia branch of the Mechanism in The Hague, Kingdom of the Netherlands, will ultimately consist of 6,000 linear metres. The Registry currently holds 8,081 boxes of physical records (2,694 linear metres). In addition, the evidence collection of the Office of the Prosecutor consists of approximately 16,680 boxes of physical records (2,837 linear metres).

14. It is estimated that the physical archives of the International Criminal Tribunal for Rwanda branch of the Mechanism in Arusha, United Republic of Tanzania, will ultimately consist of 3,000 linear metres. The Registry currently holds approximately 5,800 boxes of physical records (1,850 linear metres). In addition, the evidence collection of the Office of the Prosecutor consists of approximately 1,591 boxes of physical records (250 linear metres).

15. Almost all of the judicial records have been digitized (97 per cent of those at the branch in The Hague and 95 per cent of those at the branch in Arusha). None of the non-judicial substantive or administrative physical records have been digitized, and there are currently no plans to digitize them due to limited resources. Non-judicial substantive and administrative records generated in more recent years have been in digital format and are stored digitally.

16. The physical records of the evidence collection of the Office of the Prosecutor have all been digitized and are part of the digital evidence collection.

17. With respect to the digital archives, it is preliminarily estimated that the total digital archives from the Registry will be approximately 2.9 petabytes (1.7 petabytes for those in The Hague and 1.2 petabytes for those in Arusha). More than 90 per cent of this volume is taken up by audiovisual recordings. In addition, the Office's digital evidence collection is approximately 80 terabytes in total.

18. The evidence collection of the Office of the Prosecutor, which is the primary basis for the Office's assistance to national authorities, is currently managed by the Office. A separate report has been provided concerning the possible transfer of the function of assistance to national authorities carried out by the Office. The Office has confirmed that it does not need to be co-located with the physical evidence collection, but will need its digital evidence collection and access to its physical evidence collection in order to perform its assistance to national authorities function. All the physical collections, including the Office's evidence collection, could thus be stored in the same location going forward with appropriate access restrictions. The assistance to national authorities function would also require continued access to the general archives of the Mechanism.

19. In addition, the Office of the Prosecutor is working to ensure that physical artefacts in its evidence collection that require special storage will be transferred back to the owners or beneficiaries or disposed of in the near future.

Table 1

Paper records

	<i>International Tribunal for the Former Yugoslavia (number of boxes)</i>	<i>Linear metres</i>	<i>Percentage digitized</i>	<i>International Criminal Tribunal for Rwanda (number of boxes)</i>	<i>Linear metres</i>	<i>Percentage digitized</i>	<i>Percentage public</i>
Judicial records	3 819	1 273	97	2 189	628	95	70
Non-judicial and administrative records (mix of permanent and temporary records)	4 262	1 421	–	3 611	1 222	–	–
Evidence collection of the Office of the Prosecutor	16 680	2 837	100	1 591	250	100	Not applicable

C. Confidentiality and access

20. The physical and digital archives contain both confidential and non-confidential judicial and non-judicial records. Confidential records include those that have been placed under seal by order of a judge or chamber, audiovisual recordings and transcripts of closed trial sessions or documents that are determined to be confidential in order to protect sources, witnesses, victims or other confidential information. Other confidential records include medical records of all accused persons who appeared before the Tribunals, some records relating to defence counsel, protected persons and other documents subject to legal privilege.

21. Confidential records also include the evidence collection of the Office of the Prosecutor and the Office's internal work products. With respect to the materials received by the Office from Member States and other sources, some of the material is considered privileged information, including "State secrets", by the information providers. Such information in the Office's custody is highly sensitive and must remain protected as strictly confidential materials that cannot be accessed or shared with anyone without the consent of the information provider in question in accordance with the Secretary-General's bulletin on International Criminal Tribunals: information sensitivity, classification, handling and access (ST/SGB/2012/3). In order to sustain the guarantees given by the Tribunals and the Mechanism to third parties when documents were classified, the prevention of unauthorized disclosure must be preserved, including to minimize risks to personal security (where witness protection is concerned) or national security (where States have provided sensitive data on a confidential basis).

