

Canadian Delegation to the  
Organization for Security & Cooperation  
in Europe



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Délégation du Canada auprès de  
l'Organisation pour la sécurité et la coopération  
en Europe

**Delegation of Canada to the OSCE  
Statement in response to Address by Madame Carla Del Ponte  
Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia  
623rd Meeting of the Permanent Council  
7 September 2006**

Canada would like to extend its appreciation to Chief Prosecutor Carla Del Ponte for her frank presentation today. We thank her in particular for her views on cooperation between the ICTY and the OSCE, to strengthen the rule of law.

Canada vigorously supports international efforts to bring individuals responsible for serious crimes to justice and build an international criminal justice system for the 21<sup>st</sup> century.

We also support the ICTY Office of the Prosecutor which plays an important role in rebuilding the social fabric of the former Yugoslavia by, eliminating impunity and ensuring accountability for those who have committed the most serious crimes. Indictees, currently at large, including Ratko Mladic and Radovan Karadzic, must be arrested and surrendered to the ICTY before Serbia's and Bosnia and Herzegovina's full reintegration to the Euro-Atlantic Community.

Canada supports the repatriation of ICTY cases to domestic courts in the region. We believe it makes the justice system more accessible to the local population, gives a strong sense of ownership over the process, and offers impetus for strengthening the rule of law. However, there still exist many barriers and limits to judicial cooperation.

We therefore urge countries in the region to implement necessary long-term judicial reforms by harmonizing their laws with those of the EU, regarding extradition and transfer of cases. We also urge them to strengthen their cooperation on judiciary issues by ensuring that indictees do not misuse various constitutional requirements to prevent extradition.

Canada itself has given substantial bilateral assistance to countries of the region in support of judicial reform programs. We would also like to take this opportunity to welcome renewed efforts of Serbia to implement its new Action Plan for Completion of Cooperation with ICTY; we expect that this cooperation will manifest itself by leading to early, concrete results.

We also note with satisfaction that the OSCE monitoring, of trials transferred from the Hague to qualified domestic courts, is proceeding well. We consider that the OSCE field missions in the region have the capability to provide the robust monitoring of trials needed by the ICTY and the international community to reinforce our faith in this process.

We regard the monitoring reports produced by the OSCE as impartial, and, we believe, adequately reflect the views of the defence and the prosecution.

In conclusion, we once again thank Chief Prosecutor Del Ponte for her insightful statement to the Permanent Council today and wish her all success in her challenges ahead.