

**Remarks of Registrar John Hocking
Twentieth Anniversary of the ICTY**

The Hague, 27 May 2013

Your Majesty, Excellencies, Distinguished Guests, Colleagues, Friends,

Today we know that impunity for the most heinous crimes can be defeated. No matter how high-ranking or influential perpetrators may be, they will eventually be brought to justice and the proceedings against them will be fair. This is the timeless legacy of the ICTY.

But this is not the ICTY's only legacy. There is a legacy developed on the margins of its courtrooms: behind the bars of a prison, on the pages of a dictionary, in cafes in the former Yugoslavia. It is the legacy of the ICTY's world-class witness, defence, detention, languages, courtroom, and administrative services; and its tireless efforts to bridge the 2,000 kilometres that separate The Hague from the Balkans. It is the legacy of the 7,000 current and former ICTY staff and officials whose fearless engagement and demiurgic yield determined the success of this experiment in international criminal justice that seemed initially fated to fail.

5,000 witnesses found the courage to tell their truth, certain to find understanding of their fears and protection from the threats. We listened to the man who carried meat on his journey to the Hague, dreading of ever being hungry again; to the farmer who could not afford to leave his fields, his elderly, his children to come to testify; to the young woman who inadvertently revealed her confidential testimony and felt exposed in her own community. Every issue found a solution, every solution built the cutting-edge ICTY witness logistics, support, and protection program. First of its kind, it laid the foundation for similar services in other international courts and in states of the former Yugoslavia.

The ICTY legal aid system has attracted and, most importantly, retained throughout lengthy cases highly qualified attorneys from multiple jurisdictions, to defend those often stigmatised as indefensible. The ICTY Association of Defence Counsel is a hefty pillar of the Tribunal's institutional growth. Together, we have developed innovative measures to ensure the highest protection of the rights of the accused. Among them, a ground-breaking remuneration system which gives Counsel flexibility and the Registry oversight. To those accused who chose not to be represented by a lawyer, we have provided extensive facilities so that their self-representation is effective and meaningful.

The doors of our detention centre are open. Not for our detainees to escape justice, but for our supporters to come in; be it Member States, be it the International Committee of the Red Cross, who year after year inspects our conditions of detention, grounded on the presumption of innocence. At times arriving at Scheveningen neglected from years of hiding, our detainees, thanks to the Host Country, receive the best physical and psychological care, enabling them to fully participate in the proceedings.

The Tribunal has “bridged the language divide” between the Court and the accused. It has also bridged the more linguistically subtle divide between languages in the region under the umbrella of BCS, Bosnian-Croatian-Serbian; a uniquely ICTY creation, which has coined a wealth of legal terms to accurately reflect the sophistication of the ICTY proceedings.

Thousands of pages in hundreds of binders of each case file are now available with just a few mouse clicks, in and outside the ICTY courtrooms. Judicial proceedings are streamed to the international media as much as into the bars of remote villages of the Balkans. What happened in Vukovar, Kosovo, Sarajevo, Srebrenica, Čelebići and in many other places is brought back to where it happened, and to the rest of the world, where it should never happen.

Yet, ruins and graves still blot the road to Banja Luka, as with other roads in the region. Shielded by a computer screen, some spread renewed hatred on internet blogs. Victims still live with wounds in their bodies and in their souls that no judgement will ever cure. It could be tempting to surrender, tempting to stop investing in justice.

But whenever this pernicious temptation lures, I think of the man who found the way to the mass grave hiding the remains of his loved ones, from listening to a broadcast of an ICTY hearing; of the barber who stops tending his clients as they watch together the Tribunal on TV, and, programme after programme, they come to accept that people of their own committed crimes too; of the ICTY talks with the youth of Foča, where their blurred knowledge of the rapes became clear reality, the victims fellow human beings and the detached grief an internalised resolve that similar suffering is not to happen again. For every person who got to know, accepted and internalised, our toil had a sense and our legacy is a powerful beacon that guides us and the generations to come.