22. With respect to the declassification of documents, further to the Secretary-General's bulletin, changes to the classification of judicial records or non-judicial records that contain information classified by judicial authority can only be effected after judicial authorization or as otherwise provided for in the applicable Rules of Procedure and Evidence. On 26 February 2024, the plenary of judges removed rule 155 pertaining to the declassification of judicial records on the basis that the blanket declassification process was not justifiable in its resource requirements, given the existence of suitable, cost-limited alternatives. Accordingly, the only judicial declassification occurring at this time is on an ad hoc basis in response to requests for assistance from national authorities, resulting only in a restricted declassification in relation to the requestor and a specific case, while the records remain confidential in the archives. Upon the closure of the Mechanism, unless additional actions are taken

to ensure declassification, any information designated as confidential will remain classified in line with the Secretary-General's bulletin and any other applicable regulations.

23. The Mechanism estimates that 70 per cent of the judicial records are public, and most records are available through the Unified Court Records database, which is available on the Mechanism's website. However, the database does not contain the majority of audiovisual recordings of judicial proceedings, for which quality-checking, redaction and generation of public versions has not yet been completed. The remaining 30 per cent of the judicial records are confidential.

24. The Secretary-General's bulletin includes the timelines and criteria for the declassification of confidential and strictly confidential documents.

III. Ongoing archival work

25. During its lifetime, the Mechanism prioritized activities aimed at protecting the archives from potential damage or loss. This included specialist packaging of physical documents and artefacts and storing them in controlled environments, digitizing analogue audiovisual recordings on outdated media, and implementing a purpose-built digital preservation system into which digital archives are being transferred and actively monitored for format obsolescence, file corruption and other vulnerabilities.

26. Although significant progress has been made, essential archival work remains to be completed. The estimates below for the time needed to complete these activities are preliminary and do not include estimates for work to be completed on records that have not yet been transferred to the Mechanism Archives and Records Section, including the physical evidence collection of the Office of the Prosecutor.

27. While it would be most efficient for the Mechanism to complete all these projects before transferring the archives, this work can also be completed by any competent entity that takes over responsibility for the archives provided that financial resources are allocated for that purpose.

28. Ongoing access to the archives continues to be relevant to several of the Mechanism's residual functions, including ad hoc and continuous judicial functions and certain non-judicial functions. However, the Mechanism has indicated that, as relevant archives can be accessed digitally and remotely, the physical and digital archives do not need to remain co-located with the Mechanism in order for any of its residual functions to continue to be implemented.

A. Digitization of audiovisual recordings

29. The Mechanism has prioritized the digitization of audiovisual recordings, which primarily are judicial records. Audiovisual archives at risk include recordings of judicial proceedings, audiovisual exhibits, recordings of judges' plenary sessions and audiovisual productions of events and ceremonies created by the public information offices of the Tribunals and the Mechanism. If this work is not completed, the recordings may be lost forever due to the obsolescence of formats and degradation of storage media, or they may become inaccessible due to a lack of playback equipment.

30. If the audiovisual records are not preserved, the general estimate for potential loss due to degradation is immediate, while loss due to format obsolescence, i.e. software or hardware no longer existing or not being readily available, could occur in 5 to 10 years.

31. The Mechanism estimates that the completion of this activity would take 1.5 years with four full-time staff, namely one audiovisual archivist and one audiovisual technician each for the records of the International Tribunal for the Former Yugoslavia in The Hague and those of the International Criminal Tribunal for Rwanda in Arusha.

B. Transfer of the digital archives into a secure digital preservation system

32. The digital archives are currently in a variety of systems and databases. To ensure their long-term preservation, the Mechanism is in the process of transferring records from these various digital formats into Preservica, a digital preservation system already in use in the United Nations Secretariat.

33. The records being ingested into Preservica include those that have been identified as permanent and long-retention digital archives in the Mechanism's retention schedules. This will encompass all of the judicial case records, permanent non-judicial substantive records and permanent administrative records.

34. Uploading the records into the Preservica system is a complex and time-consuming endeavour. Before the records can be uploaded, the digital materials and their metadata must be appraised in the source systems in accordance with archival standards and records retention schedules. This requires understanding the data structure within those systems and developing processes to export or extract the records and their metadata without compromising their integrity or authenticity. Records are then packaged and ingested into Preservica.

35. To date, only 14 per cent of the entire archives have been transferred into Preservica. This includes 1.7 per cent of those at the branch in The Hague (18 terabytes, or 230,885 files) and 42 per cent of those at the branch in Arusha (366.7 terabytes, or 76,539 files). None of the judicial case records, other than a portion of the audiovisual recordings, have yet been uploaded to Preservica.

