



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

PRESIDENT

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

Address to the United Nations General Assembly Judge Graciela Gatti Santana President, International Residual Mechanism for Criminal Tribunals 22 October 2025

Madam President,

Thank you. I warmly congratulate you on your election as President of the 80th session of the General Assembly. I share your vision that this Assembly must protect the United Nations' past achievements while boldly adapting the Organization to effectively face current and future challenges. This vision is being applied with equal vigour to the International Residual Mechanism for Criminal Tribunals. Indeed, as the United Nations marks its 80th anniversary, the Mechanism, too, stands at a decisive point in its journey.

With the consistent support of the General Assembly, the Mechanism and its predecessors, the International Criminal Tribunals for the former Yugoslavia and for Rwanda, have pursued hundreds of individuals alleged to have committed the gravest of crimes. In so doing, these United Nations tribunals delivered justice, documented historical facts, and developed law and best practices, which are foundational to today's international accountability efforts across the globe.

This legacy – these achievements – must be protected. The important work of responsibly concluding the justice cycle must continue. We at the Mechanism are committed to this task and intend to complete it by innovating and reimagining how the last phase of our work is conducted. We will be a partner in change that reduces our costs, transfers or terminates functions that the Mechanism need not execute, and upholds the principled and just application of the law. We are determined to ensure that your considerable investment in international criminal justice is not lost.

**Madam President,
Excellencies,
Ladies and Gentlemen,**

I am honoured to present our thirteenth annual report. It reflects the Mechanism's continued commitment to adjudicating residual judicial matters, supervising the enforcement of sentences, supporting national jurisdictions in bringing perpetrators of international crimes to justice, and monitoring referred cases to ensure that their domestic prosecutions are fair and effective. The Mechanism further manages its archives and those of the ad hoc Tribunals.



Allow me to highlight several key aspects of this work. During the reporting period, Mechanism Judges and I, in my capacity as President, issued 184 decisions and orders, approximately 80 per cent of which concerned the Mechanism's continuous judicial functions. These include, for example, the adjudication of requests for access to confidential evidence and protected witness information for use in national investigations and trials, as well as matters related to the enforcement of sentences.

Currently, 39 of our convicted persons are incarcerated in nine enforcement States on two continents. Two prisoners are housed in the Mechanism's detention facility in The Hague. All have been convicted of crimes that shock the human conscience and fourteen of them are serving life sentences. Protecting the fundamental rights of these prisoners is essential to the rule of law. Equally important is ensuring the integrity of the sentences imposed. International consideration of applications for early release guarantees the fair and equal application of the law for all convicted persons, no matter where they are incarcerated. Implementing these important tasks is essential to the integrity of international justice and our work in this respect continues.

Similarly, the Mechanism's Statute requires it to respond to requests for assistance from national authorities in relation to domestic accountability efforts. The Mechanism's judiciary impartially considers requests for national authorities' access to confidential information by carefully balancing the interests of the State with the protection of witnesses. The Mechanism's Office of the Prosecutor works closely with national authorities on these matters. The Prosecutor's support to domestic prosecutions is, understandably, expanding and evolving. States are committing greater resources to ensure accountability for perpetrators who committed international crimes in Rwanda and the former Yugoslavia but who are not alleged to bear the greatest responsibility or intended to be tried by the Mechanism and its predecessors.

The Mechanism remains mandated to manage the preservation of and access to the archives. These archives are more than historical records; they are dynamic tools that shape the future of international justice. Through our website, public databases, and library, we are dedicated to making these invaluable resources widely available to all.

These activities – like the arrests and trials that preceded them – are of paramount importance. Verdicts must not only be entered; sentences must be enforced. Reconciliation is advanced by comprehensive accountability. Protecting and ensuring access to the judicially-established facts is critical today due to growing and systemic revisionism and genocidal denial.

The Security Council, in resolution 2740 of 2024, has requested the Secretary-General to submit two reports on the future of these very functions: one report on the transferability of the supervision of sentence enforcement and the assistance to national jurisdictions, and another on the possible future locations for the archives. These reports will be studied by the Council and will inform its resolution on the Mechanism's mandate next year.

