Chapter II

International tribunals and court

In 2014, the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (ICTY) continued to expedite its proceedings, in keeping with its completion strategy. During the year, ICTY completed the substantive work before the Trial Chamber and rendered two appeal judgements. There were no outstanding indictments for violations of core statutory crimes.

The International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwanda Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (ICTR) continued to work towards its completion strategy. In 2014, it completed the substantive work before Trial Chamber and rendered five Appeals Chamber judgements.

Following the opening of its branch in The Hague on 1 July 2013 [YUN 2013, p. 1292], the International Residual Mechanism for Criminal Tribunals was operating on two continents and performing functions inherited from both ICTY and ICTR. Those functions included attending to certain judicial matters, providing protection to witnesses, supervising the enforcement of sentences and managing archives.

The International Criminal Court continued its proceedings with respect to situations of concern in eight countries. The Office of the Prosecutor conducted preliminary examination activities in 10 situations. Twelve arrest warrants were outstanding at year's end.

International Tribunal for the Former Yugoslavia


The Tribunal continued to focus on the completion of all trials and appeals, rendering two appeal judgements. The Office of the Prosecutor made progress towards the completion of the mandate of the Tribunal at both the trial and appellate levels, and continued to develop working relationships with the authorities of the States of the former Yugoslavia to encourage cooperation with the Tribunal and to support domestic war crimes prosecutions. The Registry provided administrative and judicial support to the Tribunal, and coordinated the practical arrangements necessary for the transfer of responsibilities to the International Residual Mechanism for Criminal Tribunals (the Mechanism), established by Council resolution 1966(2010) [YUN 2010, p. 1306].

The President, Judge Theodor Meron (United States), and the Prosecutor, Serge Brammertz (Belgium), continued to fulfil their duties at the Tribunal. During the year, the Security Council adopted resolution 2193(2014), which addressed, among other issues, the extension of the terms of office of the judges and ad litem judges (see p. 0000).

President Meron informed the Council on 10 December [S/PV.7332] that the Tribunal continued to make progress in completing its last trials and appeals. The Tribunal delivered two appeal judgements in 2014. By the end of the year, only four trials and five appeal cases remained outstanding. All 161 individuals indicted were accounted for. Five appeals and four trials were ongoing by the end of the year.

The activities of ICTY were covered in two reports to the Security Council and the General Assembly, for the period from 1 August 2013 to 31 July 2014 [A/69/225-S/2014/556] and from 1 August 2014 to 31 July 2015 [A/70/226-S/2015/585]. The Assembly took note of the 2013/2014 report on 13 October (decision 69/508).

On 15 September, the General Assembly decided to include the item on ICTY in the draft agenda of its sixty-ninth (2014) session (decision 68/664). On 29 December, the Assembly decided that the agenda item on ICTY would remain for consideration during its sixty-ninth resumed (2015) session (decision 69/554).

Chambers

During the year, the Tribunal’s three Trial Chambers rendered no judgements [A/69/225-S/2014/556], while the Appeals Chamber rendered two final judgements. Judicial activities included first instance and appeals proceedings against judgements, interlocutory decisions and State requests for review. As at 31 July, ICTY had 23 judges from 22 countries, including 14 permanent tribunal judges, six permanent judges
of the International Criminal Tribunal for Rwanda serving in the Appeals Chamber, and three ad litem (short-term) judges.

**New arrests and indictments**

During the year, there were no outstanding indictments for violations of core statutory crimes. Following the arrests of the last of the Tribunal’s fugitives, Mladić and Hadžić [YUN 2011, p. 1243], the two trials were in the defence evidence presentation phase.

**Ongoing cases, trials and appeals**

Ratko Mladić was charged with 11 counts of genocide, crimes against humanity and violations of the laws or customs of war, all in relation to acts allegedly committed in Bosnia and Herzegovina between 12 May 1992 and 30 November 1995 [YUN 1995, p. 1314]. The trial commenced on 16 May 2012 [YUN 2012, p. 1270]. The defence case started on 19 May 2014. In October, Trial Chamber I granted the Prosecution’s request to reopen its case in order to present previously unavailable evidence relating to a mass grave discovered in the village of Tomašica, in the Prijedor municipality of Bosnia and Herzegovina. The judgement was expected in November 2017.

Goran Hadžić was charged with 14 counts of crimes against humanity and violations of the laws or customs of war, all in relation to acts allegedly committed in Croatia and Serbia between 25 June 1991 and December 1993. The trial commenced on 16 December 2012 [YUN 2012, p. 1270]. The defence case started on 3 July 2014. The trial was adjourned on 20 October and Mr. Hadžić was on provisional release. The judgement was expected in October 2016.

Radovan Karadžić was charged with 11 counts of genocide, crime against humanity and violations of the laws or customs of war, for acts allegedly committed in Bosnia and Herzegovina between 1992 and 1995. The trial commenced on 26 October 2009 [YUN 2009, p. 1282]. The defence case closed on 2 May 2014. Closing arguments were heard between 30 September and 7 October. The judgement was expected in December 2015.

Vojislav Šešelj was charged with nine counts of crimes against humanity and violations of the laws or customs of war, for acts allegedly committed in Croatia, Bosnia, Herzegovina and Vojvodina (Serbia) between August 1991 and September 1993 [YUN 2003, p. 1311 & YUN 2004, p. 1277]. Trial proceedings concluded on 20 May 2012. The Trial Chamber’s decision that the trial could continue despite the disqualification of Judge Harhoff and replacement by Judge Niang, was upheld by the Appeals Chamber.

In the case of Prosecutor v. Nikola Sainović et al., the appeal judgement was rendered on 23 January. The Appeals Chamber affirmed majority of the defendants’ convictions while granting certain grounds of appeal raised by the appellants. It reduced Mr. Sainović’s sentence from 22 to 18 years of imprisonment; reduced Vladimir Lazarević’s sentence from 15 to 14 years of imprisonment; and reduced Sreten Lukić’s sentence from 22 to 20 years of imprisonment.

In the case of Prosecutor v. Vlastimir Đorđević, the appeal judgement was rendered on 27 January. The Appeals Chamber affirmed majority of Mr. Đorđević’s convictions, while granting, either in full or in part, certain grounds of appeal raised by him and one ground of appeal raised by the prosecution. Granting the latter ground of appeal, the Appeals Chamber entered an additional conviction for persecution (sexual assault). The Appeals Chamber reduced Mr. Đorđević’s sentence from 27 to 18 years of imprisonment.

In the case of Prosecutor v. Momčilo Perišić, the Appeals Chamber, on 20 March, denied a prosecution motion seeking reconsideration of the appeal judgement.

The three Appeals Chamber cases, Prosecutor v. Jovica Stanišić and Franko Simatović, Prosecutor v. Mico Stanišić and Stojan Zupljanin and Prosecutor v. Jadranko Prlić et al., were outstanding.

**Judges of the Court**

**ICTY requests for extension.** On 31 October [A/69/559-S/2014/780], the Secretary-General transmitted to the Security Council and to the General Assembly a 1 October letter from the ICTY President, requesting the extension of the term of office of 14 permanent judges of the Trial and Appeals Chambers and three ad litem judges of the Trial Chamber until the dates set out therein or until the completion of the cases to which they were assigned.

On 3 December [A/69/631-S/2014/865], the Secretary-General transmitted to the Security Council and to the General Assembly a 25 November letter from the ICTY President, amending his request for extension of the term of office of Judge Patrick Robinson (Jamaica) to 31 July 2015, or until the completion of the cases to which he was assigned, in view of the election of Judge Robinson to the International Court of Justice.

**General Assembly action.** On 23 December, the Assembly, by decision 69/416, decided to extend the term of office of 13 permanent judges and three ad litem judges, who were members of the Trial Chambers and the Appeals Chamber, until 31 December 2015 or until the completion of the cases to which they were assigned. It also decided to extend the term of office of one permanent judge, Judge Robinson, who was a member of the Appeals Chamber, until 31 July 2015 or until the completion of the cases to which he was assigned.
Chapter II: International tribunals and court

SECURITY COUNCIL ACTION

On 18 December [meeting 7348], the Security Council adopted resolution 2193(2014) by vote (14-0-1). The draft [S/2014/907] was submitted by Chile.

The Security Council,

Reaffirming its determination to combat impunity for all those responsible for serious international crimes and the necessity of all persons indicted by the International Tribunal for the Former Yugoslavia (the International Tribunal) being brought to justice,

Taking note of the letters dated 31 October and 3 December 2014 from the Secretary-General to the President of the Security Council attaching letters dated 1 October and 25 November 2014 from the President of the International Tribunal,


Taking into account the assessments by the International Tribunal in its completion strategy report, and the updated trial and appeals schedule,

Noting the concerns expressed by the President of the International Tribunal about staffing, and reaffirming that staff retention is essential for the most expeditious completion of the work of the Tribunal,

Recalling its previous resolutions on the extension of the terms of office of the permanent and ad litem judges at the International Tribunal, who are members of the Trial Chambers and the Appeals Chamber,

Recalling also its resolution 2007(2011) adopted on 14 September 2011,

Having regard to article 16 of the statute of the International Tribunal,

Having considered the nomination by the Secretary-General of Mr. Serge Brammertz for reappointment as Prosecutor of the International Tribunal,

Acting under Chapter VII of the Charter of the United Nations,

1. Requests the International Tribunal to complete its work and facilitate the closure of the Tribunal as expeditiously as possible with the aim of completing the transition to the Mechanism, and expresses its continued concern over delays in the conclusion of the work of the Tribunal, in the light of resolution 1966(2010), in which the Security Council requested the Tribunal to complete its trial and appeals proceedings by 31 December 2014;

2. Underlines that States should cooperate fully with the International Tribunal, as well as with the Mechanism;

3. Decides to extend the term of office of the following permanent judge at the International Tribunal, who is a member of the Appeals Chamber, until 31 July 2015 or until the completion of the cases to which he is assigned, if sooner:

   – Mr. Patrick Lipton Robinson (Jamaica)

4. Also decides to extend the term of office of the following permanent and ad litem judges at the International Tribunal, who are members of the Trial Chambers and the Appeals Chamber, until 31 December 2015 or until the completion of the cases to which they are assigned, if sooner:

   – Mr. Koffi Kumelio A. Afande (Togo)
   – Mr. Carmel A. Agius (Malta)
   – Mr. Liu Daqun (China)
   – Mr. Theodor Meron (United States of America)
   – Mr. Fausto Pocar (Italy)
   – Mr. Jean-Claude Antonetti (France)
   – Mr. Guy Delvoie (Belgium)
   – Mr. Christoph Flügge (Germany)
   – Mr. Burton Hall (Bahamas)
   – Mr. O-gon Kwon (Republic of Korea)
   – Mr. Bakone Melema Moloto (South Africa)
   – Mr. Howard Morrison (United Kingdom of Great Britain and Northern Ireland)
   – Mr. Alphonsus Martinus Maria Orie (Netherlands)
   – Mr. Melville Baird (Trinidad and Tobago)
   – Ms. Flavia Lavranzì (Italy)
   – Mr. Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo)

5. Further decides to reappoint Mr. Serge Brammertz as Prosecutor of the International Tribunal, notwithstanding the provisions of article 16, paragraph 4, of the statute of the International Tribunal related to the length of office of the Prosecutor, for a term with effect from 1 January 2015 until 31 December 2015, which is subject to an earlier termination by the Council upon the completion of the work of the Tribunal;

6. Urges the International Tribunal, in the light of resolution 1966(2010), to redouble its efforts to review its projected case completion dates with a view towards shortening them as appropriate;

7. Decides to remain seized of the matter.

VOTE ON RESOLUTION 2193(2014):

In favour: Argentina, Australia, Chad, Chile, China, France, Jordan, Lithuania, Luxembourg, Nigeria, Republic of Korea, Rwanda, United Kingdom, United States.

Against: None.

Abstaining: Russian Federation.

Office of the Prosecutor

In 2014, the Office of the Prosecutor ensured the expeditious continuation of trial proceedings and handled the remaining appeals, while contending with the problem of escalating staff attrition and downsizing. As at 31 July, judgements were issued in two appeals (Sânović et al. and Đorđević); two cases were in the phase of presentation of defence evidence (Hadžić and Mladic); one case was still awaiting judgement at the trial chamber level (Šešelj). In addition, five cases were on appeal (Popović et al., Tolić, Stanišić and Župljanin, Prlić et al., and Stanišić and Simatović).

