

**SPEECH BY THE REGISTRAR OF THE INTERNATIONAL CRIMINAL COURT,
BRUNO CATHALA**

Information session for diplomatic representations

Brussels, 8 June 2005

President,
Deputy Prosecutor,
Excellencies,
Ladies and gentlemen,

May I, in turn, express my pleasure at this new opportunity to develop the dialogue that the Court has always sought to engage in with the States. I will in fact be resuming this dialogue as early as next week in New York, where we will be discussing budgetary matters, specifically for the year 2006.

This information session is dedicated to field operations. These are at the heart of the current activities of the Court which, this year, as the President has highlighted, entered its judicial phase. The Registry, besides its activities at the “headquarters”, plays a full part in these operations in order to provide the Office of the Prosecutor with administrative support and at the same time to enable it to carry out its own missions.

I would therefore like to start by briefly explaining to you how we conceived our deployment and I will then go on describe our outreach activities and how we fulfil our mandate towards victims, witnesses and the defence.

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When the Prosecutor started his investigations, we looked into the ways in which a judicial institution might be deployed in the field. Several successive steps can be envisaged: a deployment limited to the presence of investigators; then the creation of field offices; and finally, we could envisage various forms of decentralisation for the Court, for instance by holding certain important hearings, or even parts of trials, in the field.

As you are aware, we have already set up field offices: the one in Kampala is operational; the one in of Kinshasa soon will be; and we will also have a presence in Bunia.

As the judicial context is so vital, we have entered into agreements with the Congolese and Ugandan governments and we are in negotiations with MONUC, the African Union and the European Union.

In concrete terms, in order to ensure liaison between the field and the “headquarters”, the Registry has first of all to find suitable premises and equipment to meet its needs in terms of information technology and general services. Then, reliable means of transport must be found, as well as vehicles suited to the terrain, which differs from one country to the next, etc. And finally, and this is an essential issue, we have to ensure the safety of our teams in the field.

As I am sure you can imagine, this whole organisation, with security at the forefront, can rapidly become a headache in a war zone, and is costly but nonetheless vital.

In this respect, we try to use our budget in the most efficient way possible. We have already redeployed funds in the 2005 budget to meet the requirements that emerged at the end of 2004. In the context of the new budgetary process and of the development of our strategic plan to which the President referred, our field activities for 2006 will be closely analysed according to the different phases of the judicial proceedings: analysis; investigations; the pre-trial phase; the trial; the appeal; and the execution of the judgement.

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I should now like to speak to you in more concrete terms about what we are doing in respect of outreach, victims, witnesses and the defence. We are continually having to adapt, listen to national players, and take into account the structure of the communities affected, traditional justice mechanisms, etc.

As regards outreach, we consider that it is important to rely as far as possible on local players. We therefore have to identify intermediaries and train them in order for the

information disseminated by the Court to be correct and up-to-date. Indeed, when we arrived in the DRC for instance, some people confused us with the ICJ and the ICTR.

In the DRC, the communities we need to reach are dispersed across a huge stretch of territory, and we have to take their oral culture and different languages into account. We rely on Congolese radio, such as Radio Okapi for instance, which each week broadcasts programmes explaining one aspect of the Court. These broadcasts are translated into the four main languages. Translation and interpretation are essential issues, but also complex and expensive ones: we have to have access to highly specialised interpreters and translators who are specially accredited to work in these rare languages.

Moreover, and this is peculiar to a judicial institution, legal language has to be “translated”, i.e. made intelligible. So we have prepared illustrated documents and posters explaining in simple terms the Rome Statute, the role of each organ and Court procedures.

Despite these efforts, there is still a deficit of information about the Court in the DRC. The opening of the office in Kinshasa, which will be the closest channel through which we can communicate our information locally, will allow us to continue to promote a better understanding of the Court and to manage the expectations of the Congolese people.

In Uganda, we started by analysing the situation and listening to the different communities, not all of which have the same vision of the Court. At times we also encounter misunderstandings, and these have to be cleared up. Therefore, during each mission we have taken the opportunity to provide information to the players that we have encountered. We are also laying the groundwork for the provision of information about the trials.

As far as victims are concerned, we must spread the word about the historic provisions of the Rome Statute. Victims’ participation and reparations were among the issues that were systematically taken into account during the five seminars that the Registry organised and hosted in April in Kinshasa, Kinsangani and Lubumbashi for some 250 judges,

magistrates and members of other legal, civil and military professions. The object of these seminars was also very tangible: for us, it was about finding judicial intermediaries, our counterparts in the field, and explaining our needs to them. As a result, we now know that when issues of notification arise, or when for instance we have to detain accused persons *in situ* before their transfer to The Hague, we will have effective partners.

The standard forms to apply for participation, of which we are currently developing a “user-friendly” version, as well as the supporting documents, are very important in ensuring uniformity of standards in applications for participation and thereby in rationalising our work. The dissemination of these documents, which we are controlling to avoid their being sold, is being done through NGOs, religious or community associations, and is targeted at the situations that the Prosecutor has identified.

In Uganda, we met many community, religious and political leaders, as well as civil society representatives, solicitors and bar members. We are preparing educational and training activities with solicitors, community leaders and NGOs on the subject of victims’ participation and representation in the proceedings, the standard application form for participation, etc.

In order to protect witnesses, members of the Victims and Witnesses Unit have regularly travelled to the field over the last few months together with the investigation teams from the Office of the Prosecutor. Our objective is to develop local protection measures, for the time being together with the Office of the Prosecutor, and later with defence counsel.

In Uganda, the national authorities already have some capacity, and we are keen to help them strengthen it. So we are looking into training opportunities for the Ugandan police.

The situation in the DRC on the other hand is very different: local capacity is effectively non-existent, particularly in the Bunia area. We therefore carried out a fact-finding mission in order to gauge the level of support that the United Nations and certain NGOs could provide us with.

We are continuing to develop networks of solicitors with whom we liaise in the DRC and in Uganda, where we have met well-established communities of lawyers. We are seeking to encourage Ugandan and Congolese lawyers to apply for inclusion on the list of counsel for the Court.

Few Ugandan lawyers have signed up to date. As a result, we have made contact with the Ugandan Law Society and we also intend to carry out local outreach activities for lawyers there.

In the DRC, there is both a lack of local resources but at the same time a great interest in the Court. We are therefore trying to strengthen the partnership with the legal community and to support all Court-related initiatives.

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By way of conclusion, it is clear that in the field we must adapt our working methods on a case-by-case basis: we have to plan our projects according to constantly differing political and cultural contexts. That is why listening is for us a fundamental principle. In this drive to adapt to the requirements of the field, we are constantly looking for the most efficient use possible of our budgetary resources.

So our work is progressing, but the Court does not have the means to do everything single-handedly. In our budget, we have included the necessary resources for the proper functioning of our field offices, but we would nevertheless be very grateful to any States who so wish to provide us with additional support. Moreover, we need your cooperation to strengthen the capacity of local players and to build strong local networks.

The capacity-building programmes in the countries where they do exist could include, as part of their pilot sites, some of the sites that the Court works on: these programmes could for instance have an application in the training and strengthening of capacities of local NGOs on which we have to rely for our outreach activities and in bringing victims closer to the Court.

These field operations mean therefore that we need your support now more than ever.
Thank you very much.