

## **International Criminal Tribunal for the Former Yugoslavia**

At the London Peace Conference in August 1992, Canada was one of the first countries to call for an international tribunal to try those individuals responsible for war crimes and crimes against humanity committed in the former Yugoslavia. At the October meeting of CSCE Ministers in Stockholm, the then Secretary of State for External Affairs also endorsed the creation of a war crimes tribunal.

In response to similar calls for a tribunal, the UN Security Council (UNSC) adopted Resolution 780 which requested states to collate information in their possession relating to violations of humanitarian law, to make such information available to the UN Commission of Experts (UNCOE) which had been established and "to provide other appropriate assistance". In accordance with this resolution, Canada submitted several reports to the Secretary General. The reports contained information from a variety of sources, including more than 60 reports from non-governmental and regional organizations, governments, the United Nations and Canadian individuals.

Canadian defence personnel were involved in on-site investigations in the former Yugoslavia. In addition, Canada was the first country to make a substantial financial contribution to the voluntary fund for UNCOE (\$300,000).

On February 22, 1993 the UNSC adopted Resolution 808, which established a war crimes tribunal to prosecute those responsible for serious violations of international humanitarian law in the former Yugoslavia. The UN Secretary General was asked to report on how the tribunal might operate.

An International Meeting of Experts on the Establishment of an International Criminal Tribunal was held in Vancouver from March 22-26, 1993. Although initially the meeting was scheduled to discuss the proposed Permanent International Criminal Court, because of the UNSC Resolution 808 most of the discussion was directed to the war crimes tribunal. The final report of the meeting was forwarded to the UN Secretary General for his consideration.

On May 25, 1993 the UNSC adopted Resolution 827 and the Statute of the International Criminal Tribunal for the Former Yugoslavia which was annexed to a report of the Secretary General.

A Canadian, Mr. Justice Jules Deschênes, was elected as one of the judges for the Tribunal in September 1993. He sits as a member of the Appellate Chamber for the Tribunal. A former member of UNCOE and of the Canadian military, Cdr (Ret) William Fenrick is the Chief International Legal Adviser to the Prosecutor on issues of international law. Nine other Canadians