The Office of the Prosecutor continued to rely on the full cooperation of States to fulfil its mandate. The Prosecutor continued to foster working relations with national prosecutors, meeting with officials in Sarajevo in April 2014 and in Brijuni, Croatia, in
May 2014 to discuss cooperation and other issues of mutual relevance. The Office continued to request cooperation from Serbia, Croatia and Bosnia and Herzegovina in support of its ongoing casework.

Serbia processed requests for assistance from the Office, and facilitated its access to witnesses, by facilitating the appearance of witnesses before the Tribunal.

The Croatian authorities provided timely and adequate responses to day-to-day requests for assistance from the Office and facilitated access to witnesses and evidence as required.

The authorities of Bosnia and Herzegovina responded promptly and adequately to most requests from the Office for documents and access to government archives. They also provided valuable assistance with witness protection matters and facilitated the appearance of witnesses before the Tribunal.

With respect to cooperation in judicial matters among the States of the former Yugoslavia, the Office continued to promote regional cooperation and collaboration in war crimes matters. The regional cooperation protocols came under public scrutiny in January and February 2014, when Serbia and Croatia issued international arrest warrants against citizens of Bosnia and Herzegovina. A protocol on the exchange of information and evidence in war crimes cases was adopted between Bosnia and Herzegovina and Montenegro on 29 April, following the signing of similar protocols between Bosnia and Herzegovina and Serbia and Croatia [YUN 2013, p. 1284]. The Office encouraged the respective authorities to produce concrete results from the implementation of the protocol. In December, Serbian and Bosnia and Herzegovina authorities conducted coordinated arrest operations in relation to the Štrpci case, and initial proceedings were underway in both Serbia and Bosnia and Herzegovina to bring those arrested to trial.

Support from States outside the former Yugoslavia and international organizations remained important for the completion of the Tribunal’s mandate. The Office continued to access information held in the archives and other institutions of United Nations Member States, and acknowledged the assistance from the United Nations and its agencies, the European Union (eu), the North Atlantic Treaty Organizations, the Organization for Security and Cooperation in Europe, the Council of Europe and non-governmental organizations, including those in the former Yugoslavia.

As the Tribunal moved closer to the completion of its mandate, the Office remained committed to promoting effective war crimes prosecutions in the former Yugoslavia. The Office continued to provide information related to the ongoing cases at the Tribunal to assist national jurisdictions in prosecuting crimes arising out of the conflict in the former Yugoslavia. The joint eu/Tribunal “liaison prosecutors” project, in its fifth year of operation, remained a central component of the Office’s strategy to strengthen the capacity of national criminal justice systems in the former Yugoslavia to undertake war crimes cases. The Office continued to urge the authorities of Bosnia and Herzegovina to finalize investigations arising out of material it had transferred to them concerning crimes documented in cases brought by the Office, but which did not form part of indictments at the Tribunal. Serious issues remained in relation to the implementation of the national war strategy in Bosnia and Herzegovina. Although there had been some progress in the transfer of cases from State judicial organs to entity judicial organs, the number of indictments issued by the entities remained low. The Office urged the authorities of Bosnia and Herzegovina to pay attention to cases of sexual violence, given the reported magnitude of such crimes and the dearth of prosecutions devoted to them.

The Office sought to share the lessons learned and best practices developed from its work over the past 21 years with national counterparts working across a range of criminal justice sectors in Africa, South America, Europe and the Middle East.

The Registry

During the year, the Registry provided judicial, diplomatic, operational and administrative support for the Tribunal and managed its outreach programme. The Judicial Support Services Division underwent a major restructuring and consolidation to streamline its operations and respond to the downsizing efforts of the Tribunal. The restructuring included the merger of part of the former Court Management Support Services, the Victims and Witnesses Section and the Office for Legal Aid and Defence into one new section: the Court Support Services Section as of 1 March. The established Section had four units: the Witness Support and Operations Unit and Witness Protection Unit (collectively referred to as the Victims and Witnesses Section), the Courtroom Operations Unit, and the Office for Legal Aid and Defence. Another part of the former Court Management Support Services called the Judicial Records Unit reported to the Mechanism Archives and Records Section.

As at 31 July, the Victims and Witnesses Section assisted 207 witnesses to travel to The Hague to give evidence and completed 95 witness interviews for its research regarding the long-term impact of giving testimony at the Tribunal. It also supported the Mechanism in preparing policies and practices and developing shared access to its databases for the branches of the Mechanism in The Hague and Arusha. The Witness Protection Unit coordinated professional responses to threats to witnesses and continued working on relocating protected witnesses.
The Courtroom Operations Unit supported four trials and seven appeals, including five videoconference links, four rule 92 bis missions and one site visit. It also assisted three self-represented accused through its Pro Se Office. As of 31 July, in cooperation with the Judicial Records Unit, the Unit had processed 81 requests for assistance submitted by national jurisdictions.

The Office for Legal Aid and Defence administered the legal aid system of the Tribunal, overseeing more than 200 defence team members. The Office also assisted detained witnesses with their legal representation and administered the appointment and remuneration of *amici curiae*. It also provided assistance on legal, policy, and operational matters relating to the management of the legal aid system of the Mechanism.

The Judicial Records Unit, as of 31 July, had processed 3,562 Tribunal filings, 425 Mechanism filings and 714 transcripts. It also facilitated the sharing and transfer of judicial records between the Tribunal and the Mechanism.

The United Nations Detention Unit continued to support both the Tribunal and the Mechanism and was responsible for detaining up to 34 individuals in conditions meeting the applicable international standards. It facilitated the presence of detainees at court hearings, ensured the care and security of detained witnesses and implemented the provisional release of one detainee. The Unit continued to support self-represented accused in the preparation of their defence cases with a wide range of facilities. It also facilitated medical examinations by court-appointed medical experts and by physicians chosen by detainees.

The Administration Division engaged with both management and staff representatives in further implementing downsizing procedures. The Division also coordinated the finalization of the proposed budgets for the Tribunal and the Mechanism for the biennium 2014–2015. It also provided overall administrative support to the Mechanism, including the launch and start-up of the branch of the Mechanism in The Hague.

The Immediate Office of the Registrar supported the Registrar in its overall responsibility, including supervising all Registry sections and representing the Tribunal in its relations with the host State, embassies and ministries, the United Nations and other international organizations. It also supported the Registrar in managing Mechanism registry operations in both Arusha and The Hague. The Office continued to assist the Registrar and the Administration Division with the implementation of downsizing procedures.

The Mechanism Archives and Records Section supported the Tribunal offices with the preparation for transferring the records to the Mechanism. The Section contributed to the further development of policies and procedures, such as the electronic mail policy of the Tribunal. The Section continued to develop and implement the retention schedules of the Tribunal records, focusing on schedules for the records of Chambers and the Administration Division. The Section provided records storage and retrieval services for Tribunal offices, including the destruction of time-expired records in compliance with approved retention schedules.

The Communications Service provided information to a wide range of audiences. It also supported the development of an Internet platform for the Mechanism.

The outreach programme continued to deliver accurate factual information about the work of the Tribunal and to stimulate debate in the former Yugoslavia. It prepared an exhibition of the work and achievements of the Tribunal, displayed in The Hague and in Sarajevo, and also completed the second, and initiated the third, phase of its youth outreach project in high schools and universities in all countries of the region, reaching almost 2,000 young people. The field offices of the Tribunal in Belgrade and Sarajevo organized 20 outreach events reaching approximately 1,000 individuals. Two documentaries about the work of the Tribunal were produced. The first, entitled “Through Their Eyes: Witnesses to Justice” which highlighted the crucial role that witnesses played in the work of the Tribunal, was screened in Bosnia and Herzegovina, Croatia, Serbia and The Hague. The second, “Crimes before the ICTY: Central Bosnia” was completed in July.

**Financing**

### 2012–2013 biennium

**Board of Auditors report.** On 30 June [A/69/5/ Add.14], the Chair of the Board of Auditors transmitted to the President of the General Assembly the financial statements of ICTY for the 2012–2013 biennium. The Board’s recommendations covered, among other issues, planning for the closure of the Tribunal, the transition to the Mechanism and the management of non-expendable property.

### 2014–2015 biennium

**Report of the Secretary-General.** In November [A/69/599], the Secretary-General submitted the first performance report on the ICTY budget for the 2014–2015 biennium to identify revised estimates for ICTY owing to variation in the rates of inflation and exchange, and in the standards and vacancies assumed in the calculation of the initial appropriations. The General Assembly was requested to approve a revised appropriation for the biennium 2014–2015 in the amount of $201,340,300 gross ($179,074,200 net), reflecting a decrease of $347,900 gross ($638,900 net).

**ACABQ report.** In December [A/69/655], the Advisory Committee on Administrative and
Budgetary Questions (ACABQ) recommended that the General Assembly take note of the first performance report and approve a revised appropriation for the biennium 2014–2015 to the ICTY Special Account in the amount of $201,340,300 gross ($179,074,200 net).

GENERAL ASSEMBLY ACTION

On 29 December [meeting 77], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/69/692], adopted resolution 69/255 without a vote [agenda item 146].

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly, having considered the first performance report of the Secretary-General on the budget, for the biennium 2014–2015, of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the financial report and audited financial statements for the biennium ended 31 December 2013 and the report of the Board of Auditors on the International Tribunal for the Former Yugoslavia and the recommendations contained therein and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 47/235 of 14 September 1993 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which was resolution 68/256 of 27 December 2013,

1. Takes note of the first performance report of the Secretary-General on the budget, for the biennium 2014–2015, of the International Tribunal for the Former Yugoslavia;

2. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

3. Decides on a revised appropriation to the Special Account for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the biennium 2014–2015, as detailed in the annex to the present resolution;

4. Also decides, for the year 2015, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 50,176,725 dollars gross (44,608,825 dollars net), including 173,950 dollars gross (319,450 dollars net), being the decrease in assessments;

5. Further decides, for the year 2015, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for the year, the amount of 50,176,725 dollars gross (44,608,825 dollars net), including 173,950 dollars gross (319,450 dollars net), being the decrease in assessments;

6. Decides that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount of 11,135,800 dollars, including 291,000 dollars, being the increase in the estimated staff assessment income approved for the Tribunal for the biennium 2014–2015.

ANNEX


<table>
<thead>
<tr>
<th></th>
<th>Gross (United States dollars)</th>
<th>Net (United States dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial appropriation for the biennium 2014–2015 (resolution 68/256)</td>
<td>201,688,200</td>
<td>179,998,600</td>
</tr>
<tr>
<td>Recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/69/655)</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Recommendations of the Fifth Committee</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Estimated income for the biennium 2014–2015</td>
<td>(285,500)</td>
<td>(285,500)</td>
</tr>
<tr>
<td>Revised appropriation for the biennium 2014–2015 (net of estimated income)</td>
<td>201,054,800</td>
<td>179,074,200</td>
</tr>
<tr>
<td>Assessment for 2014</td>
<td>(100,701,350)</td>
<td>(89,856,550)</td>
</tr>
<tr>
<td>Balance to be assessed for 2015</td>
<td>100,353,450</td>
<td>89,217,650</td>
</tr>
<tr>
<td>Including:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2015</td>
<td>50,176,725</td>
<td>44,608,825</td>
</tr>
<tr>
<td>Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2015</td>
<td>50,176,725</td>
<td>44,608,825</td>
</tr>
</tbody>
</table>

On 29 December, the Assembly decided that the agenda item on ICTY financing would remain for consideration during its resumed sixty-ninth (2015) session (decision 69/554).

International Tribunal for Rwanda

In 2014, the International Criminal Tribunal for Rwanda (ICTR), established by Security Council resolution 955(1994) [YUN 1994, p. 299] and based in Arusha, United Republic of Tanzania, delivered five Appeals Chamber judgements.

The Office of the Prosecutor focused on handing over of responsibility for tracking of fugitives to the International Residual Mechanism for Criminal Tribunals (the Mechanism) and supporting national
authorities in the prosecution of crimes relating to the 1994 Rwanda genocide. Support was also extended to Rwanda authorities to assist them in preparing for the transfer of cases from the Tribunal. The Registry continued to provide a high level of administrative and judicial support to the Tribunal and to the Mechanism. The Registry ensured the cooperation and assistance of Member States with the Tribunal and further strengthened its outreach and capacity-building activities in Rwanda.