36. The Mechanism estimates that it would take approximately 10 years to complete this activity with four full-time staff, namely one digital archivist each for the records in The Hague and Arusha, as well as one information technology officer and one digital archives assistant. This would include preservation of the evidence collection of the Office of the Prosecutor.

C. Quality-checking of unredacted masters and creation of public versions of audiovisual recordings

37. The archives contain 151,423 audiovisual recordings (122,252 in The Hague and 29,171 in Arusha) of which 91 per cent are court recordings, while the remaining 9 per cent consists of exhibits, plenary sessions and public information recordings.

38. To date, approximately 17 per cent of the audiovisual recordings in The Hague and 46 per cent of those in Arusha have been quality-checked and public versions generated. In order to make the remaining 83 per cent and 54 per cent, respectively, accessible and public versions available, a technical and time-consuming review is required to check them for completeness and accuracy, after which confidential information is removed, court redaction orders implemented and witness protection measures properly implemented. A significant portion of the audiovisual recordings of judicial proceedings were captured in the local languages of the affected communities, encompassing both spoken testimony and interpretation, making them the most authentic, and only, record containing the actual voices and words spoken

by participants in the proceedings. In the case of the International Criminal Tribunal for Rwanda, as transcripts were never produced for local languages of the affected communities, these audiovisual recordings serve as the sole record of original-language content, including witness testimonies. In the case of the International Tribunal for the Former Yugoslavia, some transcripts were produced in local languages and are preserved in the public database.

39. The Mechanism estimates that it would take 20 years to complete this activity with four full-time staff, namely one audiovisual archivist and one audiovisual technician each for the records in The Hague and in Arusha.

Table 2
Audiovisual recordings

	<i>Total volume of digital records</i>	<i>Volume (percentage) of audiovisual recordings</i>	<i>Number of audiovisual recordings</i>	<i>Number (percentage) of audiovisual recordings that are judicial proceedings</i>	<i>Percentage of audiovisual recordings of judicial proceedings with public versions</i>	<i>Percentage of audiovisual recordings of judicial proceedings without public versions</i>
International Tribunal for the Former Yugoslavia	1.7 petabytes	1.53 petabytes (90)	122 252	112 471 (92)	17	83
International Criminal Tribunal for Rwanda	1.2 petabytes	1.08 petabytes (90)	29 171	25 132 (86)	46	54

D. Specialist preservation and conservation of physical archives and archival arrangement and description

40. The physical records of the Tribunals and the Mechanism must be preserved by rehousing and packaging them in accordance with international archival standards, including in special long-term preservation folders. The Mechanism will additionally need to implement preservation and conservation actions with respect to items that have begun to degrade. These actions include removing rusting staples, cleaning, repairing tears, deacidification and stain removal, and preserving records on thermal paper and newsprints.

41. This work is needed to mitigate the risk of accelerated deterioration of both physical and informational value, loss of historical, cultural and legal significance, increased long-term costs for eventual salvage or reconstruction, and loss of access for research, education and public knowledge.

42. The Mechanism estimates that it would take 12 years to complete this activity at the Arusha branch with two staff, namely one associate archivist and one archives assistant. As there have been no staff allocated to this work in The Hague since December 2022 due to downsizing in the Registry, no estimates can be provided for that branch, but it is expected that the amount of time and resources required would be similar to that of the Arusha branch.

43. This work is done concurrently with the activity of archival arrangement and descriptions for enhanced access. The archives are currently described at the series level. Listing and descriptions of individual boxes and folders within boxes has not yet been done. Archival arrangement and descriptions account for the largest part of the estimated 12-year timeline and are essential for preserving the historical context, authenticity and intellectual character of the records. Without this activity, accessibility would be severely limited for the archives.

IV. Requirements for maintaining the archives

44. Housing and maintaining the archives of the Tribunals and the Mechanism would require, at a minimum: a free-standing facility or part of a shared building that is capable of being completely isolated from other activities; a robust building affording protection against fire, flood, damp, dust, pollutants and pests, with floors able to bear the heavy load of compact shelving; separate storage areas meeting international standards of climate control and protection against dust, dirt and pollutant gases; and accessibility to the public. Details of these minimum infrastructure requirements for the archives were included in the questionnaire sent to the various potential locations consulted for the preparation of the present report.

45. The space necessary to house and maintain the physical archives from The Hague is at least 1,242 m², while the space necessary to house and maintain those from Arusha is at least 621 m². This includes space for processing, research and offices.

