

The Government of Canada strongly supports the Tribunal, as we regard its work as essential in ending the cycle of impunity and violence. If indictees are not removed from their communities, their influence remains unchecked, justice will not be seen to be done, and Dayton's multicultural vision of Bosnia cannot be a real proposition. Canada has consistently advocated an active stance by the international community promoting the apprehension of indicted suspects, and we are pleased with the progress made in recent months in bringing war criminals to justice.

Canadian package of assistance: In December 1997, in response to the surge in the demands upon the Tribunal, Canada announced a package of assistance to the Tribunal. The package included: (1) a \$400,000 contribution for the exhumation of mass grave sites, (2) an offer of \$200,000 to assist with the construction of the third courtroom, if necessary, (3) the secondment of RCMP investigators, (4) a list of names of Canadians with qualifications and expertise most needed by the Tribunal, and (5) commencement of negotiations for a witness relocation Memorandum of Understanding. The package brings Canada's total voluntary contribution to the Tribunal to \$1,800,000.

Amicus brief on subpoena issue: In September 1997, Canada and New Zealand submitted a joint brief to the Tribunal, supporting the power of the Tribunal to issue orders for the production of evidence to states and individuals. This power had been challenged by Croatia in the course of Tribunal proceedings. The Appeals Chamber confirmed that the Tribunal does have authority to issue orders to states for the production of evidence, although the controversial label "subpoena" was not used.

**b) International Criminal Tribunal for Rwanda**

The International Criminal Tribunal for Rwanda ("ICTR" or "the Tribunal") was established by UN Security Council resolution 955 (1994) to prosecute individuals alleged to have committed serious violations of international humanitarian law, including genocide, war crimes, and crimes against humanity. The Tribunal itself (the Chambers and Registry) is based in Arusha, Tanzania, whereas the Office of the Prosecutor, headed by the Deputy Prosecutor, is in Kigali, Rwanda. The ICTR and the International Tribunal for former Yugoslavia share the same Chief Prosecutor, Madame Justice Louise Arbour, as well as the same Appeals Chamber.

Following the transfer of indicted persons from Switzerland and Cameroon, and the dramatic arrest and transfer of nine persons from Kenya in July and August 1997, the Tribunal now has twenty-three people in custody in Arusha. Another indicted person was in custody in the United States, but was released in December 1997 after a trial judge declared the extradition legislation