The Security Council adopted resolution 2194(2014) (see p. 0000) addressing, among other issues, the extension of the terms of office of permanent judges.

The ICTR President, Judge Vagn Joensen (Denmark), informed the Council on 10 December [S/PV.7332] that the ICTR Appeals Chamber had completed all of its work with the exception of the Butare case concerning six persons. The ICTR President also updated the Council on the progress made with respect to the issue of reparations for the victims of the 1994 genocide against the Tutsi in Rwanda. The issue of relocating the acquitted and convicted persons remained a challenge. As ICTR made arrangements for closure, the continued assistance of governments remained crucial to ensure the Tribunal closed its door with its mandate completed and its legacy secured.


On 15 September, the General Assembly decided to defer consideration of the item on ICTR and to include it in the draft agenda of its sixty-ninth (2014) session (decision 68/663). On 29 December, the Assembly decided that the agenda item on ICTR would remain for consideration during its resumed sixty-ninth (2015) session (decision 69/554).

The Chambers

The Chambers comprised one Trial Chamber and one Appeals Chamber and were composed of 12 permanent judges in the Appeals Chamber and one ad litem judge serving as President and as member of the Trial Chamber.

New arrests

In 2014, the Office of the Prosecutor of the Tribunal had no further fugitive-related workload. The tracking, arrest and trial of the three top-level fugitives, Augustin Bizimungu, Félicien Kabuga and Protais Mpiranya, and the monitoring of all referred cases was managed by the Mechanism.

Ongoing cases, trials and appeals

On 7 February 2014, the Appeals Chamber severed the case of Augustin Bizimungu from the Ndindilyimana et al. (Military II) case, ordering further submissions from the parties. On 11 February, the Appeals Chamber issued its judgement in respect of the Ndindilyimana, Nzuwonemeye and Sagashutu cases. The Appeals Chamber reversed Ndindilyimana’s and Nzuwonemeye’s convictions in their entirety. It also partly reversed Sagashutu’s convictions, reducing his sentence to 15 years of imprisonment.

The Appeals Chamber issued its judgement in respect of Mr. Bizimungu on 30 June. The Appeals Chamber affirmed Mr. Bizimungu’s convictions for genocide; extermination, murder and rape as crimes against humanity; and murder and rape as serious violations of article 3 common to the Geneva Conventions and of Additional Protocol II, while it reversed findings of his responsibility for certain events. The Appeals Chamber affirmed the sentence of 30 years of imprisonment.

The Appeals Chamber heard the parties’ appeals in the Édouard Karemera and Matthieu Ngorimbate case in February 2014 and pronounced its judgement on 29 September. The Appeals Chamber affirmed Karemera’s and Ngorimbate’s 2011 convictions [YUN 2011, p. 1251], while it reversed certain findings of the Trial Chamber, and also affirmed their sentences of life imprisonment.

The Appeals Chamber heard the parties’ appeal in the Ildéphonse Nizeyimana case in April and pronounced its judgement on 29 September. The Appeals Chamber reversed Nizeyimana’s 2012 convictions [YUN 2012, p. 1276] based on some events, including his conviction for extermination as a crime against humanity, but affirmed his convictions for genocide and murder as a crime against humanity and as a serious violation of article 3 common to the Geneva Conventions and Additional Protocol II thereto. The Appeals Chamber set aside the life sentence and imposed a sentence of 35 years of imprisonment.

The Appeals Chamber heard the parties’ appeal in the Callixte Nzabonimana case in April and pronounced its judgement on 29 September. While reversing Nzabonimana’s 2012 convictions [ibid.] based on certain events, the Appeals Chamber affirmed his convictions for instigating genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, and extermination as a crime against humanity. The Appeals Chamber also affirmed his life sentence.

Deliberations were in progress in the final case, Niyamagabehu et al. (“Butare” case), which concerned six convicted persons. The Appeals Chamber was expected to hear oral arguments in April 2015.
Judges of the Court

Extension of terms of office and ad litem judges

ICTR request for extension. On 31 October [A/69/560-S/2014/779], the Secretary-General transmitted to the Security Council and to the General Assembly a 1 October letter from the ICTR President, requesting the extension of the term of office of six permanent judges of the Appeals Chamber and one ad litem judge of the Trial Chamber until the dates set out therein or until the completion of the cases to which they were assigned.

General Assembly action. On 23 December (decision 69/415), the Assembly decided to extend the term of office of two permanent judges, who were members of the Appeals Chamber, until 31 July 2015 or until the completion of the cases to which they were assigned. It also decided to extend the term of office of four permanent judges, who were members of the Appeals Chamber, until 31 December 2015 or until the completion of the cases to which they were assigned. The Assembly further decided to extend the term of office of one ad litem judge, Judge Vagn Joensen (Denmark), until 31 December 2015 so that he would continue to perform the functions required of him as trial judge and President of the International Tribunal, to complete the work of the Tribunal.

Nomination for reappointment of Prosecutor

By a letter of 31 October to the Security Council [S/2014/778], the Secretary-General requested the Council to reappoint Mr. Hassan Bubacar Jallow (Gambia) as Prosecutor, effective 1 January 2015, for a one-year term, subject to an earlier termination by the Council upon the completion of the work of the ICTR.

SECURITY COUNCIL ACTION

On 18 December [meeting 7348], the Security Council unanimously adopted resolution 2194(2014). The draft [S/2014/908] was submitted by Chile.

The Security Council,

Reaffirming its determination to combat impunity for all those responsible for serious international crimes and the necessity of all persons indicted by the International Criminal Tribunal for Rwanda (the International Tribunal) being brought to justice,

Taking note of the letter dated 31 October 2014 from the Secretary-General to the President of the Security Council attaching a letter dated 1 October 2014 from the President of the International Tribunal,


Taking into account the assessments by the International Tribunal in its completion strategy report, and the updated appeal schedule,

Noting that the year 2014 marked the twentieth anniversary of the International Tribunal, established on 8 November 1994,

Noting also the referral of cases of Laurent Bucyibaruta, Wenceslas Munyeshyaka, Jean Uwinkindi and Bernard Munyagishari to national jurisdictions, pursuant to rule 11 bis of the Rules of Procedure and Evidence of the International Tribunal, and emphasizing the importance of continuing to monitor progress in referred cases, as well as the goal of achieving the completion of all Tribunal and referred cases at the earliest possible time,

Noting with concern that many genocide suspects continue to elude justice, including the remaining nine fugitives indicated by the International Tribunal,

Noting with concern also that the International Tribunal continues to face problems in the relocation of acquitted persons and convicted persons who have completed serving their sentences, emphasizing the importance of the successful relocation of such persons, and also noting the assumption of responsibility of the Mechanism for such persons from 1 January 2015,

Noting the concerns expressed by the President of the International Tribunal about staffing, and reaffirming that staff retention is essential for the most expeditious completion of the work of the International Tribunal,

Recalling its previous resolutions on the extension of the term of office of the permanent and ad litem judges at the International Tribunal, who are members of the Trial Chamber and the Appeals Chamber,

Recalling also its resolution 2006(2011) adopted on 14 September 2011,

Having regard to article 15 of the statute of the International Tribunal,

Having considered the nomination by the Secretary-General of Mr. Hassan Bubacar Jallow for reappointment as Prosecutor of the International Tribunal,

Acting under Chapter VII of the Charter of the United Nations,

1. Requests the International Tribunal to complete its work and facilitate the closure of the Tribunal as expeditiously as possible with the aim of completing the transition to the Mechanism, taking into account resolution 1966(2010), in which the Security Council requested the Tribunal to complete its trial and appeals proceedings by 31 December 2014;

2. Underlines that States should cooperate fully with the International Tribunal as well as with the Mechanism;

3. Commends States that have accepted the relocation of acquitted persons or convicted persons who have completed serving their sentences to their territories, and reiterates its call upon all States to cooperate with and render all necessary assistance to the International Tribunal and, from 1 January 2015, the Mechanism, for increased efforts towards the relocation of acquitted persons and convicted persons who have completed serving their sentences;

4. Urges all States, especially States where fugitives are suspected to be at large, to intensify their cooperation with and render all necessary assistance to the International Tribunal and the Mechanism, in particular to achieve the arrest and surrender of all remaining fugitives indicted by the Tribunal as soon as possible;

5. Urges the Mechanism to continue to monitor cases of Laurent Bucyibaruta, Wenceslas Munyeshyaka, Jean
Uwinekindi and Bernard Munyagishari, which were referred to national jurisdictions.

6. Decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 July 2015 or until the completion of the cases to which they are or will be assigned, if sooner:
   - Mr. Mehmet Güney (Turkey)
   - Mr. William H. Sekule (United Republic of Tanzania)

7. Also decides to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2015 or until the completion of the cases to which they are or will be assigned, if sooner:
   - Ms. Khalida Rachid Khan (Pakistan)
   - Mr. Mandiaye Niang (Senegal)
   - Ms. Arlette Ramaroson (Madagascar)
   - Mr. Bakhtiyar Tuzmukhamedov (Russian Federation)

8. Further decides, bearing in mind the expiry of his term of office on 31 December 2014, to extend the term of office of Judge Vagn Joensen (Denmark) until 31 December 2015 so that he may continue to perform the functions required of him as trial judge and President of the International Tribunal, to complete the work of the Tribunal.

9. Decides to reappoint Mr. Hassan Bubacar Jallow as Prosecutor of the International Tribunal, notwithstanding the provisions of article 15, paragraph 4, of the statute of the International Tribunal related to the length of office of the Prosecutor, for a term with effect from 1 January 2015 until 31 December 2015, which is subject to an earlier termination by the Council upon the completion of the work of the Tribunal.

10. Also decides to remain seized of the matter.

### Office of the Prosecutor

Following the completion of all first instance trial proceedings, the Office of the Prosecutor focused on the completion of ongoing appeals, the monitoring of cases referred to national jurisdictions, transitional activities to ensure a smooth and efficient transfer of functions to the Office of the Prosecutor of the Mechanism, preparation of materials for archiving and on multiple activities related to the Prosecutor’s closing report to the Secretary-General, and other essential legacy works initiated over the years.

The Office of the Prosecutor had transferred a further 596 boxes of material concerning an additional five completed cases and investigation records to the Arusha branch of the Mechanism of the Office of the Prosecutor. The Office of the Prosecutor’s Appeals and Legal Advisory Division litigated 26 appeals in seven cases during the reporting period.

In January 2014, the Office hosted an international conference in Kampala, Uganda, and released a manual on best practices in the investigation and prosecution of sexual and gender-based violence. On 4 and 5 November, the Office hosted the Seventh Colloquium of International Prosecutors, which was part of broader legacy events organized by the Tribunal to mark its twentieth anniversary.

### The Registry

The Registry supported the judicial process by servicing the Tribunal’s other organs and the defence, as well as by seeking support from States, international organizations and other stakeholders in the conduct of proceedings.

The main activities of the Office of the Registrar focused on supporting the conclusion of the remaining appeals, engaging Member States on a variety of issues, providing support to the Mechanism, and preparing the records of the Tribunal for archiving and handover to the Mechanism necessary to achieve an orderly closure of the Tribunal. The Office of the Registrar continued to act as the channel of communication between the Tribunal and the diplomatic community. It also assisted the Mechanism with its function of monitoring the cases of Uwinekindi and Munyagishari that were transferred to Rwanda for trial, as well as the two cases referred to France. In April, the Office of the Registrar participated in an event held to commemorate the twentieth anniversary of the Rwanda Genocide in Dar es Salaam, jointly organized by the United Nations Office in the United Republic of Tanzania, the Rwanda High Commission and the Government of the United Republic of Tanzania. The President and Registrar continued to deploy all efforts to find host countries for the remaining nine acquitted persons and three released convicts.

The Umusanzu Information and Documentation Centre in Kigali and 10 additional provincial information centres located across Rwanda played a key role in promoting outreach activities of the Tribunal through information dissemination, improved communication and access to the jurisprudence and other legal materials of the Tribunal. From February to June 2014, the staff of the Centre conducted genocide awareness workshops in six districts in Rwanda, covering 18 secondary schools, one demobilization and reintegration camp and one institution of higher learning.

