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**STATEMENT ON BEHALF OF THE AFRICAN GROUP BY  
MR. JUSTIN KISOKA, COUNSELLOR AT THE PERMANENT MISSION OF THE UNITED  
REPUBLIC OF TANZANIA TO THE UNITED NATIONS, ON AGENDA ITEM 144 AND 145  
FINANCING OF INTERNATIONAL TRIBUNALS IN THE FIFTH COMMITTEE DURING  
THE MAIN PART OF THE SIXTY- SIXTH SESSION OF THE GENERAL ASSEMBLY  
(New York, 13 December, 2011)**

**Mr. Chairman,**

I have the honor to speak on behalf of the African Group on agenda items 144 and 145 entitled financing of the international tribunals-ICTR and ICTY.

African Group would like to thank Assistant Secretary-General, the Controller, Ms Maria Eugenia Casar for introducing the Secretary-General's reports on this agenda item. The Group would also like to thank Mr. Collen Kelapile, Chairman of the ACABQ, for introducing the related report of the Advisory Committee.

**Mr. Chairman,**

The African Group acknowledges the contribution of the International Criminal Tribunal for Rwanda (ICTR) to the restoration and maintenance of peace and stability in Rwanda, which is an ongoing process. We commend the hard work done by the Tribunal in fulfilling its given mandate.

**Mr. Chairman,**

The African Group recalls that by its resolution 65/252, the General Assembly approved revised appropriation for the ICTR in the amount of USD 257.8 million for biennium 2010-2011. The Group notes that the final requirements for 2010-2011 are now project at USD 257.1million reflecting a decrease of USD 0.72 million compared with the revised appropriation for 2010-2011.

The Group welcomes the efforts undertaken by ICTR, in particular, to facilitate its completion strategy, reinvigorate its outreach activities to Member States, engagement with donors to replenish the voluntary fund in order to continue its important capacity building projects, recruitment and retention of staff as well as the digitization of the audio-visual records amongst others. We encourage Tribunal to enhance its efforts in this regard.

**Mr. Chairman,**

The African Group recalls that by its resolution 1966 (2010) the Security Council requested the Tribunals to take all possible measures to expeditiously complete all remaining work as provided in the resolution no later than the end of December, 2014 to prepare for their closure and ensure smooth transition to the International Residual Mechanism. The African Group notes that the ICTR and most of its functions will transit to the Residual Mechanism on 1 July, 2012. We encourage

every effort be made to ensure a smooth transition.

The Group notes that, the budget of the ICTR for the biennium 2010-2011 was based on projections that all trials in the first instance would have been completed by 30 June 2011. However, the pace at which the Tribunal has completed trials has not matched those projections. The Group also notes that ICTR expects to complete the five trials projected for the biennium 2012-2013 latest by December 2012. We also note that next biennium is expected to be busiest period as there will be at least 40 appeals- a heavy workload that is expected to place a significant demand on the resources available to the Tribunal.

The Group also notes that although ICTR will transition to the International Residual Mechanism on 1 July, 2012, it is mandated to complete all trial or referral proceedings which are pending as at the date of commencement of the residual mechanism, in addition to other ongoing functions, including preparations for the transition to the Mechanism.

The Group also notes the efforts of the Prosecutor to find willing national jurisdiction to accept the referral of cases from the Tribunal have so far been unsuccessful. We concur with the ACABQ that ICTR intensifies its outreach efforts in this regard in order to ensure the successful referral of cases to national jurisdictions.

The African Group welcomes the Secretary-General's budget proposal amounting to USD 174.3 million for biennium 2012-2013. We also welcome the efforts undertaken to improve the quality of the presentation of the ICTR budget which contains clear information on the estimated costs and proposed staffing changes for biennium and encourage continued improvement in this regard.

Mr. Chairman,

The Group recalls that by resolution 1966(2010), the Security Council established the International Residual Mechanism for Criminal Tribunals to continue the jurisdiction, rights, obligations and essential functions of the Tribunals. We also note that the Branch for the ICTR -the Arusha Branch, will commence operations on 1 July, 2012 and that of ICTY-the Hague Branch will commence on 1 July, 2013.

We also note that start-up activities for the Mechanism have begun, including negotiations for headquarters agreements with the governments of The Netherlands and the United Republic of Tanzania; submission of the list of judicial nominations and the ongoing review of the draft rules of procedure and evidence of the Mechanism. The Group further notes that the General Assembly has issued the list of judicial candidates established by the Security Council and has set out the procedures for the upcoming election of judges;

We also note that the Secretary-General's initial proposal for 2012-2013 for the Mechanism amounted to USD 50.4 million and further note the proposal for sharing resources between Mechanism and emphasize the need to ensure that this approach does not undermine mandate of the Mechanism. We have also taken note that a total estimate of USD 5.52 million is proposed for the construction of new purpose-built facility in Arusha to house ICTR Archives. The African Group concurs with the ACABQ on the need for close monitoring of the construction project and the need for

completion in a timely manner.

The Group will look forward to receive additional information on a number of issues, including on the recruitment of the Registrar of the Mechanism during the informal consultations.

Mr. Chairman

The African Group has also taken note of the Secretary-General's budget proposal on ICTY and We look forward for the detail discussions during informal consultations,

In conclusion the African Group would like to assure you of our readiness to participate in constructive deliberations on this agenda item.

I thank you, Mr. Chairman