



Security Council

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Evaluation of the methods and work of the International Residual Mechanism for Criminal Tribunals

Report of the Office of Internal Oversight Services

Summary

The Office of Internal Oversight Services (OIOS) evaluated the relevance, efficiency, effectiveness and coherence of the approach of the International Residual Mechanism for Criminal Tribunals to fulfilling its ongoing continuous activities and advancing the completion or transfer of its residual functions in line with its mandated vision as a temporary and efficient structure.

The Mechanism's mandate remained relevant and was adequately implemented through its five modalities and appropriate adaptations to evolving circumstances. Despite the Mechanism's downsizing efforts and resource reductions, it continued to deliver its core mandate; nonetheless, its mandated architecture constrained progress towards evolving into a "small, temporary and efficient structure" as originally envisaged. In spite of steep resource reductions, the Mechanism delivered results across all its mandated residual functions. Progress on completion or transfer of functions, however, remained uneven and slower than anticipated, reflecting persistent external constraints and the absence of a unified vision among the Principals of the Mechanism. Nonetheless, the Mechanism advanced its review of completion and transfer options, with differing progress and resource implications across modalities.

OIOS makes two important recommendations for the Mechanism:

(a) Develop a list of strategic priorities for digitization and preservation from among the remaining archival work in partnership with the Judicial Records Unit of the Registry;

(b) Pending the Security Council's decision regarding the future of the Mechanism, develop a time-bound plan with resource implications for the various scenarios emanating from the options to transfer or complete its residual functions.



I. Introduction

1. The overall objective of the present evaluation by the Office of Internal Oversight Services (OIOS) was to determine, as systematically and objectively as possible, the relevance, efficiency, effectiveness and coherence of the International Residual Mechanism for Criminal Tribunals.
2. The evaluation conforms with the norms and standards for evaluation in the United Nations System.¹
3. The comments of the management of the Mechanism were sought on the draft report and taken into account in the preparation of the final report. The response of the Mechanism is included in the annex to the present document.

II. Background

A. Mandate, roles and stakeholders

4. The Mechanism was established by the Security Council in its resolution [1966 \(2010\)](#) to carry out the residual functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. These functions include assuming jurisdiction for proceedings relating to core crimes inherited from the Tribunals and a range of other residual functions.
5. In its resolution [1966 \(2010\)](#), the Security Council decided to establish the Mechanism with two branches, one in Arusha in the United Republic of Tanzania and the other in The Hague in the Kingdom of the Netherlands. In the resolution, the Council emphasized that, in view of the substantially reduced nature of the residual functions, the international residual mechanism should be a small, temporary and efficient structure, whose functions and size would diminish over time.
6. The Mechanism consists of three organs across both branches, each with specific roles and responsibilities (see table 1).

Table 1
Roles and responsibilities of the three organs of the Mechanism

<i>Organ</i>	<i>Role and responsibility</i>
Chambers	Adjudicate judicial proceedings at both branches of the Mechanism according to article 4 of the Statute of the Mechanism
Office of the Prosecutor	Hold accountable those persons responsible for serious violations of international humanitarian law committed in the territories of Rwanda and the former Yugoslavia
Registry	Responsible for the administration and servicing of the Mechanism, under the authority of the President

7. The Mechanism's final trial and appeal proceedings in core crimes cases were effectively concluded in September 2023.² Thereafter, judges and staff have focused on the expeditious and fair completion or transfer of the Mechanism's mandated activities.