The Judicial and Legal Affairs Section focal point for court management provided support services to the judicial processes of the Tribunal and the Mechanism, including the provision of transcripts of appellate proceedings, and continued to prepare judicial records for transfer to the Mechanism. The Section focal point for defence counsel, detainees and acquitted and convicted persons released in the United Republic of Tanzania provided essential services, such as management of payments to defence counsel and attending to requests from detainees and released persons. The Section focal point for witness and victims support worked with the Mechanism to prepare witness files for handover in relation to 58 completed cases before the Tribunal. The United Nations Detention Facility,
as at 30 June, housed a total inmate population of 13 detained persons, including 11 convicted persons awaiting judgements on appeal by the Tribunal, one convicted person awaiting judgement on appeal by the Mechanism and one convicted person awaiting an order for transfer for the enforcement of sentence by the Mechanism.

The Legal Library and Reference Unit delivered legal information to both internal and external users who need to access the materials of the Tribunal and the Mechanism, including their jurisprudence. The Unit also maintained the web database to enable researchers to access the Tribunal’s jurisprudence. On 1 January, the Office of the Registrar completed the transfer of the Unit together with its functions to the Mechanism, in line with the decision of the Coordination Council.

The Division of Administrative Support Services carried the responsibility of providing a wide range of services, such as budget and finance, medical services, security, travel, human resources, training and counselling services, buildings management and property control. It continued to respond to challenges from the process of downsizing in a proactive and flexible manner.

The Career Development and Counselling Unit was implementing a four-pronged strategy to support the completion of the Tribunal’s mandate. The Security and Safety Section continues to support the Tribunal and the Mechanism in ensuring the safety and security of staff, premises, assets and operations. The Health Service Unit provided curative, preventive and trauma counselling support and performed medico-administrative duties for staff members and officials of the Tribunal and Mechanism and their dependants. It also provided medical services to detainees, witnesses and victims and acquitted persons. The Information Technology Services Section continued its consolidation and optimization process in liquidating Kigali facilities, supporting the Mechanism’s information technology infrastructure in Arusha and Kigali and sustaining services required by the Tribunal completion strategy. The Budget and Finance Section provided expertise on proper planning, control and monitoring of the utilization of available resources as well as services to staff members and clients of the Tribunal. The main function of the Procurement Section had been the disposal of the Tribunal’s assets and transferring those that may be utilized by the Mechanism into its custody, with the impending closure of the Tribunal. The Administrative Legal Services Unit played an important legal advisory role for issues pertaining to the proper implementation and interpretation of United Nations administrative rules, cases relating to the privileges and immunities of staff regarding civil and criminal cases, and disputes related to domestic employees of Tribunal staff members. The Unit had been assisting the Registrar with appeals related to the downsizing and retention processes, performance evaluations and investigations of allegations and misconduct in collaboration with the Office of Internal Oversight Services. The Unit had also been responsible for coordination activities of all other oversight bodies.

Financing

2012–2013 biennium

Board of Auditors report. On 30 June, the Chair of the Board of Auditors transmitted the Board’s report [A/69/5/Add.13] on the audit of the financial statements of ICTR for the 2012–2013 biennium to the General Assembly President. The Board recommended that the Tribunal complete the remaining International Public Sector Accounting Standards implementation opening balances activities as planned, with a view to the successful completion and handover to its successor of its mandate; consider preparing formal contingency arrangements for risks to the timetable for the completion of its mandate; develop an efficient acquisition plan that would suit the downsizing and winding-up strategy and reduce the procurement lead time process; and designate a senior officer who would regularly review the activities of system administrators with dual roles, as a control measure to minimize the risks of fraud.

2014–2015 biennium

Report of Secretary-General. In November, the Secretary-General submitted the first performance report [A/69/597] of ICTR for the 2014–2015 biennium to identify revised estimates, taking into account variations in the rates of inflation and exchange and in the standards and vacancies assumed in the calculation of the initial appropriations. The General Assembly was requested to approve the revised appropriation for the biennium 2014–2015 in the amount of $94,883,600 gross ($88,316,800 net), reflecting an increase of $1,287,900 gross ($1,128,400 net).

ACABQ report. In December [A/69/655], ACABQ recommended that the General Assembly take note of the first performance report and approve the revised appropriation for the biennium 2014–2015 to the ICTR Special Account in the amount of $94,883,600 gross ($88,316,800 net).

GENERAL ASSEMBLY ACTION

On 29 December [meeting 77], the General Assembly, on the recommendation of the Fifth Committee [A/69/691], adopted resolution 69/254 without a vote [agenda item 145].
Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the first performance report of the Secretary-General on the budget, for the biennium 2014–2015, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, the financial report and audited financial statements for the biennium ended 31 December 2013 and the report of the Board of Auditors on the International Criminal Tribunal for Rwanda and the recommendations contained therein and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 49/251 of 20 July 1995 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which was resolution 68/255 of 27 December 2013,

1. Takes note of the first performance report of the Secretary-General on the budget, for the biennium 2014–2015, of the International Criminal Tribunal for Rwanda;

2. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;

3. Decides on a revised appropriation to the Special Account for the International Criminal Tribunal for Rwanda for the year 1 January and 31 December 1994 of a total amount of 94,883,600 United States dollars gross (88,316,800 dollars net) for the biennium 2014–2015, as detailed in the annex to the present resolution;

4. Also decides, for the year 2015, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2015, the amount of 24,042,875 dollars gross (22,361,300 dollars net), including 643,950 dollars gross (564,200 dollars net), being the increase in assessments;

5. Further decides, for the year 2015, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for the year, the amount of 24,042,875 dollars gross (22,361,300 dollars net), including 643,950 dollars gross (564,200 dollars net), being the increase in assessments;

6. Decides that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount of 3,363,150 dollars, including 159,500 dollars, being the increase in the estimated staff assessment income approved for the Tribunal for the biennium 2014–2015.

ANNEX

Financing for the biennium 2014–2015 of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

<table>
<thead>
<tr>
<th>Gross</th>
<th>Net</th>
<th>(United States dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial appropriation for the biennium 2014–2015 (resolution 68/255)</td>
<td>93,595,700</td>
<td>87,188,400</td>
</tr>
<tr>
<td>First performance report for the biennium 2014–2015 (A/69/597)</td>
<td>1,287,900</td>
<td>1,128,400</td>
</tr>
<tr>
<td>Recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/69/655)</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Recommendations of the Fifth Committee</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>Revised appropriation for the biennium 2014–2015</td>
<td>94,883,600</td>
<td>88,316,800</td>
</tr>
<tr>
<td>Assessment for 2014</td>
<td>(46,797,850)</td>
<td>(43,594,200)</td>
</tr>
<tr>
<td>Balance to be assessed for 2015</td>
<td>48,085,750</td>
<td>44,722,600</td>
</tr>
<tr>
<td>Including:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2015</td>
<td>24,042,875</td>
<td>22,361,300</td>
</tr>
<tr>
<td>Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2015</td>
<td>24,042,875</td>
<td>22,361,300</td>
</tr>
</tbody>
</table>

On the same date, the Assembly decided that the agenda item on ICTR financing would remain for consideration during its resumed sixty-ninth (2015) session (decision 69/554).

Functioning of the Tribunals

Implementation of completion strategies

ICTY


The Tribunal continued to make progress in completing its work, rendering two appeal judgements. Four trials, involving four individuals, and five appeals, involving 16 individuals, were ongoing. Fol-
lowing the arrests of Ratko Mladić and Goran Hadžić in 2011 [YUN 2011, p. 1243], there were no outstanding fugitives from ICTY. The Tribunal had concluded proceedings against 141 of the 161 individuals it had indicted. It also continued to make effort to meet the deadlines of the completion strategy, and the forecast judgement delivery dates were unchanged for almost all cases. The Tribunal undertook initiatives aimed at providing assistance and support to victims and pursued legacy and capacity-building project. It also worked to ensure a smooth transition to the Mechanism. The outreach programme continued its efforts to bring the work of the Tribunal closer to communities in the former Yugoslavia. The Tribunal implemented measures expediting its work, including the planning of additional training programmes for legal drafters in the Chambers, the assignment of staff members who had additional capacity to assist on a part-time basis with judicial cases potentially subject to delay; the active management of the translation process for judgements and the assignment of additional resources to key translations; and the maintenance of rosters of qualified applicants to ensure that departing staff could be replaced promptly.

The Victims and Witnesses Section provided assistance and support for approximately 112 witnesses appearances before the Tribunal. As the Tribunal worked towards the completion of its activities, it also continued to face challenges related to the relocation of witnesses. In order to increase efficiency and to ensure the accuracy and completeness of witness records, the Section allowed for shared access to the Tribunal’s victims and witnesses database between the Sarajevo field office and The Hague. As at 1 January 2014, the Mechanism’s victims and witnesses protection staff were providing for the protection of witnesses in ongoing trials before the Tribunal, in addition to witnesses from completed Tribunal cases.

The Tribunal continued to implement its planned downsizing process and expected to downsize 361 posts during the biennium 2014–2015, in line with the trial and appeal schedule. On 1 March, five pre-existing sections were merged into four. The new Court Support Services Section was composed of the Courtroom Operations Unit, the Victims and Witnesses Section and the Office for Legal Aid and Defence.

All sections of the Registry supported the Mechanism with a variety of processes, including recruitment, communications, information technology support and Registry management. The Registry also provided the Hague branch of the Mechanism with judicial support services, which included assistance with court management, language services, detention services and witness support services. The Tribunal continued to prepare its digital and hard-copy records for transfer to the Mechanism. The Human Resources Section of ICTY continued to administer recruitments to fill posts for the Mechanism. As at 15 May, recruitment exercises across both branches had resulted in the filling of 120 posts.

ICTY convened a two-day conference in Sarajevo, on 26 and 27 November, to consider aspects of its legacy in the former Yugoslavia. A meeting of the working group on the establishment of information centres was also held on 26 November in Sarajevo, where local authorities confirmed support for the establishment of two such centres in Bosnia and Herzegovina, one in Sarajevo and one in Banja Luka.

As the Tribunal completed its last judicial processes, challenges remained, most notably difficulties in retaining its highly qualified and experienced staff, which affected the progress of pending cases. Though the Tribunal would not be able to complete all of its judicial work by the end of 2014, as requested by the Security Council in resolution 1966(2010) [YUN 2010, p. 1306], that should not overshadow the success of the Tribunal and its contributions to the development of substantive and procedural international criminal law and the assistance provided to rule of law efforts in the former Yugoslavia.

ICTR


As at 5 November, the Tribunal had completed its responsibilities with respect to the substantive cases at the trial level for all 93 accused indicted by the Tribunal, including 55 first-instance judgements involving 75 accused, 10 referrals to national jurisdictions, three top priority fugitives whose cases had been transferred to the Mechanism, two withdrawn indictments and three indictees who died prior to or in the course of trial. Appellate proceedings had been concluded in respect of 55 persons. The sole remaining appeal in the Nyiramasuhuko et al. (“Butare”) case was expected to be completed not before August 2015. Nine of the accused indicted by the Tribunal for their participation in the genocide in Rwanda remained at large. Pursuant to Security Council resolution 1966(2010) [YUN 2010, p. 1306], the responsibility for the tracking and trials of all nine of those fugitives remained with the Republic of Rwanda and the Mechanism. The transition to the Mechanism and plans for closure of the Tribunal were close to completion; most judicial and prosecutorial functions had been handed over to the Mechanism.

The Office of the Prosecutor focused its work on the completion of the remaining appeals, support-
ing the monitoring of cases referred to national jurisdiction for trial, multiple transitional dispositions aimed at ensuring a smooth and effective transfer of functions to the Office of the Prosecutor of the Arusha branch of the Mechanism, the preparation of materials forarchiving, and diverse activities for the Prosecutor’s closing report to the Secretary-General. The Office of the Registrar continued to provide administrative and logistical support to the Chambers and the Office of the Prosecutor, including human resources management, court management, finance, general services and other administrative services. It also continued with the downsizing of the Tribunal to prepare for its closure and liquidation in 2015. During the first week of November 2014, the Tribunal organized events that involved conferences and exhibitions to commemorate its twentieth anniversary.

