



UNITED NATIONS

International Residual Mechanism for Criminal Tribunals

*The International Residual Mechanism for Criminal Tribunals ("Mechanism") was established on 22 December 2010 by the United Nations Security Council to continue the jurisdiction, rights, obligations and essential functions of the International Criminal Tribunal for Rwanda ("ICTR") and the International Criminal Tribunal for the former Yugoslavia ("ICTY") which closed in 2015 and 2017, respectively*

## STATEMENT

PROSECUTOR

*(Exclusively for the use of the media. Not an official document)*

The Hague, 23 October 2020

**Prosecutor Serge Brammertz,  
International Residual Mechanism for Criminal Tribunals  
Remarks for opening of exhibition at the Sarajevo Information Centre:  
*'Showcasing the Work and Contribution of the ICTY'*  
23 October 2020**

Ladies and Gentlemen, Colleagues, Friends,

I am pleased to have the opportunity to welcome you to this launch event for the exhibition on the work and contributions of the ICTY, which has been produced by the Sarajevo Information Center.

The launch of this exhibition coincides with other initiatives to mark the seventy-fifth anniversary of the founding of the United Nations. In that sense, it reminds us of the positive role that the United Nations has and continues to play in achieving justice for victims of genocide, crimes against humanity and war crimes.

The ICTY was the first international criminal tribunal since Nuremberg and an important step forward for the United Nations. The debate was no longer peace vs. justice, but how to achieve both.

The United Nations has since continued to support accountability for crimes committed during armed conflict. The ICTY was soon after followed by the International Criminal Tribunal for Rwanda, tasked to prosecute those responsible for the Rwandan genocide. Other UN-supported justice initiatives were launched in Sierra Leone, Lebanon, Cambodia and East Timor. More recently, the UN has been undertaking extensive fact-finding and investigation activities in relation to more recent alleged crimes, such as for Iraq, Myanmar and Syria.

So the ICTY's contributions to a renewed emphasis on justice is an important part of its legacy that we should recall on the occasion of the UN's seventy-fifth anniversary.

But of course, that is not the ICTY's only legacy, as this exhibition will show visitors.

After twenty-five years of activities, the ICTY achieved important results and largely met expectations.

Our investigations and prosecutions documented in immense detail the crimes that were committed, proving that many were part of horrific ethnic cleansing campaigns.



90 war criminals were convicted by the ICTY, including senior leaders from all parties to the conflicts.

Generals were convicted for attacking civilian populations. Camp commanders were convicted for brutal crimes against detainees, including sexual violence and rape. Political leaders were convicted for using the machineries of government to persecute innocent civilians for no other reason than their religion or ethnicity.

It is also fair to say that the ICTY significantly shaped the field of international criminal law.

Our judgments were the first to judicially-define crimes against humanity as widespread or systematic attacks against civilian population.

By successfully prosecuting crimes of sexual violence, we dispelled the myth that rape is just an inherent part of war, showing instead that it is often a weapon used to destroy lives.

The ICTY demonstrated again and again that senior leaders could be held responsible for their crimes, whether as participants in joint criminal enterprises to commit crimes, or as leaders who bear command responsibility for the crimes committed by their subordinates.

This legacy is not simply relevant to understanding the past, however. The ICTY's work remains important to the present, and the future.

With the historical record established by the ICTY, it is our collective responsibility to keep fighting for justice and the truth.

The closure of the ICTY did not mark the end of the justice process, but the beginning of the next chapter. Further accountability for the crimes now depends fully on national judiciaries in the countries of the former Yugoslavia. Thousands of cases remain to be processed, particularly many complex cases against senior- and mid-level suspects, as well as horrific atrocities like sexual violence.

More public and political support to justice is required. The reality is that accountability for war crimes, crimes against humanity and genocide in the national courts of the former Yugoslavia faces many challenges, with negative trends at times overshadowing the positive. Too many victims are still waiting to see justice for the crimes they suffered. And fugitives continue to present a significant challenge, with many suspects and accused persons fleeing to neighboring countries where they are enjoying safe haven.

Equally, while the ICTY established the truth of the crimes committed, that truth remains contested.

Politicians throughout the region continue to reject or minimize the judgments of the ICTY and other courts. They politicize the justice process to undermine its legitimacy, while promoting revisionist histories.

In every country, convicted war criminals are still seen as heroes, while victims are ignored. Genocide denial and the denial of ethnic cleansing are widespread.

For too long we have hoped that these issues will simply go away. They will not.

Today the region is at an important crossroads, but there is only one way forward.



To reject the crimes and condemn convicted war criminals. To recognize the victims and honor their suffering. To reject the ethnic hatred mindset of the past and embrace the truth of what occurred as the foundation for reconciliation.

This exhibition is a step in the right direction, but more is needed. There should be information centers about the ICTY throughout Bosnia and Herzegovina and all countries of the region. And the facts that the ICTY established must be taught in schools, not only museums.

So as we launch this exhibition, and mark the seventy-fifth anniversary of the United Nations, all of us can rededicate ourselves to advancing justice for genocide, crimes against humanity and war crimes. And to ensuring that the truth and the victims are in the forefront of our thoughts and actions.

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