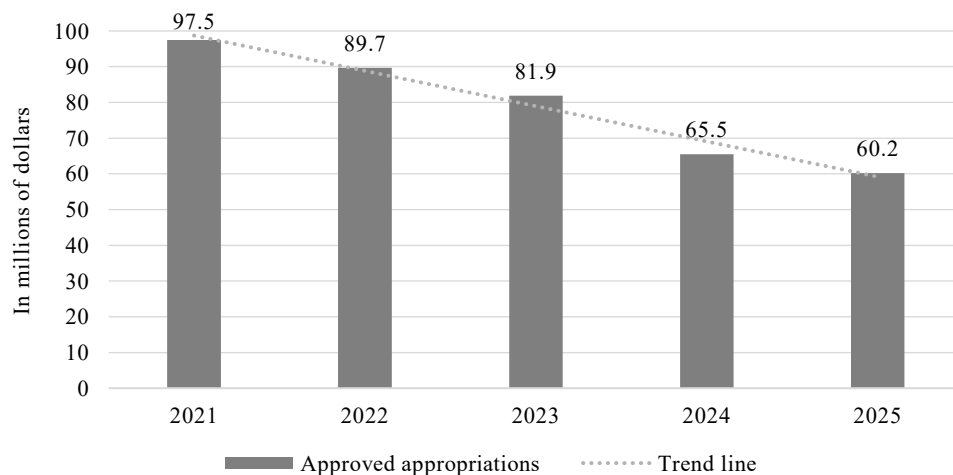
¹ United Nations Evaluation Group, "Norms and standards for evaluation", 2016.

² See [S/2025/309](#).

B. Resources

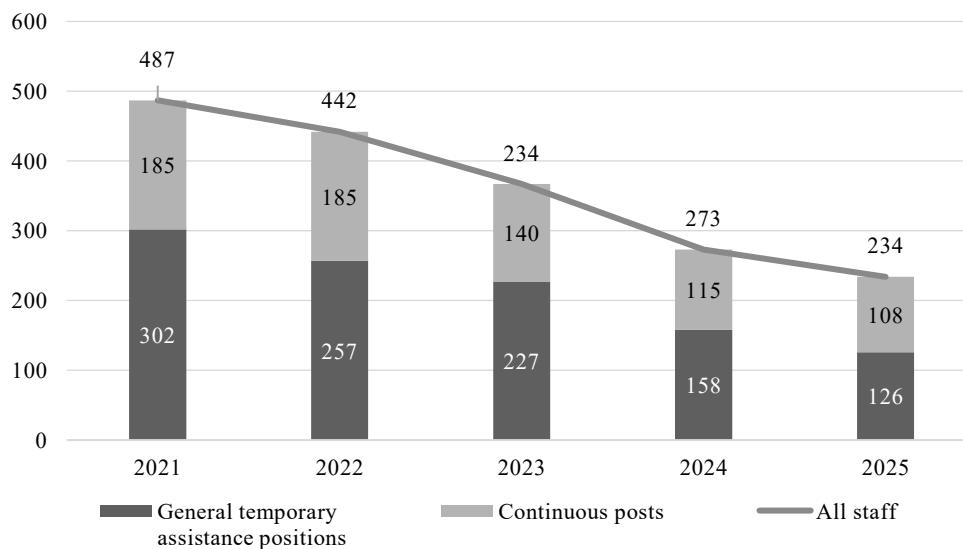
8. Figure I shows the Mechanism’s annual budget from 2021 to 2025. There has been a significant decrease over the last four years of nearly 40%, in alignment with reduced requirements attributed to the conclusion of active core crimes trial and appeal proceedings, the completion of the Mechanism’s fugitive tracking activities, and the closure of Mechanism units. The number of Mechanism personnel has also decreased significantly, from 487 staff in 2021 to an approved total of 234 staff in 2025.

Figure I
Budget of the Mechanism, 2021–2025



Source: A/79/555, table 13; and A/79/619, table 2.

Figure II
Staffing of the Mechanism, 2021–2025



Source: S/2021/487, S/2022/404, S/2023/357, S/2024/836, S/2025/309.

C. Modalities of mandate implementation

9. The Mechanism delivered its mandated residual functions through five core implementation modalities: assistance to national jurisdictions; protection of victims and witnesses; supervision of enforcement of sentences; judicial activities; and archives management.