In accordance with its statute and transitional arrangements, the Mechanism was responsible for requests for review of Tribunal judgements, trials for contempt of court or false testimony where the indictment was confirmed on or after 1 July 2012, and for the trials of three of the remaining Tribunal fugitives once arrested. A number of designated professional staff of the Tribunal continued double hatting for activities related to the Mechanism in order to gradually make it fully operational. Activities included the monitoring of cases transferred to national jurisdictions, the management of the records of the Office of the Prosecutor, the preservation of damaged archives and the handling of appeals before the Mechanism. The Tribunal remained confident that the preparation and transfer of inactive records would be completed before closure, with minimal active records left for preparation and transfer to the Mechanism during the liquidation phase.

Judicial and legal activity continued to be focused on completing the remaining appeals and the transition to the Mechanism. The focus of administrative energies had remained on downsizing related activities, including the continued search for a solution to the problem of relocation for the acquitted and released persons, the preparation of the records of the Tribunal for management by the Mechanism, and providing the support necessary for the remaining judicial and legal work of the Tribunal. In November, the Tribunal launched a new website, which included information on its remaining work, and recalled milestones reached and lessons learned in its pursuit of justice. The Tribunal held a symposium on its legacy on 6 and 7 November, which preceded the official commemoration event of the establishment of the Tribunal on 8 November. The Tribunal spearheaded the initiative to hold practice workshops between international tribunals and ICC, the first of which took place in The Hague on 15 and 16 September.

### International Residual Mechanism

The Security Council established the International Residual Mechanism for Criminal Tribunals by resolution 1966(2010) [YUN 2010, p. 1306], with the mandate to execute the residual functions of ICTY and ICTR, following the closure of those entities. The Mechanism had two branches: the one for ICTR was launched on 1 July 2012 and the one for ICTY commenced functioning on 1 July 2013. In response to Council resolution 1966(2010), the President and the Prosecutor of the Mechanism submitted progress reports in May [S/2014/350] and November [S/2014/826] on the work of the Mechanism for the periods from 16 November 2013 to 15 May 2014 and from 16 May to 19 November 2014.

The President of the Mechanism supervised matters related to the management of the Mechanism, coordinated the work of the Chambers and issued orders and decisions. The Office of the Prosecutor focused on the activities within its remit, including the tracking of the remaining fugitives indicted by ICTR, the rendering of assistance to national authorities and the prosecution of the Mechanism’s first appeal from a judgement. The Office also established systems and procedures to streamline its operation and ensure coordination between its offices at the two branches. The Registry provided and coordinated a wide range of administrative and judicial support services for the Mechanism.

The activities of the Mechanism were covered in two reports to the Security Council and the General Assembly, for the periods from 1 July 2013 to 30 June 2014 [A/69/226-S/2014/555] and from 1 July 2014 to 30 June 2015 [A/70/225-S/2015/586].

The Assembly took note of the second annual report (2013/2014) of the Mechanism on 13 October (decision 69/509).

### The President and the Chamber

During the year, the President, in his capacity as the head of the Mechanism, engaged in issues relating to the establishment and management of the Mechanism. He developed and adopted practice directions, held regular meetings with the Registrar on operational matters and represented the Mechanism in a variety of forums. In his judicial capacity, the President issued numerous assignment orders, as well as six decisions granting early release, a decision provisionally recognizing a sentence remission, six orders designating an enforcement State and other confidential orders and decisions. He ruled on two requests for administrative review of a decision by the Registrar of the Mechanism, one of which was confidential. The President dismissed without prejudice three requests for revocation in relation to cases transferred to Rwanda for prosecution and issued
two other decisions relating to referred cases. He also partially denied a motion in a contempt-related matter. In addition, the President presided over the Appeals Chamber and served as pre-appeal judge on the Mechanism’s first appeal from judgement, in the case of Augustin Ngirabatware v. the Prosecutor.

At the Arusha branch, Judge Vagn Joensen, as the single judge, issued seven decisions on requests for access to confidential information or variation of protective measures for use in national proceedings under rule 86 of the Rules. He rendered four decisions denying post-appeal requests in the Eliézer Niyitegeka case and two decisions on allegations of contempt arising out of the Augustin Ngirabatware case. He also issued a decision and an order with respect to two confidential matters. In May, at the request of the Prosecutor, Judge Joensen vacated the warrants from ICTR for the arrest of Fulgence Kayishema, Phénéas Munyarugarama, Aloys Ndimbarti, Ladislas Ntaganzwa, Charles Ryandikayo and Charles Sikubwabo, replacing them with Mechanism warrants for their arrest and transfer to Rwanda authorities.

At The Hague branch, Judge Bakone Justice Moloto issued 23 decisions on requests for access to confidential information or variation of protective measures for use in national proceedings under rule 86 of the Rules, and also issued a decision concerning protective measures under rule 76 of the Rules. He issued two decisions in contempt-related matters, an order following the receipt of material from a State and an order concerning a request for redaction and reclassification of material. Judge Burton Hall issued a decision on a confidential matter and an order concerning a request for redaction and reclassification of material.

The Appeals Chamber was seized of an appeal from judgement, concerning the Augustin Ngirabatware case. The Appeals Chamber heard oral arguments in Arusha on 30 June, after having rendered 10 pre-appeal orders and decisions. On 21 November, the Appeals Chamber issued a decision dismissing Mr. Ngirabatware’s three motions for the admission of additional evidence on appeal. On 18 December, the Appeals Chamber affirmed Mr. Ngirabatware’s convictions for genocide and direct and public incitement to commit genocide. The Appeals Chamber, however, reversed the conviction for rape as a crime against humanity and reduced Mr. Ngirabatware’s sentence to 30 years of imprisonment.

The Appeals Chamber was seized of a request for review filed by Milan Lukić. The briefing was completed on 10 April. The President rendered four orders and decisions dealing with various preliminary motions and other confidential requests. The Appeals Chamber also issued a decision on an appeal against a decision denying the revocation of the referral of the Radovan Stanković case to the authorities of Bosnia and Herzegovina, as well as a decision on appeals filed by Deogratias Sebureze and Maximilien Turinabo in relation to contempt proceedings.

As at 30 June, the Appeals Chamber was seized of a request filed by Eliézer Niyitegeka for the assignment of counsel to assist him with an anticipated request for review. On 6 November, the Appeals Chamber denied Mr. Niyitegeka’s request for the assignment of counsel to assist him with an anticipated request for review and the presiding judge issued a related order.

Office of the Prosecutor

In 2014, the Office of the Prosecutor continued to discharge its mandate with respect to a variety of activities, including the tracking of fugitives, the rendering of assistance to national authorities, the monitoring of cases referred to national jurisdictions, the maintenance of fugitive files in anticipation of arrest and the prosecution of an appeal and other litigation before the Mechanism’s Appeals Chamber. The Office also established systems and procedures to streamline operations and ensure coordination between the branches. The second joint branch meeting of the Office of the Prosecutor took place in The Hague in December.

The Arusha branch of the Office of the Prosecutor was fully staffed, with a total of 15 core staff in Arusha and the Kigali sub-office. A prosecution appeals team was also in place to handle the appeal from the judgement in the Augustin Ngirabatware case. The Arusha branch continued to receive support from the Office of the Prosecutor of ICTR to ensure the smooth transition of functions. The responsibility for tracking the remaining fugitives indicted by ICTR had devolved to the Mechanism. The arrest and prosecution of the top three fugitives, Augustin Bizimana, Félicien Kabuga and Protasis Mpiranya, was a key priority, and the Prosecutor had further intensified efforts to track those fugitives, with particular emphasis on the Great Lakes and southern African regions. The Prosecutor was grateful for the Security Council’s renewed and essential call, in its resolution 2150(2014), for all Member States to cooperate with the Mechanism in the arrest and prosecution of the nine remaining fugitives (see p. 0000) and launched the International Fugitives Initiative in Kigali on 24 July. The Prosecutor continued to render assistance to the tracking of the six fugitives whose cases had been referred to Rwanda (Fulgence Kayishema, Phénéas Munyarugarama, Aloys Ndimbarti, Ladislas Ntaganzwa, Charles Ryandikayo and Charles Sikubwabo).

The Arusha branch of the Office of the Prosecutor received 74 requests for assistance from 14 Member States and international organizations and hosted a delegation from a national prosecuting authority. The Office of the Prosecutor of ICTR transferred 330 boxes of materials concerning five completed cases.
As at 30 June, a total of 133 staff, (regular posts and general temporary assistance) had been recruited for the Mechanism, 67 for The Hague branch and 66 for the Arusha branch, including Kigali. The Hague branch was co-located with ICTY, while the Arusha branch continued to be co-located with ICTR, and was expected to move to its new premises in 2016.

The Registry supported judicial activities in both branches of the Mechanism by preparing and managing case hearings, processing judicial filings, assigning and remunerating defence teams and providing translation of correspondence and judicial documents. The Arusha branch of the Witness Support and Protection Unit provided support to the witnesses who had testified in cases completed by ICTR, including specialized care for witnesses who were victims of sexual or gender-based violence during the Rwanda genocide. The Hague branch of the Unit continued to work on relocating protected witnesses. At both branches, the Witness Support and Protection Unit continued to contact witnesses in response to requests from national jurisdictions seeking the rescission, variation or augmentation of protective measures pursuant to rule 86 of the Rules.

The archives of the two Tribunals, for which the Mechanism would take responsibility, comprised approximately 15,000 metres of physical records and three Petabyte of digital data, including more than 100,000 hours of audiovisual recordings. The Mechanism Archives and Records Section worked closely with the Tribunals on the preparation of their records and archives for transfer to the Mechanism. The Section had assumed responsibility for temporary repositories for physical records in Arusha and The Hague, pending the development of permanent repositories in both locations. The Section continued to develop the Mechanism’s records and archives policies, including a record-keeping policy, an e-mail policy, standards on storing metadata, records retention schedules, and guidelines on managing sensitive information. It also began developing a comprehensive electronic document and record management system for non-judicial records and was contributing to the development of a system for judicial records. On 1 January, the Mechanism Archives and Records Section assumed responsibility for managing the resource and research centre of ICTR. On 1 March, the Section also assumed responsibility for managing the Judicial Records Unit of ICTY.

The Arusha branch enforced up to 29 sentences in two countries and The Hague branch enforced up to 21 sentences in 14 countries. The Registry also oversaw the early release of three persons convicted by ICTR and seven persons convicted by ICTY. The Registry developed a model sentence enforcement agreement, reflecting the new legal framework of the Mechanism and practice in the enforcement of sentences. The Registry received, considered and responded to requests for assistance, including requests to question

and early investigation records to the Arusha branch of the Office of the Prosecutor. The Prosecutor continued to monitor progress in referred cases, namely the Wenceslas Munyeshyaka and Laurent Bucyibaruta cases, which were transferred to Rwanda in 2007, as well as the Jean Uwinkindi and Bernard Munyagishari cases, which were transferred to Rwanda in 2012 and 2013 [YUN 2012, p. 1280 & YUN 2013, p. 1292]. The Arusha branch of the Office of the Prosecutor continued to work with its counterpart in ICTR on a number of projects, including a best practices manual for the investigation and prosecution of sexual and gender-based violence launched in January 2014, a related training programme to be conducted in the Great Lakes region later in 2014, the development of a best practices manual on the referral of international cases to national jurisdictions, and a consolidated account of the Rwanda genocide based on facts adjudicated in the judgements of the Trial and Appeals Chambers of the Tribunal.

The Hague branch of the Office of the Prosecutor began, which operations on 1 July 2013 [YUN 2013, p. 1292], was almost fully staffed, with 10 core staff members on board. An advance prosecution appeals team was established to handle appeals against ICTY judgements before the Mechanism’s Appeals Chamber. The Office responded to three requests concerning allegations of contempt filed by Radovan Karadžić, and it received 244 requests for assistance from seven Member States and one international organization. It also cooperated with liaison prosecutors from Bosnia and Herzegovina, Croatia and Serbia embedded in the Office of the Prosecutor of the Tribunal. The Office filed 16 submissions in relation to applications by requesting authorities for variation of protective measures. It participated in the annual regional conference of prosecutors from the former Yugoslavia held in Brijuni, Croatia. The Office was also in the process of negotiating memorandums of understanding with prosecutors in countries of the former Yugoslavia to entrench cooperation and mutual legal assistance and ensure continuity as the Office took over those responsibilities from the Office of the Prosecutor of ICTY. The Office responded to requests for information from the Registrar of the Mechanism concerning the administration of sentences for 10 convicted persons.