46. There must be a digital storage system that can accommodate 1.7 petabytes of digital data for the digital archives from The Hague and 1.2 petabytes for those from Arusha, as well as reliable back-up systems for disaster recovery. There would need to be a digital preservation system, such as Preservica, to safeguard the digital archives against technological obsolescence, media degradation and other vulnerabilities. Assuming that the archival work described above continues, there would also need to be a transfer of databases and systems containing permanent records that have not yet been extracted and transferred to Preservica.

V. Analysis of possible locations

47. In considering the location of the archives, the interests of potential users and particularly of the people who were directly affected by the conflicts, including victims and witnesses, should be kept in mind. It should be recalled that the Tribunals were established as a measure under Chapter VII of the Charter of the United Nations to contribute to the process of national reconciliation and to the restoration and maintenance of peace in the affected countries. The archives are vital tools for educational purposes, reconciliation and memory, as well as prevention efforts. The international community has invested decades of time and significant financial resources in the fight against impunity for atrocity crimes, and it is important to secure the legacy of these tribunals for the victims and the affected populations of the former Yugoslavia and Rwanda, as well as for future generations.

48. There is also a need to protect confidential information from unauthorized disclosure, including to protect witnesses and sensitive information provided by Member States. This concern should be alleviated by the fact that a United Nations Secretariat archival entity will be responsible for maintaining the archives in any host State.

49. The costs of transferring and maintaining the archives may also be a factor in considering the location.

50. The public judicial archives of the branches in The Hague and Arusha are currently available in digital form on the public website of the Mechanism. The annual costs for the judicial database are estimated at \$125,000 a year, while website maintenance costs are estimated at \$33,000 a year. The establishment of additional information and documentation centres in accordance with paragraph 17 of Security Council resolution 2740 (2024), in line with paragraph 15 of resolution 1966 (2010), irrespective of the final location of the archives, would ensure that the non-judicial substantive records that have not been digitized and may be public could be made accessible as well.

51. It is further recalled that the evidence collection of the Office of the Prosecutor is primarily used in support of national investigative and prosecutorial processes, and that the Office has indicated that it does not need to be located with its physical evidence collection in order to perform this function, but would require its digital evidence collection and access to the physical evidence collection.

A. United Nations Headquarters

52. In the absence of any decision by the Security Council to the contrary, the archives, as United Nations documents, would remain the responsibility of the Secretariat. It would be for the Secretary-General to determine whether they would be transferred to the Archives and Records Management Section at United Nations Headquarters or another archival location of the Secretariat, such as the United Nations Library and Archives in Geneva.

53. The Archives and Records Management Section has confirmed that there is no storage capacity within United Nations Headquarters for the entire archives. Physical archives would need to be stored with a third-party off-site storage provider, while digital records would be transferred to the United Nations Global Service Centre in Valencia, Spain, and Brindisi, Italy.

54. Locating the archives in New York would raise issues in terms of their physical accessibility for the people of the affected countries, though online access would be available for digital public records.

B. Other locations

55. In 2009, several United Nations offices, as well as the Special Tribunal for Lebanon, the International Court of Justice and the International Criminal Court, were consulted on possible locations of the archives. At the time, the only entity to indicate that it could potentially host them was the United Nations Interregional Crime and Justice Research Institute in Turin, Italy. In light of the financial constraints currently facing the United Nations system, a decision was made that it would not be opportune to enquire whether any of the entities that were asked in 2009 would presently have existing capacity or resources to house the archives.

56. Given the confidentiality and consent issues identified in section II.C above, it is not possible for the archives of the Tribunals and the Mechanism to be transferred to the custody of any State or external entity, and they must remain under the ownership and custody of the United Nations. Accordingly, any State that wishes to house the archives will need to host the United Nations entity maintaining them. Housing the archives at United Nations premises would further ensure their inviolability pursuant to the applicable legal framework.

57. For the present report, enquiries were sent to: (a) affected States, including countries of the former Yugoslavia (Bosnia and Herzegovina, Croatia, Montenegro, North Macedonia, Serbia and Slovenia) and Rwanda; (b) States currently hosting the archives (Kingdom of the Netherlands and United Republic of Tanzania); and (c) other States that have expressed interest in potentially hosting them (Switzerland). The views of Member States were sought on the location of the archives, whether they would wish to be considered as a possible long-term host for a United Nations entity to maintain the archives, whether there were suitable premises already available and, if not, whether the Government would consider providing the premises at no cost to the United Nations or providing other financial support.

