



# Security Council

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## Letter dated 30 December 2024 from the Chair of the Informal Working Group on International Tribunals addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Informal Working Group on International Tribunals for 2024, as endorsed by the members of the Working Group.

I would be grateful if the present letter and the report could be circulated as a document of the Security Council.

(Signed) Michael Imran **Kanu**

Chair

Informal Working Group on International Tribunals



## **Report of the Informal Working Group on International Tribunals for 2024**

### **I. Introduction**

1. The present report is submitted to inform the Security Council of the work of the Informal Working Group on International Tribunals in 2024.

### **II. Organizational matters**

2. The Working Group was established on an informal basis in 2000 to consider matters relating to the United Nations and United Nations-assisted tribunals, in particular the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and, in recent years, the International Residual Mechanism for Criminal Tribunals. The Working Group consists of the legal advisers of the permanent missions of the members of the Security Council and is assisted by the Office of the Legal Counsel of the Office of Legal Affairs and the Security Council Affairs Division of the Department of Political and Peacebuilding Affairs.

3. Until 2007, the chairing of the Working Group followed the monthly rotation of the presidency of the Security Council, and it met only on an ad hoc basis. At the end of 2007, given the intensive work relating to residual issues and the completion strategies of the Tribunals pursuant to resolutions [1503 \(2003\)](#) and [1534 \(2004\)](#), the Working Group decided to appoint a single Chair and began meeting regularly. Subsequently, the Working Group was chaired by Belgium (2008), Austria (2009 and 2010), Portugal (2011), Guatemala (2012 and 2013), Chile (2014 and 2015), Uruguay (2016 and 2017), Peru (2018 and 2019), Viet Nam (2020 and 2021) and Gabon (2022 and 2023). Sierra Leone has been the Chair of the Working Group for 2024.

4. In 2024, the Working Group held one formal meeting at the outset of the review of the progress of the work of the Mechanism, as well as two formal meetings and one informal meeting with the President and the Prosecutor of the Mechanism. The Working Group also held informal meetings in April, May and June to consider relevant issues.

### **III. Briefings to the Security Council**

5. Following previous practice, the Chair of the Working Group gave a briefing to the Security Council on the activities of the Working Group, as well as his personal reflections, on 11 June (9651st meeting) and 10 December (9805th meeting).

### **IV. Exchange of views with the President and the Prosecutor of the Mechanism**

6. At its meeting on 10 June, the Working Group held an exchange of views with the President and the Prosecutor of the Mechanism, in preparation for their briefings to the Security Council on the work and activities of the Mechanism on 11 June.

7. At its informal meeting on 18 June, held virtually, the Working Group had an exchange of views with the President and the Prosecutor of the Mechanism. Pursuant to a consensus decision by members of the Working Group, representatives of Bosnia and Herzegovina, Croatia, Rwanda and Serbia also participated. The meeting was organized exceptionally to accommodate the requests by Rwanda and Serbia received

by the Chair on 10 June to meet with the Working Group, together with the President and Prosecutor of the Mechanism.

8. At its meeting on 9 December, the Working Group held an exchange of views with the President and the Prosecutor of the Mechanism in preparation for their briefings to the Security Council on the work and activities of the Mechanism on 10 December. Pursuant to another consensus decision by members of the Working Group, representatives of Bosnia and Herzegovina, Croatia, Rwanda and Serbia also participated in the first part of the meeting. Incoming elected members of the Security Council were invited to observe.

## **V. Review report on the progress of the work of the Mechanism**

9. On 29 February 2024, the Office of Internal Oversight Services issued its report pursuant to Security Council resolution [2256 \(2015\)](#) on the evaluation of the methods and work of the Mechanism, covering the period from 1 January 2021 to 31 December 2023 ([S/2024/199](#)).

10. At its 9561st meeting, on 4 March 2024, the Security Council adopted a statement by the President ([S/PRST/2024/1](#)), in which, inter alia, it requested the Mechanism to present by 15 April 2024 its report on the progress of its work since the previous review of the Mechanism in June 2022. In the same statement, the Council also requested the Working Group to carry out, by 15 May 2024, a thorough examination of the Mechanism's report, as well as the report on the evaluation of the methods and work of the Mechanism by the Office of Internal Oversight Services, and to present its views and any findings or recommendations for the Council's consideration in its review of the work of the Mechanism, including in completing its functions with efficiency and effective management.

11. By a letter dated 15 April 2024 addressed to the President of the Security Council ([S/2024/308](#)), the President of the Mechanism transmitted the fifth review report pursuant to the statement by the President ([S/PRST/2024/1](#)).

12. As part of the review process, in addition to the two mandated reports, Council members reviewed a third document prepared by the Mechanism, "Framework of operations to complete functions" in which the Mechanism outlined some options for the completion of its residual functions.

