



**Report on the Construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha Branch**

**Introductory statement to the  
Fifth Committee of the General Assembly**

by

Mr. Olufemi Elias, Assistant Secretary-General,  
Registrar of the Mechanism for International Criminal Tribunals  
8 March 2017

**Madam Chairperson, Distinguished Delegates,**

I am pleased to introduce the Secretary-General's report (A/71/753), the sixth report on the construction of a new facility for the Mechanism for International Criminal Tribunals, Arusha branch, which provides an update on the substantial completion and successful occupancy of the facility by the MICT since the issuance of the previous report of the Secretary-General (A/70/698).

This project started in January 2012, seven months prior to the actual launch of the Mechanism. Five years later, this iconic facility, now sits majestically on a gently sloping hill so generously donated by the United Republic of Tanzania at no cost to the United Nations. Works were substantially completed on 1 December 2016, and staff moved into the premises on 5 December 2016.

Through to the end of construction, this project has maintained an excellent safety and environmental record. And it has also remained well within budget, with unused contingency funds of approximately \$455,000, or 43% of the total contingency, expected to be returned to Member States at the completion of the project.

In this facility, the lessons learned from other United Nations projects across the globe have been applied and combined with traditional and local references. Local symbols, such as the centerpiece of the tree representing justice in the region and the conical shape of the

courtroom reminiscent of Maasai huts surrounding the area; local material, like the wood panels from Tabora and the prevailing yellow stones from Tanga; and the local labour, of the 200 men and women of our Arusha-based Tanzanian contractor have helped these premises to become a proud landmark in Tanzania and well beyond.

Vital to these achievements have been the continued support of the Host State of the Republic of Tanzania, the technical guidance of the Office of Central Support Services, the Office of Legal Affairs and other Secretariat Departments, the efforts of Mechanism staff with the assistance of the Tribunals for Rwanda and the former Yugoslavia, and the leadership and management of the Project Owner from initial planning through to completion of construction, the first Registrar of the Mechanism, Mr. John Hocking.

To ensure that all post-construction activities are successful, the project will continue to need a Project Owner. As the Registrar of the Mechanism, I am ready to take on this responsibility with the same diligence and ownership that has been afforded the project through to its occupancy. This year, the project team will vigilantly manage the defect liability period and ensure that any required remedial works are completed expeditiously. The project account is scheduled to be closed at the end of 2017, after which any unused funds will be returned to Member States.

The collective efforts of the United Nations resulted in the timely conclusion of the pre-construction activities. Later, with the cooperation of the architects and the contractor, occupancy was achieved a few months before the original projections of the Secretary-General in 2012. However, notwithstanding the best efforts deployed by all, the works suffered some slippages beyond the project timeline as set out in the previous report of the Secretary-General, mainly due to a topographical error at the onset of construction and, more detrimentally, due to the delayed delivery of the glass curtain wall. As the General Assembly is keen on ensuring that the United Nations pursues the recovery of direct and indirect costs arising from errors and delays of the architects and contractor, the project owner is fully committed to such pursuit.

Post-construction is also the phase in which the United Nations will invoke as appropriate and economically feasible, any remedies available to us, to recover costs arising out of construction slippages beyond the contractual deadline. While it would have been premature and potentially disruptive to have taken action at an earlier stage when all efforts

were focused on the expeditious completion of construction works, contractual actions are now timely.

The Mechanism has worked closely with the Office of Central Support Services in applying technical guidance, advice, recommendations and lessons learned from other capital projects undertaken by the Organization; this cooperation is ongoing and will continue through to the conclusion of the project.

Madam Chair, the General Assembly is requested to take note of progress made on the project during the reporting period.

Together with members of my team, as well as the Office of Central Support Services here in New York, we will be available to answer questions of the committee during informal hearings immediately following this meeting.

Thank you, Madam Chair and distinguished delegates.

\* \* \*