58. Bosnia and Herzegovina indicated its readiness to host the United Nations entity that will maintain the archives of the branch in The Hague and provide suitable premises. It expressed its view that from the overall account of the crimes committed in the former Yugoslavia, they occurred to the largest extent in Bosnia and Herzegovina and/or were committed against the citizens of Bosnia and Herzegovina. The country stated that the archives were an indisputable record that preserved memory and judicially established facts of its recent history. Bosnia and Herzegovina expressed the view that if it were not the host, it could only support a neutral location outside the former Yugoslavia.

59. Croatia expressed its readiness to assume responsibility for the long-term preservation of the archives of the branch in The Hague, noting that suitable premises were available at the Croatian State Archives, as well as regional facilities outside Zagreb for both the physical and digital archives. Croatia expressed the view that, should the archives not be hosted in Croatia, they should be located in a neutral location outside the former Yugoslavia.

60. Montenegro indicated that it did not have a specific preference concerning the future location of the archives, and that it was not in a position to host them.

61. No response was received from North Macedonia.

62. Serbia indicated its readiness to host the archives of both branches and provide appropriate premises, while noting that further information regarding the specific location, as well as issues related to financial arrangements, would be provided in due course.

63. Slovenia indicated its readiness to be considered as a possible long-term host of the United Nations entity that will maintain the archives of both branches. The country stated that it was currently working to identify suitable premises and evaluating the governmental and budgetary frameworks required for the long-term hosting of the United Nations entity.

64. Rwanda expressed its readiness to serve as a custodian of the archives of both branches. It further highlighted its special claim to the archives of the Arusha branch to safeguard the legacy of justice for crimes committed on its territory. Rwanda expressed the view that the archives: (a) were a repository of national memory and a cornerstone for ongoing reconciliation and education for its citizens; (b) fulfilled the promise made to victims and future generations; and (c) served as an enduring bulwark against genocide denial and distortion of historical facts. Rwanda noted that it would dedicate whatever resources were necessary and that it had identified suitable buildings and facilities for the physical and digital archives.

65. The Kingdom of the Netherlands stated that it did not envisage any role for itself as a long-term host of the United Nations entity designated to maintain the archives once all residual functions entrusted to the Mechanism were completed.

66. The United Republic of Tanzania expressed its readiness to be considered as a long-term host of the United Nations entity responsible for maintaining the archives. It noted, inter alia, that: (a) the Arusha branch of the Mechanism already housed a state-of-the-art records facility; (b) there would be no rental or leasing costs; (c) it had a proven track record in hosting the Arusha archives; (d) Arusha is a hub for other international institutions; and (e) Arusha's history as the seat of the Mechanism ensured continuity of records and ease of access through existing international flight connections and diplomatic infrastructure.

67. Switzerland expressed its readiness to host the archives of both branches, noting its well-established legal framework for hosting archives, the assured regular use of the archives by relevant stakeholders and the fact that the archives would naturally

complement its current archival collections and the library at the Palais des Nations. Switzerland indicated its view that hosting arrangements should focus on the protection of this common heritage in a manner that guaranteed sound long-term preservation and accessibility and that the financing of the archives should be secured primarily through the regular budget of the United Nations. It encouraged the Secretariat to develop a comprehensive, United Nations-wide archival policy that also encompasses the archives of other international accountability mechanisms.

VI. Tentative costing estimates

68. The maintenance of the archives will require a physical space, United Nations staff, contractual services and licences, and equipment and other supplies. All of these costs will vary according to the location of the archives. Currently, the total cost of maintaining the archives is approximately \$1,731,025 per annum at the branch in The Hague and approximately \$1,700,587 per annum at the branch in Arusha.

Table 3
Current cost of archives
(United States dollars)

	<i>International Tribunal for the Former Yugoslavia branch, The Hague</i>	<i>International Criminal Tribunal for Rwanda branch, Arusha</i>
Mechanism Archives and Records Section staff	753 800	978 400
Contractual services and licences	132 800	132 800
Cost of staff to manage physical facilities	268 200	245 400
Cost of contractual services for physical facilities	192 280	93 400
Cost of information technology infrastructure	383 945	250 587
Total	1 731 025	1 700 587

69. Estimates for physical space, including maintenance of the facilities, will vary depending on the location. The United Nations has made a significant investment in the existing premises of the Arusha branch of the Mechanism, including the archival facility, which was built for approximately \$1,800,704.