**The Registry**

The Registry was responsible for the provision of legal, judicial, policy, diplomatic and administrative support to the Mechanism’s operations. The post of Registrar continued to be funded by the ICTY budget under the double-hatting arrangement throughout the biennium. The transfer of administrative functions to the Mechanism began on 1 January 2014. As at 30 June, a total of 133 staff, (regular posts and
detained persons and protected witnesses, to vary protective measures of witnesses and to retrieve and transmit confidential material to national authorities. The Registry also approached other international and regional organizations or bodies to assist in identifying potential monitors. Public monitoring reports were available from the Mechanism's website. Two major projects had been developed, namely the case law database of the two Tribunals, which was an international criminal justice research tool, and a website entitled “The ICTR remembers”, which commemorated the twentieth anniversary of the 1994 genocide in Rwanda. The Mechanism took additional steps to ensure that key information was accessible to individuals in Rwanda and the former Yugoslavia. The Mechanism registered 38 judgements translated into Kinyarwanda as official judicial records and was exploring how best to make those records accessible to more people in Rwanda, in conjunction with ICTR.

Construction of a new facility

Report of the Secretary-General. In response to General Assembly resolution 67/244 B [YUN 2013, p. 1294], the Secretary-General, in a January report [A/68/724], provided information, as well as an update since his previous report [YUN 2013, p. 1294] on the progress made on the construction of the new premises of the Arusha branch of the International Residual Mechanism for Criminal Tribunals. The agreement between the United Republic of Tanzania and the United Nations concerning the headquarters of the International Residual Mechanism for Criminal Tribunals, Arusha branch, was signed on 26 November 2013. A supplementary agreement governing the grant of land and the construction of the new facilities was being finalized. The solicitation process for the architectural and engineering design consultant was nearly complete.

The Government of the United Republic of Tanzania offered to provide land for the Arusha branch premises and any required amenities and utilities at the identified site, at no cost to the United Nations. Upon the Mechanism's request, the host government assigned technical focal points for the project. The Project Manager submitted monthly progress reports, through the Head of the Registry (Arusha branch), to the Assistant Secretary-General, Registrar, of the Mechanism, to ensure that all key achievements and any potential issues or challenges had been identified. The Mechanism had sought and received the assistance of other key stakeholders in the Secretariat. The Department of Safety and Security and the Office of Information and Communications Technology provided high-level expert advice on detailed functional requirements for the facility in the areas of security and information technology and communications. The Office of Legal Affairs provided legal advice to the project team and drafted key legal documents related to the project. ICTR and ICTY continued to offer technical assistance to the project, particularly in the areas of security, telecommunications, finance, human resources and procurement. A preliminary risk register, which provided a schedule of risks and anticipated outcomes, had been created in order to manage project risks. It identified potential risks related to technical and quality issues, schedule and budget. The project team took a number of actions to reduce the project schedule by a total of 15 months, from five years and three months to four years. The Mechanism considered that it was not feasible to further shorten the duration of the project without compromising the quality of the design and construction. The Mechanism continued to monitor the project and to undertake measures necessary to mitigate potential risks, so as to ensure that the project was completed within the overall timeline and budget approved by the General Assembly.

ACABQ Report. On 28 February [A/68/777], ACABQ welcomed the continued cooperation between the Mechanism and the United Republic of Tanzania and trusted that it would be maintained through all phases of the project. ACABQ emphasized the importance of drawing lessons from the experience of other construction projects, especially the need for requisite experience and skills of any consultants engaged as well as proactive measures to mitigate delays. It noted the efforts made by the Mechanism to initiate cooperation with other judicial institutions pursuant to General Assembly resolution 67/244 B [YUN 2013, p. 1294], and encouraged the Secretary-General to continue exploring opportunities for further cooperation. ACABQ stressed that the Mechanism had to monitor the project more closely and undertake any measures necessary to mitigate potential risks so as to ensure that it would be completed within the overall timeline. It reiterated that project costs would be met from within approved resources in order to obviate the need for drawdown from contingency provisions. ACABQ recommended that the General Assembly take note of the report of the Secretary-General, taking into account above comments and observations.

GENERAL ASSEMBLY ACTION

On 9 April [meeting 81], the General Assembly, on the recommendation of the Fifth Committee [A/68/683/Add.1], adopted resolution 68/267 without vote [agenda item 146].

Construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch

The General Assembly, Recalling its resolutions 66/240 B of 21 June 2012, 67/244 A of 24 December 2012, 67/244 B of 12 April 2013 and 68/257 of 27 December 2013,
Having considered the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions,

1. Takes note of the report of the Secretary-General;
2. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. Notes with appreciation the continued efforts of the Government of the United Republic of Tanzania in facilitating the construction project;
4. Encourages the Secretary-General to continue his efforts to include local knowledge and capacity in the implementation of the project;
5. Requests the Secretary-General to take all measures necessary to mitigate potential risks and to ensure that the construction project is monitored closely and is completed within the approved timeline and resources;
6. Notes the ongoing consultations with the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 with respect to the use of useable furniture and equipment of the Tribunals for the International Residual Mechanism for Criminal Tribunals, and, in this regard encourages the Secretary-General to continue to explore the possibilities for the use of such furniture and equipment and to report thereon in the context of future progress reports;
7. Reiterates its request to the Secretary-General to apply flexible use of office space in the Arusha branch project, upon approval by the General Assembly of flexible workspace arrangements in the Secretariat;
8. Notes that an environmental impact assessment will be carried out to assess the potential hazards and impact of the construction, and looks forward to receiving updates in this regard in the context of the next progress report;
9. Requests the Secretary-General to continue to ensure that the procurement of goods and services for the construction project is carried out in strict compliance with the existing regulations, rules and relevant provisions of General Assembly resolutions governing procurement in the United Nations;
10. Reaffirms paragraph 33 of its resolution 62/269 of 20 June 2008;
11. Requests the Secretary-General to continue to update Member States regularly, through the Office of Central Support Services of the Department of Management of the Secretariat, on the progress of the construction project;
12. Also requests the Secretary-General to submit to the General Assembly at the first part of its resumed sixty-ninth session a progress report on the implementation of the project, outlining, inter alia, the project expenditures and total costs.

Financing

2012–2013 biennium

Board of Auditors report. On 30 June, the Chair of the Board of Auditors transmitted to the President of the General Assembly the Board’s report [A/69/15/ Add.15] on the financial statements of the Mechanism for the 2012–2013 biennium, which comprised the statement of income and expenditure and changes in reserves and fund balances, the statement of assets, liabilities and reserves and fund balances, the statement of cash flows, the statement of appropriations and the notes to the financial statements.

2014–2015 biennium

Report of the Secretary-General. In November, the Secretary-General submitted the first performance report on the budget of the International Residual Mechanism for Criminal Tribunals for the 2014–2015 biennium [A/69/598] to identify revised estimates for the mechanism owing to variation in the rates of inflation and exchange, and in the standards and vacancies assumed in the calculation of the initial appropriations. The General Assembly was requested to approve a revised appropriation for the biennium 2014–2015 in the amount of $117,570,000 gross ($110,164,000 net), reflecting a decrease of $2,726,600 gross ($2,667,500 net).

ACABQ report. In December [A/69/655], ACABQ recommended that the General Assembly take note of the first performance report and approve a revised appropriation for the biennium 2014–2015 in the amount of $115,521,800 gross ($108,345,000 net) for the Mechanism.

GENERAL ASSEMBLY ACTION

On 29 December [meeting 77], the General Assembly, on the recommendation of the Fifth Committee [A/69/693], adopted resolution 69/256 without vote [agenda item 147].

Financing of the International Residual Mechanism for Criminal Tribunals

The General Assembly,

Having considered the first performance report of the Secretary-General on the budget, for the biennium 2014–2015, of the International Residual Mechanism for Criminal Tribunals, the financial report and audited financial statements for the biennium ended 31 December 2013 and the report of the Board of Auditors on the Mechanism and the recommendations contained therein and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 66/240 A of 24 December 2011 on the financing of the Mechanism and its subsequent resolutions thereon, the latest of which was resolution 68/257 of 27 December 2013,

1. Takes note of the first performance report of the Secretary-General on the budget, for the biennium 2014–2015, of the International Residual Mechanism for Criminal Tribunals;
2. Endorses the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. Decides on a revised appropriation to the Special Account for the International Residual Mechanism for Criminal Tribunals of a total amount of 115,521,800 United States dollars gross (108,345,000 dollars net) for the biennium 2014–2015, as detailed in the annex to the present resolution.

4. Also decides, for the year 2015, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 27,686,750 dollars gross (25,964,625 dollars net), including 2,387,400 dollars gross (2,243,250 dollars net), being the decrease in assessments;

5. Further decides, for the year 2015, to apportion among Member States, in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for the year, the amount of 27,686,750 dollars gross (25,964,625 dollars net), including 2,387,400 dollars gross (2,243,250 dollars net), being the decrease in assessments;

6. Decides that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount 3,444,250 dollars, including 288,300 dollars, being the perspective share in the Tax Equalization Fund in the amount as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount 3,444,250 dollars, including 288,300 dollars, being the perspective share in the Tax Equalization Fund in the amount 27,686,750 dollars gross (25,964,625 dollars net), including 2,387,400 dollars gross (2,243,250 dollars net), being the decrease in assessments;

ANNEX
Financing for the biennium 2014–2015 of the International Residual Mechanism for Criminal Tribunals

<table>
<thead>
<tr>
<th>Gross (United States dollars)</th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial appropriation for the biennium 2014–2015 (resolution 68/257)</td>
<td>120,296,600</td>
</tr>
<tr>
<td>First performance report for the biennium 2014–2015 (A/69/598)</td>
<td>2,726,600</td>
</tr>
<tr>
<td>Recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/69/655)</td>
<td>2,048,200</td>
</tr>
<tr>
<td>Revised appropriation for the biennium 2014–2015</td>
<td>115,521,800</td>
</tr>
<tr>
<td>Assessment for 2014</td>
<td>(60,148,300)</td>
</tr>
<tr>
<td>Balance to be assessed for 2015</td>
<td>55,373,500</td>
</tr>
</tbody>
</table>

Including:

| Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2015 | 27,686,750 | 25,964,625 |
| Contributions assessed on Member States in accordance with the rates of assessment applicable to peacekeeping operations of the United Nations for 2015 | 27,686,750 | 25,964,625 |

On 29 December, the General Assembly decided that the agenda item on the financing of the Mechanism would remain for consideration during its sixty-ninth (2015) session (decision 69/554).

International Criminal Court

The International Criminal Court (icc), based at The Hague, was established by the Rome Statute of the International Criminal Court [YUN 1998, p. 1209], as a permanent institution with jurisdiction over persons accused of the most serious crimes of international concern—genocide, crimes against humanity, war crimes and the crime of aggression.

In 2014, icc faced a heavy workload. The Office of the Prosecutor conducted preliminary examination activities in 10 situations and opened a new investigation into the situation in the Central African Republic. The Court was seized of 21 cases and eight situations. Arrest warrants issued by the Court remained outstanding against 12 individuals. Seven new judges were elected and Judge Silvia Fernández de Gurmendi (Argentina) was elected President of the Court. The Court referred two findings of non-cooperation to the Security Council in relation to the situation in Darfur, the Sudan, and one finding in relation to the situation in Libya. Reports covering icc activities during the year [A/69/321 & Corr.1, A/70/350] were submitted to the General Assembly. As at 31 December, 122 countries had ratified the Rome Statute.

GENERAL ASSEMBLY ACTION

On 9 September [meeting 107], the General Assembly adopted resolution 68/305 [draft: A/68/L.59 & Add.1], without vote [agenda item 75].

Report of the International Criminal Court

The General Assembly,
Recalling its resolution 67/295 of 22 August 2013 and all its previous relevant resolutions,
Recalling also that the Rome Statute of the International Criminal Court reaffirms the purposes and principles of the Charter of the United Nations,
Recognizing the International Criminal Court as an independent permanent judicial institution and, in this regard, that the United Nations and the Court respect each other’s status and mandate,
Reiterating the historic significance of the adoption of the Rome Statute,
Emphasizing that justice, especially transitional justice in conflict and post-conflict societies, is a fundamental building block of sustainable peace,
Convinced that ending impunity is essential for coming to terms with any past crimes committed and preventing such crimes in the future,
Acknowledging the fact that the International Criminal Court has achieved considerable progress in its investigations and judicial proceedings in various situations and cases which were referred to it by States parties to the Rome Statute and by the Security Council, and which the Prosecutor of the International Criminal Court has initiated proprio motu, in accordance with the Rome Statute,
Recalling that effective and comprehensive cooperation and assistance in all aspects of its mandate by States, the United Nations and other international and regional organizations, is essential for the International Criminal Court to carry out its activities.

