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International
Criminal Tribunal
for the former
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Tribunal Pénal
International pour
l'ex-Yougoslavie

STATEMENT

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REGISTRAR

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ICTY Commemoration:
Reflections on 24 years of Fighting Impunity through International Courts and
Tribunals
Trusteeship Council Chamber, United Nations Headquarters

Remarks by John Hocking
United Nations Assistant Secretary-General
International Criminal Tribunal for the former Yugoslavia Registrar

What is the ICTY?

The ICTY is the nearly 5,000 witnesses who spoke up about the unspeakable horrors they saw or suffered. We heard from the boy who crawled over dead bodies to escape; the 15-year-old girl raped day after day and night after night; the mother who heard, one last time, the voice of her son as he was dragged away; and the wounded who was refused treatment because she was not worth it. The ICTY gave them protection, support, and their voices made justice possible.

The ICTY is the most wanted political and military leaders eventually seeing their day in court - accused after accused, one after the other, until there were no fugitives left. One accused told me, "I am sorry to have kept you waiting", after having escaped justice for years. Some accused vehemently proclaimed their innocence; others sincerely professed their guilt, like the young soldier consumed with remorse who told the court "I feel sorry for all the victims in the former Bosnia and Herzegovina".

The ICTY is treating every person with humanity and dignity, including those who are accused or convicted of the most inhumane crimes. At the ICTY, they have received the best possible medical care and the most qualified legal assistance. When we respect human dignity where it is most difficult, we advance the respect of human rights for all. The ICTY is its landmark rulings. Once they were revolutionary findings, today they are a given. When the ICTY began, sexual violence in war was still seen as a silent scourge or a crime against honour. The ICTY, and other courts, broke ground and held that sexual violence in conflict can be a war crime, a crime against humanity or even an act of genocide. Today, these findings are powerful tools for global action.

The ICTY is the triumph of Members States working together. Without shared and steadfast political support, we would have had no arrests, no seat, no resources to conduct fair trials, and no prisons to enforce our sentences. Justice would have remained the lofty aspiration of its founders.

The ICTY is the many courts around the world who are carrying the torch we lit. International, hybrid, and domestic courts from the former Yugoslavia to Rwanda, from Senegal to Sweden, from Colombia to Germany are working to reject impunity for past

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and present atrocities. For these courts, the ICTY will serve as a model long after our closure. They will be able to look back at our work to move forward and push beyond.

The ICTY is inspiration for civil society around the world. The hope for justice that the ICTY has generated encourages those who risk their lives to document crimes, those who spare no efforts to support victims and those who tirelessly raise awareness to prevent future atrocities.

The ICTY is its Judges, Prosecutors, Defence Counsel and its staff - 7,000 of us over the years. Women and men who were drawn to The Hague from all corners of the world with one shared commitment: the pursuit of justice. We were pioneers who turned a one-off experiment into a success and transformed a hope into a reality.

The ICTY is a success. It has achieved what it was born to do: it prosecuted, with due process, those considered most responsible for the heinous crimes that shocked the Balkans and the world. But the ICTY also achieved much more. The ICTY made justice possible. And in making it possible, even when it seemed impossible, it cemented an irreversible demand for justice. The ICTY has created a world in which we all demand and expect justice. After the ICTY, justice for the worst acts of humankind is no longer a question of "if", it is a question of "when" and "how".

But the last act of one convicted war criminal refusing to live with the final verdict is now also an image of the ICTY. This ultimate gesture is a reminder that justice will not always be accepted, that the fight for justice is hard. As we caught fugitive after fugitive, and delivered judgement after judgement, not all have saluted our work. Condemned war criminals have been hailed as heroes. Acquittals have been criticised as a denial of justice. Adjudicated facts have been denied, reframed or downplayed. Many have tried to oppose justice, but no opposition has brought it down, because justice cannot be ignored.

Like we cannot ignore justice, we cannot ignore that reconciliation is not an event, it is a process. The deeper the wounds the greater the challenge, and the greater the urgency the bigger the risk to expect too much too soon. Along this winding uphill path, we must always remember that every effort has value and every step is progress.

But even as the ICTY closes, we continue to see monuments turned to rubble, empty streets patrolled by armed militia and crowded buses of people fleeing. These images could be today, or they could be 25 years ago. We hear of Aleppo and Rakhine, where once we heard of Sarajevo and Srebrenica. Sometimes it feels as if we have made no progress, we have learned no lessons, we are no better than we were back then. Peace and justice still seem impossible.

The reasons to give up are so many and so powerful, but the history of humanity is rife with the impossible made possible - we defeated once deadly diseases, we brought the world to our fingertips and we walked on the moon. With the Tadić case, the ICTY took the first step. This small step, followed by many others and many more to come, has become a giant leap in the fight against impunity for all humankind.

Thank you.
