PERMANENT MISSION OF BOSNIA AND HERZEGOVINA
TO THE UNITED NATIONS

STATEMENT

by

H.E. Ambassador Mirsada Čolaković,
Permanent Representative
of Bosnia and Herzegovina to the United Nations

at the
United Nations General Assembly debate
on the twenty-first annual report of the International Tribunal for the Former Yugoslavia, the second annual report of the International Residual Mechanism for Criminal Tribunal and the nineteenth annual report of the International Criminal Tribunal for Rwanda

CHECK AGAINST DELIVERY

New York, October 13, 2014
Mr. President,

Since this is the first time that I am taking the floor, I would like to convey, in behalf of my delegation, our congratulations on your election as the President of 69th session of the United Nations General Assembly and to offer you our full support during your term. I also want to express Bosnia and Herzegovina’s gratitude to H.E. Mr. John Ashe, President of the 68th session of the General Assembly for his leadership during the last session.

We would like to thank the Secretary-General for transmitting the twenty-first annual report of the International Tribunal for the Former Yugoslavia (A/69/225–S/2014/556), the second annual report of the International Residual Mechanism for Criminal Tribunal (A/69/226–S/2014/555) and the nineteenth annual report of the International Criminal Tribunal for Rwanda (A/69/206–S/2014/546) to the members of the Security Council and to the members of the General Assembly. Let me underline significant contribution of all the staff of the Tribunals and to thank for all their efforts and commitment to successfully completing their mandates.

Mr. President,

Bosnia and Herzegovina welcomed the establishment of the ICTY and supported its work since the beginning, because ICTY is a legal framework for fighting against impunity, which is ensuring accountability for the worst of crimes and ending of the tragic period in the history of Bosnia and Herzegovina and the region. For the long time ICTY has been the only hope for victims of mass murders, deportations, torture, rape and other inhumane acts. ICTY sent a clear message that the crimes committed in the former Yugoslavia should be punished consistently and without exceptions. That should be a clear warning to mass murderers of the future and a support to the process of the reconciliation in the region.

Bosnia and Herzegovina has been continuously cooperating with the ICTY and we will continue cooperation in the future in order to give a necessary assistance to the Residual Mechanism. Our authorities continue to provide valuable assistance allowing access to documents and archives and in the field of witness-protection. It is of high importance that the Tribunal’s completion strategy and its transition to the Residual Mechanism should be successfully implemented. In this regard, Bosnia and Herzegovina is committed to provide the support to the Mechanism in
making all necessary administrative and judicial work. We welcome the decision that the Mechanism’s staff includes nationals of 46 States including also nationals of Bosnia and Herzegovina.

Mr. President,

The Tribunals have had a positive influence on the judiciary and respecting of the rule of law in Bosnia and Herzegovina, which continues to strengthen the national justice systems at all levels in order to bring more war criminals to justice in local courts. We adopted National War Crimes Strategy on December 29, 2008. The implementation of the Strategy is a complex process that includes participation of many institutions from all authority levels in Bosnia and Herzegovina. In this regard we welcome the support of the EU in the implementation of the goals of the Strategy.

Mr. President,

Regional cooperation remains essential for the prosecution of all suspected war criminals as well as for rebuilding trust in the region. This is a precondition for the process of reconciliation. Bosnia and Herzegovina continues to promote regional cooperation, most recently by signing the Protocol on Co-operation in Prosecution of Perpetrators of War Crimes, Crimes against Humanity and Genocide with Montenegro on 26 April 2014. This followed the signing of the protocols on the exchange of evidence and information on war crimes, concluded between the Office of the Prosecutor of Bosnia and Herzegovina and the Office of the Prosecutor of Serbia in January 2013 and with the Office of the Prosecutor of Croatia in June 2013. The protocols defined the channels for concluding any investigations concerning citizens of other countries.

Both ICTY and the ICTR have contributed in classifying sexual abuse as a crime against humanity, and as such, sexual abuse has become an integral part of the Statute of the International Criminal Court (ICC). Women judges and women in senior positions in the Offices of the Prosecutors have made significant contributions to the effective prosecution of cases of sexual violence against women. In this respect, we welcome decisions requiring that 56% of professional staff and 53% of all Mechanism’s staff be female. Furthermore, we welcome
assistance of UN Women, who sponsored a programme about prosecuting sexual violence crimes.

Mr. President,

In conclusion, I would like to underline that both Tribunals have made considerable achievements and progress in the prosecuting individuals who bear the greatest responsibility for serious human rights violations and violations of humanitarian law. Furthermore, we welcome achievements reached in delivering justice to victims and developing international criminal law. It contributed significantly to fighting against impunity, to improving general understanding of genocide, crimes against humanity and war crimes. These historic contributions of both Tribunals could serve to inspire other international and national jurisdictions, in particular the International Criminal Court.

Thank you for your attention.