Expressing its appreciation to the Secretary-General for providing effective and efficient assistance to the International Criminal Court in accordance with the Relationship Agreement between the United Nations and the International Criminal Court,

Acknowledging the Relationship Agreement as approved by the General Assembly in its resolution 58/318 of 13 September 2004, including paragraph 3 of the resolution, with respect to the payment in full of expenses accruing to the United Nations as a result of the implementation of the Relationship Agreement, which provides a framework for continued cooperation between the International Criminal Court and the United Nations, which enables, inter alia, facilitation by the United Nations of the Court’s field activities, and encouraging the conclusion of supplementary arrangements and agreements, as necessary,

Noting the need for funding of expenses related to investigations or prosecutions of the International Criminal Court, including in connection with situations referred to the Court by the Security Council,

Welcoming the continuous support given by civil society to the International Criminal Court,

Expressing its appreciation to the International Criminal Court for providing assistance to the Special Court for Sierra Leone,

Stressing the importance that the Rome Statute accords to the rights and needs of victims, in particular their right to participate in judicial proceedings and to claim reparations, and emphasizing the importance of informing and involving victims and affected communities in order to give effect to the mandate of the International Criminal Court towards victims,

1. Welcomes the report of the International Criminal Court for 2012/13;
2. Also welcomes the States that have become parties to the Rome Statute of the International Criminal Court, and calls upon all States in all regions of the world that are not yet parties to the Rome Statute to consider ratifying or acceding to it without delay;
3. Further welcomes the States parties as well as States not parties to the Rome Statute that are parties to the Agreement on the Privileges and Immunities of the International Criminal Court, and calls upon all States that have not yet done so to consider becoming parties to that Agreement;
4. Notes the recent ratifications of the amendments adopted at the Review Conference of the Rome Statute, held in Kampala from 31 May to 11 June 2010;
5. Underlines, bearing in mind that in accordance with the Rome Statute the International Criminal Court is complementary to national criminal jurisdictions, that States need to adopt appropriate measures within their national legal systems for those crimes for which they are required under international law to exercise their responsibility to investigate and prosecute;
6. Encourages further efforts by the United Nations, other international and regional organizations and States, as well as civil society, to appropriately assist States, upon their request, in strengthening their domestic capacity to investigate and prosecute crimes, and in this regard underlines the importance of national ownership;
7. Emphasizes the importance of international cooperation and judicial assistance in conducting effective investigations and prosecutions;
8. Acknowledges the role of the International Criminal Court in a multilateral system that aims to end impunity, promote the rule of law, promote and encourage respect for human rights, achieve sustainable peace and further the development of nations, in accordance with international law and the purposes and principles of the Charter of the United Nations;
9. Calls upon States parties to the Rome Statute that have not yet done so to adopt national legislation to implement obligations emanating from the Rome Statute and to cooperate with the International Criminal Court in the exercise of its functions, and recalls the provision of technical assistance by States parties in this respect;
10. Welcomes the cooperation and assistance provided thus far to the International Criminal Court by States parties as well as States not parties, the United Nations and other international and regional organizations, and calls upon those States that are under an obligation to cooperate to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences;
11. Notes the efforts of the Secretary-General in promoting cooperation between the United Nations and the International Criminal Court in accordance with the Relationship Agreement between the United Nations and the International Criminal Court, and also notes in this regard that the Office of Legal Affairs of the Secretariat has a specific role within the United Nations;
12. Recalls article 3 of the Relationship Agreement according to which, with a view to facilitating the effective discharge of their respective responsibilities, the United Nations and the International Criminal Court shall cooperate closely, whenever appropriate, with each other and consult each other on matters of mutual interest pursuant to the provisions of the Relationship Agreement and in conformity with the respective provisions of the Charter and the Rome Statute, and shall respect each other’s status and mandate, and requests the Secretary-General to continue to include information relevant to the implementation of article 3 of the Relationship Agreement in a report to be submitted to the General Assembly at its sixtieth session;
13. Takes note of the guidance issued by the Secretary-General on contacts with persons who are the subject of arrest warrants or summonses issued by the International Criminal Court, and also takes note in this regard of the information included in the report of the Secretary-General on the implementation of article 3 of the Relationship Agreement;
14. Recalls the Relationship Agreement, and notes that expenses related to investigations or prosecutions incurred by the International Criminal Court in connection with situations referred by the Security Council or otherwise have been borne exclusively by States parties to the Rome Statute;
15. Emphasizes the importance of cooperation with States that are not parties to the Rome Statute;
16. Invites regional organizations to consider concluding cooperation agreements with the International Criminal Court;

17. Recalls that, by virtue of article 12, paragraph 3, of the Rome Statute, if the acceptance of a State which is not a party to the Rome Statute is required under article 12, paragraph 2, of the Rome Statute, that State may, by declaration lodged with the Registrar of the International Criminal Court, accept the exercise of jurisdiction by the Court with respect to the crime in question;

18. Urges all States parties to take the interests, needs for assistance and mandate of the International Criminal Court into account when relevant matters are being discussed in the United Nations, and invites all other States to consider doing the same, as appropriate;

19. Emphasizes the importance of the full implementation of all aspects of the Relationship Agreement, which forms a framework for close cooperation between the two organizations and for consultation on matters of mutual interest pursuant to the provisions of that Agreement and in conformity with the respective provisions of the Charter and the Rome Statute, as well as the need for the Secretary-General to continue to inform the General Assembly at its sixty-ninth session of the expenses incurred and reimbursements received by the United Nations in connection with assistance provided to the International Criminal Court;

20. Encourages further dialogue between the United Nations and the International Criminal Court, and welcomes in this regard the increased interaction of the Security Council with the Court under various formats, including the holding of an open debate on peace and justice, with a special focus on the role of the Court;

21. Continues to welcome the statement by the President of the Security Council of 12 February 2013 in which the Council reiterated its previous call regarding the importance of State cooperation with the International Criminal Court in accordance with the respective obligations of States, and expressed its commitment to effective follow-up of Council decisions in this regard;

22. Expresses its appreciation for the work undertaken by the International Criminal Court liaison office to United Nations Headquarters, and encourages the Secretary-General to continue to work closely with that office;

23. Encourages States to contribute to the Trust Fund established for the benefit of victims of crimes within the jurisdiction of the International Criminal Court and the families of such victims, and acknowledges with appreciation contributions made to that Trust Fund thus far;

24. Recalls that, at the Review Conference of the Rome Statute of the International Criminal Court, which was convened and opened by the Secretary-General, States parties reaffirmed their commitment to the Rome Statute and its full implementation, as well as its universality and integrity, and that the Review Conference undertook a stocktaking exercise of international criminal justice, considering the impact of the Rome Statute on victims and affected communities, peace and justice, complementarity and cooperation, called for the strengthening of the enforcement of sentences, adopted amendments to the Rome Statute to expand the jurisdiction of the Court to cover three additional war crimes when committed in armed conflicts not of an international character, and adopted amendments to the Rome Statute to define the crime of aggression and to establish conditions under which the Court could exercise jurisdiction with respect to that crime;

25. Acknowledges the report of the Secretary-General on the work of the Organization;

26. Takes note of the decision of the Assembly of States Parties to the Rome Statute of the International Criminal Court at its twelfth session, while recalling that, according to article 112, paragraph 6, of the Rome Statute, the Assembly of States Parties shall meet at the seat of the Court or at United Nations Headquarters, to hold its thirteenth session in New York and its fourteenth session in The Hague, looks forward to the thirteenth session, which is to be held from 8 to 17 December 2014, and requests the Secretary-General to provide the necessary services and facilities in accordance with the Relationship Agreement and resolution 58/318;

27. Encourages the widest possible participation of States in the Assembly of States Parties, invites States to contribute to the Trust Fund for the participation of least developed countries, and acknowledges with appreciation contributions made to that Trust Fund thus far;

28. Invites the International Criminal Court to submit, if it deems it appropriate, in accordance with article 6 of the Relationship Agreement, a report on its activities for 2013/14, for consideration by the General Assembly at its sixty-ninth session.

Assembly of States Parties

The Assembly of States Parties to the Rome Statute of the International Criminal Court adopted five resolutions and a decision at its thirteenth session (New York, 8–17 December) [ICC-ASP/13/20].

The Assembly approved the Court’s 2015 programme budget amounting to €124,528,900, and established the Working Capital Fund in the amount of €7,405,983. The Assembly decided to maintain the Contingency Fund at a level consistent with the €7 million threshold for 2015 [ICC-ASP/13/Res.1].

A resolution on the Court’s permanent premises [ICC-ASP/13/Res.2] recalled that the total estimate cost to unify the construction and transition projects amounted to €203.7 million, composed of €195.72 million for the unified revised project budget, which included all construction and transition activities and an estimated figure of €8 million from the regular annual budgets of the Court. The Assembly requested the Oversight Committee and the Project Director to ensure that effort was made to mitigate risks, seek opportunities for additional savings, and deliver the project within the budget. In a resolution on cooperation [ICC-ASP/13/Res.3], the Assembly urged States Parties to explore possibilities for facilitating further cooperation and communication between the Court and international and regional organizations. The Assembly acknowledged efforts by States and by the Court, including through the Legal Tools Project, to facilitate exchange of information and experiences, with a view to raising awareness and facilitating the drafting of national implementing legislation.
A resolution on victims and reparations [ICC-ASP/13/Res.4] welcomed the Strategic Plan of the Trust Fund for Victims for the period 2014–2017 and encouraged States Parties, the Court and the Fund to coordinate activities and roles to ensure the proper implementation of the Plan. The Assembly decided to continue to monitor the implementation of the rights of victims under the Rome Statute. A resolution on strengthening ICC and the Assembly of States Parties [ICC-ASP/13/Res.5] addressed, among other issues, cooperation, strategic planning, victims and reparations, complementarity and programme budget.

The Assembly adopted a decision [ICC-ASP/13/Dec.1] on applicability of the former Court’s pension regimes to former Judges Cottee and Nsereko, by which it reaffirmed its decision from its sixth session that judges elected at that session would hold office subject to the Pension Scheme Regulations for Judges.

The Chambers

The judicial activities of the Court were conducted by the Chambers, which consisted of 18 judges, organized in three divisions: the Pre-Trial Division, the Trial Division and the Appeals Division.

New arrests, warrants and summonses

On 11 September, Trial Chamber IV issued an arrest warrant against Abdallah Banda Abakaer Nourain because of the lack of guarantee that the accused would be in a position to surrender voluntarily, and vacated the scheduled trial date.

Ongoing cases, trials and appeals

In The Prosecutor v. Thomas Lubanga Dyilo case (situation in the Democratic Republic of the Congo (DRC)), on 14 January 2014, the Appeals Chamber granted Mr. Dyilo’s request to add an additional ground of appeal. On 19 and 20 May, the Appeals Chamber held a hearing at which two defence witnesses testified in support of Mr. Dyilo’s application to present additional evidence in his appeals against conviction and sentence. On 1 December, the Appeals Chamber confirmed the verdict declaring Mr. Dyilo guilty and the decision sentencing him to 14 years of imprisonment.

In The Prosecutor v. Germain Katanga case (situation in the DRC), on 7 March, Trial Chamber II found Mr. Katanga guilty of five counts, including war crimes and a crime against humanity. On 23 May, the Chamber sentenced Mr. Katanga to 12 years of imprisonment. On 25 June, the defence and the Prosecutor withdrew their appeals against the judgement and indicated that they did not intend to appeal the decision on sentencing. The judgement therefore became final.

In The Prosecutor v. Bosco Ntaganda case (situation in the DRC), the confirmation of charges hearings took place before the Pre-Trial Chamber from 10 to 14 February. On 9 June, the Pre-Trial Chamber confirmed 13 charges of war crimes and 5 charges of crimes against humanity against Mr. Ntaganda.

