



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

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**Address to the United Nations General Assembly
Judge Graciela Gatti Santana
President, International Residual Mechanism for Criminal Tribunals
21 October 2026**

Thank you, Mr. President.

It is an honor to present the Mechanism's fourteenth annual report to the General Assembly. But first, Mr. President, let me wish you every success as you guide the Assembly through its 81st session. Your focus on peace and security, respect for international law and commitment to multilateralism is essential in these times.

Indeed, less than two weeks ago, Navi Pillay was awarded the Nobel Peace Prize in large part for her role in establishing a modern international legal order of accountability for crimes that shock the human conscience. As the first woman judge of the United Nations International Criminal Tribunal for Rwanda and its second President, Judge Pillay participated in land-mark rulings establishing that rape and other forms of sexual violence could amount to genocidal conduct. She was part of Trial Chambers that convicted, for the first time, a head of government for genocide and crimes against humanity and held powerful media to account for fomenting ethnic hatred, genocide and committing other international crimes. These gains in accountability and justice could only be achieved due to the sustained and significant support of this very Assembly.

The justice cycle that commenced with these important judgements is not complete. Four persons convicted in Judge Pillay's cases continue to serve sentences under the Mechanism's supervision, alongside 33 others. The United Nations remains obligated to ensure that these prisoners' fundamental rights are upheld and their ability to seek release on equal terms is ensured. The United Nations also has a continuing obligation to oversee the judicial protection afforded to thousands of individuals who first survived and bore witness to atrocity and then courageously testified in the pursuit of justice. Moreover, our archives, which contain an invaluable historical record, are the property of the United Nations and require continued management for permanent preservation. The Assembly's support now to complete this journey is as important as the support provided to start it.

**Mr. President,
Excellencies,
Ladies and Gentlemen,**



I assure you that the responsible and appropriate conclusion to our justice cycle is within reach.

As detailed in our annual report, the Secretary-General issued recommendations in December last year that provide the Council with options to alter the Mechanism's mandate that would allow for significant reductions in its size and activities while upholding due process, accountability, and the legitimacy of its proceedings. In February this year, the United Nations Office of Internal Oversight Services, or OIOS, issued its biennial evaluation of the Mechanism. OIOS emphasised that, despite years of steep resource reductions, the Mechanism's ability to further evolve into a small, temporary and efficient structure was hampered by its mandated architecture, echoing the Secretary-General's assessment that a Council decision is necessary to enact transformative change.

In May, and building upon the Secretary-General's and OIOS' recommendations, the Mechanism presented a comprehensive strategic plan to the Security Council, providing a blueprint for the responsible conclusion of all activities with clear implementation timelines. The plan identified which functions can end, which can be transferred, and which limited judicial functions must remain at the international level. The plan identified opportunities for consolidation into a single location and organizational streamlining to achieve substantial cost savings, including a nearly 90 percent reduction in current staffing levels.

The Mechanism requires a Security Council resolution to enact this radical, yet just transformation. The Mechanism understands that the Security Council is actively engaged on this matter and we extend our profound thanks to the Council for its work. However, while we wait, the responsibility falls to the General Assembly to ensure that the United Nations' investment in international criminal justice is not lost due to the current impasse.

**Mr. President,
Excellencies,**

The Mechanism's 2027 budget proposal will continue the consistent path of steep resource reductions. These savings are possible due to the termination of the case of *Prosecutor v. Félicien Kabuga* in May, the anticipated closure of the United Nations Detention Unit by the end of this year, and the Mechanism's planned move to lower cost premises in The Hague in 2027. Additional resource reductions will be accrued through the streamlining of workflows and outsourcing of administrative and technical support where feasible and cost effective.

However, these reductions are piecemeal. The Mechanism's 2027 budget must support its substantial, mandated commitments, including maintaining two physical locations on two continents, and not the relatively minimal costs that would be possible following the implementation of our strategic plan. When a Council decision is taken, the Mechanism will work with this Assembly to revise its resource requirements accordingly.