The Mechanism has listened to the Council and, as noted in the annual report, has engaged in extensive, cross-organ collaboration to provide complete information and thorough analysis to support the Secretary-General in the preparation of these reports. It is for the Secretary-General to recommend and the Security Council to decide whether these functions should be transferred. In providing support, the Mechanism's goal is to ensure the responsible continuation of functions necessary to complete the justice cycle. To the extent the Council decides that the Mechanism remains best placed to carry out any or all of these and other mandated functions, the Mechanism's leadership also understands that the



institution would need to continue to reduce and implement justice at a cost that the international community can support.

Madam President,

The Mechanism is not passively awaiting future decisions on its mandate but continues to actively align itself with the Council's vision of the Mechanism being a small, temporary institution. The Mechanism's forthcoming budget proposal includes substantial reductions in staffing and costs. Continuing a consistent trend, our budget proposal for next year would result in cumulative reductions from 2020 to 2026 of around 70 percent in staffing and around 50 percent in overall resources.

The Mechanism's Judges continue to diligently adhere to statutory instruction that is aimed at pre-empting costly international proceedings when it is in the interests of justice and expediency. The last two contempt matters have been referred to domestic jurisdictions, saving the international community considerable costs. Another contempt matter is currently being considered for transfer by a Single Judge.

In addition, the Judges have changed the Mechanism's legal framework to reduce prospective costs while ensuring that the interests of justice are not compromised. Last month, the plenary of Judges adopted amendments to the Rules of Procedure and Evidence that limit the prospect of resource-intensive future investigations concerning contempt and false testimony. They further limited the possibility of costly in-court proceedings for contempt, false testimony, or any authorized review proceeding. These amendments followed those adopted by the plenary of Judges last year, which removed a blanket declassification process deemed unjustifiable in its resource requirements, given the existence of suitable, cost-limited alternatives.

To further streamline the Mechanism's operations in the area of supervision of enforcement of sentences, I amended two Practice Directions in July 2024 and May 2025. The changes eliminate duplication of activities between my Office and the Registrar's in connection with applications for pardon, commutation of sentence or early release. They also allow for more dynamic engagement with States aimed at accelerating the designation process going forward.

Madam President,

The Mechanism's dedication to efficiently completing its work, however, requires complementary assistance from States. Mr. Félicien Kabuga is an accused who has been ordered to be released but remains detained in the Mechanism's detention facility in the absence of a State that is willing to accept him. Rwanda is willing to take him, but expert medical reports suggest that he is unfit to fly. Two convicted persons – Mr. Ratko Mladić and Mr. Mićo Stanišić – remain within the same detention facility, awaiting a State or States willing to enforce their sentences. Moreover, the Mechanism continues to have a judicial duty of care for five persons who were acquitted or completed their sentences and were relocated to Niger in 2021. Niger has not implemented all the guarantees in its agreement with the United Nations that would allow these men to be free. Until States take decisive action to assist the Mechanism in resolving these issues, the Mechanism must continue to bear the significant financial burden of providing custodial and other care for these individuals.



Madam President,

Over 30 years ago, the international community came together and chose deliberative justice in response to the most atrocious crimes of the latter half of the twentieth century. Following the issuance of more than 250 indictments, the international criminal tribunals supported by this Assembly held senior military, government, political, militia, and paramilitary leaders to account. Justice was rendered fairly, continuing the legacy that started in Nuremberg with these opening remarks from Justice Robert Jackson: “We must never forget that the record on which we judge these defendants today is the record on which history will judge us”.

This signal – sent through courts adhering to the highest standards of justice – is powerful. It has not stopped all conflict. But it sends a clear message that possessing the power and resources to commit mass atrocities today does not insulate any individual from accountability tomorrow. It is also a reminder that we cannot falter in this last mile of the justice cycle and risk undoing all that has come before. Effective accountability for international crimes requires support decades after the offending conduct. The Mechanism stands ready to partner with the Security Council and this Assembly to identify novel solutions to complete this work fairly, efficiently, and at an appropriate cost. Your commitment to this mission remains essential.

I thank you sincerely for your continued support.
