



**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

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**Madame Chair, Distinguished Delegates,**

I am pleased to introduce the Secretary-General's progress report (A/73/718) on the construction project of the new premises for the International Residual Mechanism for Criminal Tribunals in Arusha, Tanzania.

During the present reporting period, the Mechanism has continued to settle in its new home in Laki Laki, on the outskirts of Arusha. The construction project is nearly complete, and the Mechanism staff members now fully enjoy modern, comfortable and environment-friendly premises.

First and foremost, the state-of-the-art courtroom building has successfully hosted the Arusha branch's inaugural judicial proceedings with the initial appearance of five accused in the Turinabo et al. case in September 2018, and a status conference held in the same case in December 2018. Earlier this month, the courtroom building hosted the first plenary of Mechanism judges held in Arusha. In addition, throughout the reporting period, the Mechanism has continued to make full use of its office building.

The project remains within the approved budget of \$8.8 million, inclusive of the contingency provision. The contingency provision has a final projected balance of approximately \$200,000, and any unused contingency will be returned to Member States.

The present reporting period, which covers the final stage of the project, is referred to as the project close-out period. The close-out period included the contractual defects and liability period, which expired on 30 April 2018. The Mechanism has progressed towards the final completion of the Laki Laki premises and, in particular, the settlement of final accounts. To this end, the Mechanism, while focused on the timely and efficient remediation of the outstanding issues related to the heating, ventilation and air conditioning (HVAC) system presently installed in the archives building, which is expected to be completed later this year, continued to assess potential contractual remedies regarding design defects and delays in completion of the project.

Further to the progress, as included in the report itself, I am now also pleased to inform the committee that outstanding works on the punch-list rectifications following the reengagement of the contractor onsite in early 2018 are complete.

The final balance owed to the contractor under the contract, taking into account a valuation of pending punch-list items, amounts to \$499,152. This valuation marks the closure of the punch-list, notwithstanding on-going negotiations on amounts to be recouped by the Mechanism as a result of the delays. In this regard, the Mechanism has reaffirmed to the contractor that the United Nations had not excused any delay in the timely completion of the Works and that it reserved its contractual rights and remedies.

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As reported, the project team continues to pursue the most efficient solutions to properly commission the entire HVAC system upgrade and has identified the main contractor as the most suitable partner to undertake this project, given the contractor's inner knowledge of the project. The Mechanism is currently assessing and negotiating a renewed contractual framework, within which this partnership may be implemented.

Further, the architect, after providing a new design input for the HVAC system in the cold vault at no additional cost for the United Nations, has committed to supervise and certify the remediation works, pursuant to its contractual obligations. The project team estimates that the remediation works will be completed later this year. The Mechanism expects that the works can be completed through utilization of a portion of the contingency provision, with final figures expected to be known once negotiations as to the actual costs of the remediation are completed.

As we bring the project to a close, I would like to note the continued support of the Host State of the United Republic of Tanzania, the technical guidance of the Global Asset Management Policy Service, the Office of Legal Affairs and other Secretariat Departments, as well as the continued commitment of Mechanism staff.

With the assistance of colleagues from both the IRMCT in The Hague and Arusha, as well as OPPFB in New York, I will be available to answer questions that the Committee may have in the informal session scheduled tomorrow.

Thank you, Madame Chair and Distinguished Delegates.

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