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Tribunal Pénal
International pour
l'ex-Yougoslavie

ADDRESS

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PRESIDENT

The Hague, 24 June 2017

Closing Address at the Final ICTY Legacy Conference in Sarajevo 24 June 2017

Excellencies,
Distinguished Guests,
Ladies and Gentlemen,

Time has flown over the last few days and we have now reached the closing session of the Conference. I am joined today by the Deputy Head of the European Union Delegation in Bosnia and Herzegovina, Mr Khaldoun Sinno and the Tribunal's Registrar, John Hocking. My other colleague, Prosecutor Serge Brammertz, would have liked to be here until the end of the Conference but had to leave early because of his work schedule. I pass along his regards to everyone here today.

We will first hear from Mr Sinno, after which the Registrar will present us with a set of Conclusions and Recommendations of the Conference, which have been collected after each panel session and which reflect our rich discussions and exchanges over the past two and a half days.

I will then provide some brief remarks and, finally, we will hear from a very special Guest representing the United Nations. With us here today, to my right, is Mr Miguel de Serpa Soares, the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel since 2013. He has extensive experience in legal and international affairs and has been instrumental for the ICTY, along with his excellent team of seasoned lawyers. I have had the pleasure to work closely with him during my Presidency, which has coincided with the Tribunal's final biennium. I take this opportunity to publicly thank the Legal Counsel for gracing us with his presence, and hope that he conveys our utmost gratitude also to the United Nations.

I now give the floor to Mr Khaldoun Sinno, Deputy Head of the European Union Delegation in Bosnia and Herzegovina.

[AMBASADOR SINNO SPEAKS]

I thank Ambassador Sinno for his kind words and support on behalf of the European Union. Indeed the European Union, and its Member States, has played a key role during the Tribunal's functioning and has stood by our side over the past 24 years. It has also been pivotal in allowing this Conference to take place, by way of very generous funding. We are extremely appreciative.

I now give the floor to John Hocking, the Tribunal's Registrar who will present the Conference's Conclusions and Recommendations. John, the floor is yours.

[REGISTRAR HOCKING SPEAKS]

Thank you John, you have undertaken an impressive task. Indeed we have covered so many topics, and the few days we have spent here cannot do justice to all of them. We would

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need so much more time to have an in-depth discussion of the Tribunal's legacy aspects, but still our panel sessions - and also the side-events - have provided extremely valuable food for thought and reflection, as well as concrete suggestions, and I hope real tools that everyone can take and use into the future. Thank you for this excellent comprehensive and clear overview.

Allow me now to share with you some final thoughts. Sixteen years ago, I became a Judge at the ICTY. A few short months later I led the first on-site visit of Judges to the region, and it was here in Bosnia and Herzegovina that we first came. Since then I have come back to Bosnia and Herzegovina and to other parts of the former Yugoslavia, on countless occasions. However, this time has been of special significance because we have met when the ICTY is winding down, with all but two cases completed and another chapter in the history of this region thereby coming to an end.

As the last President of the ICTY, I have mixed feelings about this moment. On the one hand I am immensely proud of our achievements over the past quarter of a century. We have heard over the last few days about many things that could have been done differently, or better; but we have also heard about the ICTY's successes, what it did right, and I hope you will all agree with me that there is a lot to be proud of. On the other hand, I also think about all that remains to be done here, as well as in the other republics of the former Yugoslavia. All of the persons that need to be indicted, all of the cases that must be concluded. All of the justice still to be done, and the reconciliation that is yet to take place. The Tribunal's legacy is an indispensable part of this region's memory and, I sincerely hope, will continue to play - through its legacy - a very important role in the region's future, even after we are gone.

One of the most frequent questions asked of me is whether I think the Tribunal has fulfilled its mandate. To this, my response is a categorical YES. The ICTY has met its responsibility to bring to justice those most responsible for the atrocities committed during the wars of the 1990s. Is the region better off or worse off because of the Tribunal? Everyone here will have a different view, but I strongly believe that it is better off. However, either way, and even if you consider that the region is worse off, after the ICTY closes it becomes incumbent on you, all of the stakeholders of the region - and by this I mean prosecutors, judges, defence counsel, NGOs, other members of civil society, politicians, diplomats, historians, students, indeed all citizens - to carry on the work that we have undertaken since 1993.

It will be up to you in the region to move forward, but not forget the past; to reconcile with each other - more fundamentally, to want to reconcile with each other; and to deliver justice to all those who still cry for it. The ball will be in your court, and it will not be easy. However, I believe it is possible, and I consider that the ICTY has throughout its existence provided you with many of the tools that you will need. I sincerely hope also that the discussions we have had during this important Conference will allow you to learn from our experience and build on our achievements. As we heard our dear friend Benjamin Ferencz say at the very beginning of this Conference: Never give up. Never give up. Never Give Up! Let us adopt his wise words as our clarion call.

Thank you.

I now give the floor to the United Nations Legal Counsel, Mr Miguel de Serpa Soares to provide his concluding remarks for the Conference.

Distinguished Legal Counsel, you have the floor.

[LEGAL COUNSEL SPEAKS]

I wish to thank the United Nations Legal Counsel for his insightful remarks, in particular the way that he placed the work of the ICTY in the historical and political context of the region and emphasised the importance of establishing judicial accountability as an indispensable element for making peace sustainable. This is precisely what we must take away from this Legacy Conference, our final Legacy Conference.

Now before this Conference comes to a final close I have a few 'thank you's' to give. On behalf of the Principals of the ICTY, I would like to thank everybody who attended the Conference, and especially those who stayed until the end. I know that these have been long days with intense discussions, however they have been fruitful, and we are concluding on a constructive note with specific conclusions and recommendations, and a message of hope.

Allow me also to express once more my sincere gratitude, and that of the entire Tribunal, to all those who sponsored this Conference, as well as those who have organised it. My deep thanks go particularly to the Planning Committee and the staff of the Tribunal who have worked so hard in bringing this event together, as well as everyone outside the Tribunal who cooperated with us over many months to make the Conference happen.

I would like to thank everybody who took an active part in the panel discussions, along with the Moderators and Panellists who shared such valuable insights. You have made this a truly fantastic event. Of course, a HUGE thank you must go to our interpreters, who have enabled us to communicate and understand each other throughout the panel sessions and side events. You have, as always, done a remarkable job.

I would also like to thank the United Nations, Secretary-General António Guterres and his Legal Counsel, Miguel de Serpa Soares, for their support. It is an indication of how highly international justice and accountability ranks in the United Nations' agenda when we are honoured with the presence of the Organisation's highest ranking official for Legal Affairs at our Legacy Conference. It is important for whole region to know that the United Nations is with you and will continue to be with you once the ICTY closes down.

To all of you here, and to all of you tuned in from our webcast, HVALA (Thank You), we will see each other again.

The ICTY Legacy Dialogues Conference held from 22-24 June 2017 in the beautiful City of Sarajevo has now concluded!

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