70. Housing the archives outside their current location would involve significant costs for their secure and safe transfer. As an illustrative example, the Archives and Records Management Section has estimated that the transfer of all archives to New York from Arusha and The Hague would involve a one-off cost of \$1.7 million. This does not include the costs that would be incurred by the Mechanism in preparing its archives for transfer.

71. If current staffing levels are maintained for each branch, five staff (namely a senior archives assistant, information systems assistant, associate information systems officer, digital archivist and audiovisual archivist) for the archives in The Hague and five for those in Arusha (namely an archives assistant, information systems assistant, associate information management officer, digital archivist and audiovisual archivist) would be required. As indicated in table 3, the cost of the staff amounts to \$753,800 for the branch in The Hague and \$978,400 for the branch in Arusha.

72. If the archives were to be transferred immediately to New York, the Archives and Records Management Section has preliminarily estimated that initial annual costs to maintain the archives would be \$4.5 million. This estimate includes six staff members who would work on the joint archives from The Hague and Arusha

(\$1.5 million), as well as storage costs for physical and digital records, website maintenance, software licences and some smaller contractual services resources for equipment, supplies and services. The largest portions of the costs are the digital storage costs (\$2.1 million). Depending on the size of the website, one additional staff member might be required for the maintenance of the website.

73. If a decision is made that the archives should be transferred immediately and managed separately from the Mechanism, there could be additional costs related to databases and software that are utilized by the various organs of the Mechanism that would need to be maintained and transferred in order to allow for the preservation work to be completed.

74. In addition, the Mechanism would still need its own staff to manage new records that are generated that would become part of the long-term archives, as well as to facilitate coordination between the Mechanism and the United Nations Secretariat archival entity since there will be a need to access the archives from time to time.

VII. Conclusions and recommendations

A. Tentative estimates of staffing and costs

75. The preservation and provision of access to the physical and digital archives is a continuing function and will require sustainable funding. The current timelines and costs are based on preliminary information and may change depending on decisions undertaken by different organs of the Mechanism on the retention of their records.

76. The staffing estimates are based on the current staffing estimates of the two branches of the Mechanism, based on the assumption that the archives from The Hague and Arusha would not be co-located in the future. The costs of staffing may change based on the duty station. If the archives of the two branches are co-located, there could be some consolidation of staff, which could lead to lower staffing costs, depending on the location.

77. The illustrative costs do not include estimates for the purely administrative functions of the United Nations Secretariat archival entity carrying out the archiving function (human resources, finance, security, information technology, facilities management, etc.). Resources will also be required for the legal and operational arrangements related to any new facilities.

78. The estimates also do not include costs for the preparation of the remaining physical and digital records that have not yet been sent to the Mechanism Archives and Records Section. In addition, there would be a significant one-off cost for the physical transfer of the archives to any new location.

79. The archives must be housed in an appropriate archival facility. With respect to the archives in Arusha, Rwanda has already identified suitable premises for their transfer and has expressed that it will dedicate whatever resources are necessary for their preservation. In addition, the Government of the United Republic of Tanzania has indicated its willingness to continue to host the United Nations premises for the archives and to offer additional support, including security, logistics and operational assistance.

80. In the case of the archives at the branch in The Hague, Croatia has already indicated the availability of suitable premises, while Bosnia and Herzegovina, Serbia and Slovenia have indicated that they are willing to host and can provide or are looking for suitable premises. Switzerland has also expressed its willingness to host, but further discussions would be required regarding premises.

B. Location of the archives

81. The archives of the Tribunals and the Mechanism are United Nations archives and, as such, they constitute inviolable property and assets of the Organization. Ownership of the archives cannot be transferred to Member States or other entities. Accordingly, any State wishing to host the archives must host a United Nations Secretariat archival entity that would have custody of the archives.

82. The choice of location for the archives will not only affect the costs, but also raise other important considerations, including proximity to the affected communities. The interests of the populations that were directly affected by the conflicts should also be borne in mind. The public parts of the archives, which are tools for fostering reconciliation and memory, should be accessible to those populations.

83. For the archives at the branch in Arusha, both Rwanda and the United Republic of Tanzania have indicated their willingness to host them, as well as Serbia and Switzerland. For the archives at the branch in The Hague, Bosnia and Herzegovina, Croatia, Rwanda, Serbia, Slovenia and Switzerland have indicated their willingness to host them.