I must note that our continual downsizing and the general uncertainty of our situation levies a significant toll on our dedicated, mission-driven staff and Judges. I extend my profound appreciation to them, who, notwithstanding the prevailing circumstances, including the absence of a Prosecutor, continue to deliver excellent results in all of our mandated activities. We hope, however, that the Security Council will soon resolve our situation.



**Mr. President,
Excellencies,**

Today, the Mechanism remains focused on five key functions: residual judicial activity, supervision of enforcement of sentences, protection of victims and witnesses, management of the archives and assistance to national jurisdictions. These functions are fundamental to the protection of individual rights and the integrity of international judicial judgments. They further domestic accountability efforts. The preservation of the judicial record plays a central role in establishing the truth and countering historical revisionism and genocide denial. In its recent evaluation, OIOS confirmed that the Mechanism's mandate remained relevant and was adequately implemented. It further highlighted positive feedback from Member States on the Mechanism's continued importance and the necessity of the remaining residual functions.

I take this opportunity to emphasize, in particular, my unequivocal support to the Secretary-General's recommendation that the authority over pardon, commutation of sentence and early release should remain at the international level. The Secretary-General, as well as OIOS, noted that such determinations directly engage principles of legality, due process, and equality before the law. They concern the effective implementation of sentences imposed pursuant to an international legal framework. Transfer of this authority to individual States would create an inherent risk of divergent standards and inconsistent treatment of similarly-situated convicted persons. Retaining international jurisdiction safeguards the consistent application of the governing legal framework, legal certainty, and the involvement of judges familiar with the relevant cases, conflicts and sentencing practice.

**Mr. President,
Excellencies,**

The hands of our clock are nearing midnight. Let it not chime, however, before the work of the day is done.

The recent burial of Mr. Ratko Mladić's remains in Serbia underscores the potential perils of faltering in this final phase, including new harms to victims and survivors.

Specifically, Mr. Mladić died while hospitalised in The Hague, awaiting transfer to an enforcement State to serve a life sentence. Dutch authorities immediately undertook procedures required under national law. Having determined that Mr. Mladić died of natural causes, no criminal investigation was opened and no autopsy conducted by the Dutch authorities. In the interests of transparency, I ordered a parallel inquiry into the matter based on the Mechanism's regulatory framework. This inquiry is ongoing.

Finally, I will be sharing with the Council a confidential ICRC report received today that examined end of life procedures and policies in our detention unit.

However, the hero's funeral that Mr. Mladić was accorded in Belgrade has triggered broad international condemnation, notably from United Nations experts and special rapporteurs, including the Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention, the Special Rapporteur in the field of cultural rights, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Special Rapporteur on torture and other cruel, inhuman or degrading



treatment or punishment , the Special Rapporteur on minority issues, and the Committee on Enforced Disappearances. These United Nations experts and special rapporteurs stressed that, for survivors of atrocities in the former Yugoslavia and families of those killed or forcibly disappeared, such public glorification of war criminals serves to, I quote, “deepen suffering and undermine memory, truth and accountability”. They warned that public actions that appear to honour individuals found responsible for atrocities risk undermining decades of efforts to seek truth, end impunity and achieve justice and reparations for these crimes. These experts and special rapporteurs further remarked that, and I quote, “If such blatant genocide denial succeeds, it will roll back international criminal accountability gains against impunity that were forged in the fires of Nuremberg and Tokyo, and the International Criminal Tribunals for the former Yugoslavia and for Rwanda.”

**Mr. President,
Excellencies,**

The years that have passed since the commission of these crimes do not diminish our collective responsibility to ensure that justice is done. The Mechanism, on behalf of the United Nations, continues to faithfully and effectively sustain the international legal order established through the decades of your support. While we wait for a decision from the Security Council, we ask that you, the General Assembly, provide the support needed to sustain our mandated activities. By doing so, this body will affirm that the United Nations keeps its promises and lives up to the obligations of its Charter.

I thank you all for your kind attention.



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