

ANNE RUBESAME: Thank you, Mr. Prosecutor, and thank you for convening this public meeting.

Please accept these remarks as only the most humble observations from someone who cannot call herself an expert in the technical matters of prosecution, but someone who would like to merely share observations gathered growing up under a dictatorship, the German Democratic Republic, while working for the government of Bosnia-Herzegovina, while clerking at the ICJ here in The Hague.

The ICC doesn't start from scratch but is built on the shoulders of its predecessors, such as the ICTY and the ICTR, and we are learning now from their successes and weaknesses.

I would like to make a few points about the crucial need to build manifold relationships by using the ICTY as an example. This particular tribunal's success is perceived worldwide and is part of why the ICC was founded. I would like to make two points regarding its weaknesses merely to illustrate my points about relationships but without wanting to denigrate the outstanding work done by the tribunal's professional staff and the elected members of that court.

One of its weaknesses lies in the often negative perception of the tribunal harboured by people within the area of the former Yugoslav republics, among them Bosnia-Herzegovina. Another weakness lies in some of its internal processes. Both points relate back to relationships.

I have learned much about the power of functioning relationships by experiencing the radical transformation of an educational institution into one of the leading law schools in the United States through the leadership of one very inspiring person. You've experienced the mechanisms of two other leading law schools in the same country, and can appreciate what it might take to raise an institution to this level in the short span of 10 years. It took inspiring, innovative ideas,

persuading the right people to get on board, and most importantly, lots of community building, an endless and tireless building of relationships based on meaningful and significant two-way communications.

How to apply this experience in the much larger and infinitely more complex setting of international criminal justice. Here I would like to point to three areas: internal, external, and affected communities.

First, on the point of internal processes. As we learned from previous experience, international legal environments, or perhaps all environments where lawyers gather together, for that matter, can be highly divisive communities. One result of this divisive atmosphere is the high turnover of professional staff that results in crucial loss of institutional memory, often in the middle of long trials. Another result is the constant voicing of complaints and battles over turf by the members of the court that results in a loss of effectiveness and a general lack of satisfaction. I'm probably overdrawing here to make my point.

Having observed how the dean of the particular law school took the edge off this kind of atmosphere and, for internal process matters only, I would call on you, and please forgive me for lack of a better word, to become a sort of "high priest" of international justice or the tribal leader, if you will. This takes a constant effort of open, two-way communication to imbue a sense of duty and common purpose on an ongoing basis, perhaps akin to the renewal of faith with every visit to a place of religious worship.

Second, to the point of external relationships. There, on the one hand, strong direct relationships need to be established with governments, as David Scheffer and others pointed out yesterday, to acquire significant diplomatic clout; on the other hand, indirect

relationships need to be formed through the inspired use of the media.

And third, my last point, on affected communities. It is important how the world thinks about the ICC, but it is more important how it is perceived within the affected communities. One way might be, just to throw out another -- a not yet well-thought-out idea to establish - and, again, excuse me for lack of a better word - franchise ICCs or mini-ICCs within those communities. What I mean by that is local capacity-building for those people affected by a situation to try their own cases in conjunction with or in cooperation with the ICC.

Whatever form the relationship will take at the end, the affected communities need to be an integral part of the process of rebuilding themselves through the international criminal justice mechanism.

In conclusion, however we choose to form these relationships, we need to forge those internally, externally, and with those affected communities.

Thank you very much, Mr. Prosecutor.