In The Prosecutor v. Jean-Pierre Bemba Gombo case (situation in the Central African Republic), the closing oral statements for the case took place on 12 and 13 November.

In The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido case (situation in the Central African Republic), the five suspects made first appearances before the Pre-Trial Chamber between November 2013 and March 2014. On 3 March, Mr. Musamba requested that the Appeals Chamber disqualify the Prosecutor, the Deputy Prosecutor and the entire staff of the Office of the Prosecutor from the ongoing investigations against him for the alleged offences, which was rejected by the Pre-Trial Chamber on 28 May. Mr. Kabongo on 12 March requested that the Appeals Chamber apply its ruling equally to the proceedings in relation to him, which was rejected by Pre-Trial Chamber II on 17 March. Mr. Wandu filed observations, on 19 March, also requesting that the Appeals Chamber grant Mr. Musamba’s request for disqualification. On 20 June, the Plenary of Judges declined a defence request to disqualify Judge Cuno Tarfusser from handling the pre-trial phase of the case. On 30 June, the Office of the Prosecutor submitted its document containing the charges and list of evidence. On 11 July, the Appeals Chamber, by majority, confirmed the Pre-Trial Chamber’s decisions against interim release in relation to Mr. Kabongo, Mr. Wandu and Mr. Musamba and dismissed the respective appeals. On 24 July, Pre-Trial Chamber II rejected Mr. Arido’s request for interim release. On 9 July, Mr. Wandu filed an appeal against the first review of his detention. On 11 November, Pre-Trial Chamber II partially confirmed the charges of offences against the administration of justice for the five suspects and committed them to trial.

In The Prosecutor v. Omar Hassan Ahmad Al Bashir case (situation in Darfur), on 3 March, the Pre-Trial Chamber issued a decision inviting the competent authorities of the DRC to submit observations with regard to their alleged failure to execute the request for the arrest and surrender of Mr. Al Bashir during his visit in the territory of that country on 26 and 27 February. After receiving the observations, the Pre-Trial Chamber issued a decision on 9 April finding that the DRC had failed to cooperate with the Court by refusing to arrest and surrender Mr. Al Bashir.

In The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus case (situation in Darfur), on 16 April, the Chamber vacated the
5 May trial commencement date in the light of logistical difficulties encountered by the Registry. On 14 July, the Chamber decided that the trial would commence on 18 November and issued a cooperation request to the Government of the Sudan to take all necessary steps to facilitate Mr. Kenyatta’s presence for his trial.

In *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* case (situation in Kenya), on 15 January, Trial Chamber V (a) decided in an oral ruling to conditionally excuse Mr. Ruto from presence at trial. On 17 April, Trial Chamber V (a) granted the Prosecution’s application for summonses for eight witnesses required to appear before the Chamber, either via videolink or at a location in Kenya.

In *The Prosecutor v. Uhuru Muigai Kenyatta* case (situation in Kenya), on 31 March, the Trial Chamber adjourned the provisional trial commencement date to 7 October. On 29 July, the Trial Chamber ordered the Government of Kenya to provide the prosecution with financial and communication records relating to Mr. Kenyatta from 2007 to 2010. On 3 December, Trial Chamber V (b) issued a decision rejecting the application for referral of the matter to the Assembly of States Parties of the cooperation of Kenya. On 5 December, the prosecutor filed a notice to withdraw charges against Mr. Kenyatta.

In *The Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Senussi* case (situation in Libya), on 21 May, the Appeals Chamber confirmed the 31 May 2013 decision of Pre-Trial Chamber I ([YUN 2013, p. 1301]), finding that the Pre-Trial Chamber did not err in either fact or law when it concluded that Libya had fallen short of substantiating, by means of evidence of a sufficient degree of specificity and probative value, that the investigation by Libya covered the same case that was before the Court. On 11 July, the Pre-Trial Chamber issued a decision which reminded Libya of its duty to proceed immediately with the surrender of Mr. Gaddafi to the Court. On 24 July, the Appeals Chamber confirmed the 11 October 2013 decision of Pre-Trial Chamber I ([YUN 2013, p. 1302]). On 10 December, Pre-Trial Chamber I issued a finding of non-compliance by the Government of Libya with respect to the non-execution of two requests for cooperation transmitted by the Court.

In *The Prosecutor v. Laurent Gbagbo case* (situation in Côte d’Ivoire), on 12 June, Pre-Trial Chamber I confirmed four charges of crimes against humanity against Mr. Gbagbo and committed him for trial before a Trial Chamber. On 12 March and 11 July, the Pre-Trial Chamber issued decisions on the review of Mr. Gbagbo’s detention, and decided that he should remain in detention. The Chamber also ordered the Registry and the defence to submit reports on the progress of efforts to address the issue of Mr. Gbagbo’s health, with a view to exploring the different options for conditional release.

In *The Prosecutor v. Simone Gbagbo case* (situation in Côte d’Ivoire), on 28 February, the Pre-Trial Chamber authorized Ms. Gbagbo’s co-counsel, at his request, to withdraw from the case. On 11 December, Pre-Trial Chamber I rejected the Government of Côte d’Ivoire’s challenge to the admissibility of the case and reminded Côte d’Ivoire of its obligation to surrender Ms. Gbagbo to the Court without delay.

In *The Prosecutor v. Charles Blé Goudé case* (situation in Côte d’Ivoire), Mr. Blé Goudé was surrendered to the Court on 22 March and had his first appearance before the Pre-Trial Chamber on 27 March. On 11 July, at the request of the Prosecutor, the Pre-Trial Chamber decided to postpone the start of the confirmation of charges hearing to 22 September. Charges against Mr. Blé Goudé were confirmed on 11 December.

**Office of the Prosecutor**

**Investigations**

In 2014, the Office of the Prosecutor continued to investigate situations in, the Central African Republic, Côte d’Ivoire, Darfur (Sudan), the DRC, Kenya, Libya, Mali and Uganda.

During the period 1 August 2013 to 31 July 2014, on the situation in the DRC, one mission was conducted to collect information necessary in support of trials and to address the arguments raised by the defence in the case against Germain Katanga. The Office also conducted 83 missions to eight countries for the purpose of collecting evidence, screening and interviewing witnesses and securing the continued cooperation of its partners, in relation to its continued investigation in the case against Bosco Ntaganda. The Office further conducted eight missions to four countries for its investigation related to crimes committed by the Forces Démocratiques pour la Libération du Rwanda in the Kivu provinces, particularly in relation to its case against Sylvestre Mudacumura.

On the situation in the Central African Republic, the Office conducted a total of 19 missions to eight countries for the purposes of interviewing witnesses and collecting other evidence, as well as securing the cooperation of partners.

On the situation in Uganda, the Office conducted five missions to Uganda in order to meet with government officials and other partners in relation to the Lord’s Resistance Army.

The Office conducted 20 missions in relation to investigations into the situation in Darfur; 73 missions to 14 countries in relation to investigations into the situation in Kenya; seven missions to four countries in relation to investigations into the situation in Libya.

The Office continued its investigation into the situation in Côte d’Ivoire and conducted 43 missions to five countries for the purpose of collecting evidence,
screening and interviewing witnesses, and securing the continued cooperation of its partners.

On the situation in Mali, the Office conducted 24 missions to four countries for the purpose of collecting evidence, screening and interviewing witnesses and securing the continued cooperation of its partners.

The Prosecutor, Fatou Bensouda, briefed the Security Council on 13 May [S/PV.7173] and on 11 November [S/PV.7306] on the situation in Libya, and on 17 June [S/PV.7199] and on 12 December [S/PV.7337] on the situation in the Sudan and South Sudan. The combined effect of instability and lack of resources had undermined the Office’s investigation in Libya. The Office was attempting to do its part in strengthening justice and accountability for international crimes in Libya and was coordinating with the Libyan authorities. The Prosecutor updated the Council on developments and progress in the investigation and prosecution of those alleged to be responsible for crimes committed in Darfur. Following the Office’s investigations and submissions of evidence to ICC judges, and their independent assessment, the judges concluded that evidence provided to them established that certain individuals in the Sudan should be brought before ICC to answer charges, including allegations of rape.

**Preliminary examination**

The Office of the Prosecutor opened preliminary examinations in the Central African Republic, Iraq and Ukraine; continued preliminary examinations in Afghanistan, Colombia, Georgia, Guinea, Honduras, Nigeria and the “Gaza Freedom Flotilla” incident; and concluded its preliminary examination in the Republic of Korea.

From 1 August 2013 to 30 June 2014, the Office received 495 communications relating to article 15 of the Rome Statute, of which 408 were outside the Court’s jurisdiction; 30 warranted further analysis; 37 were linked to a situation already under analysis; and 20 were linked to an investigation or prosecution.

**The Registry**

The Registry provided judicial and administrative support to all organs of the Court and carried out its responsibilities concerning victims, witnesses, defence and outreach. The Registry sought to develop understanding and awareness of ICC and its activities by strengthening the Court’s public information capacity for outreach services in countries where the Court was active. It provided security, administrative and logistical support to the Court’s investigations.

The Registry transmitted 691 requests for visas and 223 requests for cooperation. It concluded two new relocation agreements in Africa, bringing the total number of agreements to 14, and it finalized an exchange of letters with Belgium on the provisional release of persons on 9 August.

In March, the Registrar held meetings in Kampala, Uganda, and Bunia, DRC, in order to strengthen cooperation in situation countries. The Registrar held meetings in Brasilia, Brazil, on 15 and 16 May, and participated with a Court judge and a representative of the Office of the Prosecutor in a seminar on cooperation for South American States held in Buenos Aires, Argentina, on 20 and 21 May. In June, the Prosecutor and the Registrar briefed the EU Council Working Group on Public International Law.

**International cooperation**

The Court increased efforts to promote mutual understanding and cooperation between the Court and governments, including two seminars on cooperation. The first one was held in Buenos Aires on 20 and 21 May and targeted South American States; the second was organized in Accra, Ghana, on 3 and 4 July and brought together senior representatives of Anglophone African States. The New York Liaison Office continued to promote cooperation between the Court and the United Nations.

On 24 June, the Office of the Prosecutor signed a second memorandum of understanding with the Integrity Vice Presidency of the World Bank Group, in order to reaffirm commitment to collaborate with one another on matters of mutual interest. The third African Union-International Criminal Court joint seminar was held on 7 and 8 July at the African Union premises in Addis Ababa, Ethiopia. The Court and the EU organized for the first time a joint round table meeting on 11 July. The discussions focused on cooperation, complementarity, diplomatic support and mainstreaming, as well as public information and outreach.

**Reports of Secretary-General.** Pursuant to General Assembly resolution 68/305 (see p. 0000), the Secretary-General, on 10 September, submitted a report [A/69/372] on expenses incurred and reimbursements received by the United Nation in connection with assistance provided to ICC, and, also on the same day, a report [A/69/324] on information relevant to the implementation of article 3 of the Relationship Agreement between the United Nations and ICC.

From 1 July 2013 to 30 June 2014, the United Nations provided facilities and services to ICC in the amount of $818,581. The amount covered costs incurred for staff who worked on matters pertaining to the Court and the International Telecommunications Satellite Organization satellite communications charges and maintenance, and costs incurred in connection with recruitment, personnel training, conference and related services, field security and library services.
In the field of institutional relations, addressed in chapter II of the Relationship Agreement, the United Nations provided to the Court a range of services and facilities, including reimbursable loans; satellite communications services; payroll costs for staff assigned to work exclusively on matters pertaining to the Court; access to the United Nations System Electronic Information Acquisitions Consortium; field security services; air and ground transportation services for Court personnel and equipment; provision of laissez-passers and certificates; and training services, including access to language proficiency examinations for Court staff members. In the field of cooperation and judicial assistance, the Organization provided extensive assistance to the Court in the form of access to the Organization’s records and archives, and the making available of a number of United Nations personnel for interview by the prosecution in connection with certain situations before the Court and with certain situations under preliminary examination by the Prosecutor. In addition, the Organization provided input to the Prosecutor on her draft policy paper on sexual and gender-based crimes. A Court-wide memorandum of understanding for cooperation between the United Nations Multidimensional Integrated Stabilization Mission in Mali and the Court had been concluded. During the reporting period, the Secretary-General transmitted to the Security Council a decision of Pre-Trial Chamber II of 9 April related to the non-cooperation of the DRC regarding the arrest and surrender of Omer Hassan Ahmad al-Bashir.