84. Taking into consideration access for the affected populations, the Security Council may wish to consider for the Arusha archives either to be located in Rwanda or to continue to be located in the United Republic of Tanzania.

85. With respect to the archives in The Hague, it would be desirable if the affected States agreed on a location in the region of the former Yugoslavia, in order to ensure the greatest access to the affected communities. If this is not possible, the Security Council may wish to consider whether the archives should be located in another State in Europe. At present, Switzerland, where there is also an existing United Nations Secretariat archival entity, is the only European State that has expressed a willingness to host the archives. If the Security Council were to wish to explore this option, the Secretary-General would be prepared to revert with more precise information, in consultation with the Member State concerned.

86. The most cost-efficient way to ensure widespread access to the public judicial documents of the Tribunals and the Mechanism is through the Mechanism's website. Maintenance of the website would allow all potential users access to the public judicial documents, and it is an essential component of any strategy on the long-term preservation of the legacy of the Tribunals and the Mechanism for the future.

87. If affected States wish to make the public documents available to their affected populations, copies could be provided to such States for the creation of information and documentation centres, which would make the copies available to the public. Such institutions could be equipped with computers and Internet access and could provide all the necessary public information on the trials and other activities of the Tribunals and the Mechanism. The creation of such centres would contribute to informing and raising awareness among the populations of the affected countries.

88. The assistance to national authorities function provided by the Office of the Prosecutor relies primarily on its digital evidence collection, which is held by the Office and is currently separate from the other archives of the Tribunals and the Mechanism. The performance of this function does not require co-location with the physical evidence collection, although access to the physical evidence collection and general archives is required.

89. It is recommended that the Security Council:

- (a) Request that the Mechanism, as part of its completion strategy:

- (i) Identify the categories of physical and digital records that are not in its current archival holdings, and provide estimates of the volume of these records;
 - (ii) Provide updated estimates on the remaining archival work to be completed based on the total expected volume of physical and digital archives;
 - (iii) Identify the digital technology that would be required to be maintained if the archives were to be transferred immediately, and the associated costs;
 - (iv) Identify if there are any archival activities that should be completed before the archives are transferred to a United Nations Secretariat archival entity;
 - (v) Prepare timelines for the completion of the preparation of the current archival holdings to be transferred to a United Nations Secretariat archival entity that will be designated to receive them;
 - (vi) Implement a strategy to ensure that any new records that are generated going forward can easily be identified and prepared for the long-term archives;
 - (vii) Provide, in view of the timelines presented, a recommended list of priorities for the remaining archival work in relation to the records of each organ, with a focus on the preservation of, and access to, judicial records, records in support of national investigative and prosecutorial processes and other records of significance for the affected populations;
 - (viii) Report to the Security Council on its progress in implementing the above tasks, as part of its regular reporting on the completion strategies;
- (b) Consider whether the archives of the International Criminal Tribunal for Rwanda in Arusha, including the physical evidence collection of the Office of the Prosecutor, should remain in the United Republic of Tanzania or be transferred to Rwanda and, if so, request the Secretary-General to negotiate and enter into an agreement with the United Republic of Tanzania or Rwanda for the long-term hosting of an office of the United Nations Secretariat archival entity for the Arusha archives, noting that such an entity may also initially be a unit of the Mechanism, should the Council so decide;
- (c) Consider whether the archives of the International Tribunal for the Former Yugoslavia in The Hague, including the physical evidence collection of the Office of the Prosecutor, should be located in any country of the former Yugoslavia; if not, consider whether the office of the United Nations Secretariat archival entity should be located elsewhere in Europe, noting that no readily available archival facilities have yet been identified, and if so, request the Secretary-General to explore further options in Europe, keeping in mind the accessibility for affected populations;
- (d) Request the Secretary-General to ensure the long-term maintenance of the Mechanism's website after the transfer of the archives in Arusha and The Hague, including after the eventual closure of the Mechanism, to allow for the widest possible access to the public records of the Tribunals and the Mechanism in the most cost-efficient manner;
- (e) When the archives in Arusha and The Hague are transferred to the United Nations Secretariat archival entity, request the Secretary-General to request the General Assembly to appropriate sufficient funding for the preservation of the physical and digital archives from the regular budget, with the option of additional voluntary contributions for specific projects.
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