13. The Framework document was submitted in response to the Security Council's request in its resolution [2637 \(2022\)](#).

14. By its resolution [2740 \(2024\)](#) of 27 June 2024, the Security Council, inter alia, noted the conclusion of its review of the progress of the work of the Mechanism.

## **VI. Reports on the progress of the work of the Mechanism**

15. By letters dated 16 May 2024 and 18 November 2024, addressed to the President of the Security Council, ([S/2024/392](#) and [S/2024/836](#)), the President of the Mechanism transmitted the two six-monthly reports on the progress of work of the Mechanism by the President and the Prosecutor of the International Residual Mechanism for Criminal Tribunals, respectively for the period from 16 November 2023 to 15 May 2024 and for the period from 16 May 2024 to 15 November 2024, pursuant to paragraph 16 of Security Council resolution [1966 \(2010\)](#).

16. By a letter dated 29 July 2024 ([S/2024/570](#)), addressed to the President of the General Assembly and to the President of the Security Council, the President of the Mechanism transmitted the twelfth annual report of the International Residual Mechanism for Criminal Tribunals, pursuant to article 32(1) of the statute of the Mechanism. The annual report outlined the activities of the International Residual Mechanism for Criminal Tribunals from 1 July 2023 to 30 June 2024.

## **VII. Appointment of a judge of the Mechanism**

17. By a letter dated 3 January 2024 addressed to the President of the Security Council ([S/2024/44](#)), the Secretary-General conveyed his intention to appoint René José Andriatianarivelo (Madagascar) as a judge of the Mechanism to fill the vacancy created by the resignation of Judge Mahandrisoa Edmond Randrianirina (Madagascar). By a letter dated 9 January 2024 from the President of the Security Council addressed to the Secretary-General ([S/2024/45](#)), members of the Council took note of the intention expressed in the letter of the Secretary-General. Subsequently, by a letter dated 16 February 2024 addressed to the President of the Security Council ([S/2024/180](#)), the Secretary-General informed Council members that, following a corresponding letter from the President of the General Assembly, he was appointing Mr. Andriatianarivelo with immediate effect for the remainder of the term of office that Judge Randrianirina would have served, that is, until 30 June 2024.

## **VIII. Appointments of the President, Prosecutor and Judges of the Mechanism**

18. By a letter dated 14 June 2024 addressed to the President of the Security Council ([S/2024/502](#)), the Secretary-General, inter alia, conveyed his intention to reappoint the 25 judges of the Mechanism for a term of two years, from 1 July 2024 to 30 June 2026. By the same letter, the Secretary-General conveyed his intention to reappoint Judge Graciela S. Gatti Santana as President of the Mechanism for a new term of office from 1 July 2024 to 30 June 2026, and nominated Serge Brammertz for reappointment as Prosecutor of the Mechanism for a new two-year term, from 1 July 2024 to 30 June 2026.

19. By a letter dated 27 June 2024 addressed to the Secretary-General ([S/2024/503](#)), the President of the Security Council stated that the members of the Council had taken note of the intentions and nomination as expressed in the letter of the Secretary-General.

20. By its resolution [2740 \(2024\)](#), the Security Council decided to appoint Mr. Brammertz as Prosecutor of the Mechanism with effect from 1 July 2024 until 30 June 2026.

21. By a letter dated 28 June 2024 addressed to the President of the Security Council ([S/2024/522](#)), the Secretary-General referred to the letter dated 27 June 2024 from the President of the Security Council ([S/2024/503](#)) and stated that he had received a corresponding letter from the President of the General Assembly and that he would proceed with the reappointment of the 25 judges of the Mechanism, as well as the appointment of Judge Gatti Santana as President of the Mechanism from 1 July 2024 to 30 June 2026.

## IX. Conclusion

22. Sierra Leone had the honour of chairing the Informal Working Group on International Tribunals in 2024, allowing it to reaffirm its commitment to multilateralism and international law.

23. The Chair recognizes the constructive engagement of the Working Group during this year's review process and thanks each of its members for their commitment, cooperation and participation throughout 2024, which marked the conclusion of all core crime trials and appeals and the tracking of fugitives.

24. The Working group was able to prepare two Council products, [S/PRST/2024/1](#) and resolution [2740 \(2024\)](#).

25. Particular note is taken of the persisting challenges with the relocation of acquitted persons and convicted persons that have served their sentences and are currently in the Niger. The Chair welcomes the Mechanism's renewed diplomatic strategy and efforts to further leverage partnerships with the United Nations system to find long-term solutions to this issue.

26. To conclude, the Chair extends his sincere appreciation to the Office of Legal Affairs and the Security Council Affairs Division for their invaluable support during 2024, while thanking the President, Prosecutor and the Registrar of the Mechanism for their reports to the Working Group.

27. The Chair looks forward to similar constructive engagement with all parties in 2025.

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