Figure III
Modalities of mandate implementation

Assistance to national jurisdictions	Protection of victims and witnesses	Supervision of enforcement of sentences	Judicial activities	Archives management
Respond to requests for assistance from national authorities and parties in national proceedings in relation to the investigation and prosecution of crimes committed in Rwanda and the former Yugoslavia	Ensure that witnesses receive protection and support in relation to cases from the two Tribunals and the Mechanism	Supervise sentences and ensure they are enforced in accordance with international standards and with article 25 of the Statute, including through adjudication of applications related to conditions of detention and release	Undertake any judicial activity that arises falling within its jurisdiction, including but not limited to: <ul style="list-style-type: none"> • requests for review of judgments • <i>non bis in idem</i> • contempt proceedings • false testimony proceedings • applications for variation of protective measures and access to confidential information • in support of other residual functions 	Preserve and manage the archives of the Tribunals and the Mechanism Respond to requests to access the archives

Source: A/79/555.

III. Methodology

10. The evaluation covered the period from January 2024 to September 2025, with updates to reflect progress made until 31 December 2025, and covered all five modalities of mandate implementation. It focused on the Mechanism's approach to fulfilling its ongoing continuous activities and advancing the completion or transfer of its residual functions in line with its mandated vision as a temporary and efficient structure, to inform the next review of the Mechanism by the Security Council in 2026.

11. The evaluation employed a mixed-method approach. The findings were validated through the triangulation of evidence from the following methods:

(a) 43 interviews, including 20 interviews with representatives of Member States, all three Principals and 19 staff members from both branches of the Mechanism, and 4 with partners and other stakeholders of the Mechanism, including international organizations, civil society organizations and victims' associations;

(b) Three case studies on assistance to national jurisdictions, supervision of enforcement of sentences, and judicial activities;

(c) Survey of 169 Mechanism staff, with a response rate of 70% (119 respondents);

(d) Direct observation of the annual conference of prosecutors from the Western Balkans on war crimes cooperation, held in September 2025, and Security Council briefings in May 2025 and December 2025;

- (e) Workload analysis of each modality of mandate implementation, covering staffing distribution, resources and main activities;
- (f) Desk review of key relevant Mechanism documents.

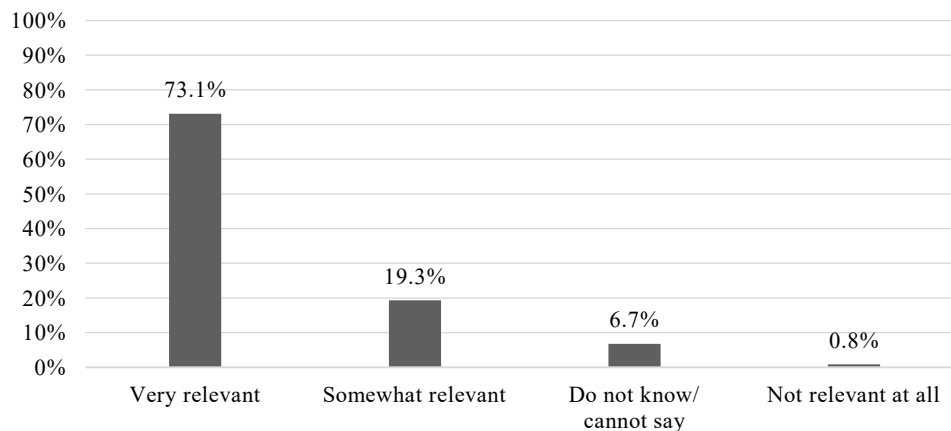
IV. Evaluation results

A. The Mechanism's interpretation of its mandate across all five modalities remained relevant through appropriate adaptations to a changing environment

Member States and staff affirmed that the Mechanism's residual functions remained necessary and were adequately addressed through the delivery of its modalities of mandate implementation

12. The Member States representatives interviewed provided positive feedback on the continued importance of the Mechanism's role, with the majority (75%) agreeing that the Mechanism's current activities were aligned with its mandate, as implemented through its core modalities, while also undergoing key adaptations to reflect the institution's ongoing downsizing trajectory. Staff echoed these opinions in interviews and the staff survey. The majority of staff surveyed (73%) rated the Mechanism's current interpretation of its mandate as highly relevant across all five modalities.

Figure IV
Staff survey responses on the relevance of the Mechanism's interpretation of its mandate



Note: 119 staff participated in the survey.

13. The Member State representatives and staff interviewed largely affirmed the continued necessity of the remaining residual functions. The five modalities are discussed in more detail below.

Assistance to national jurisdictions

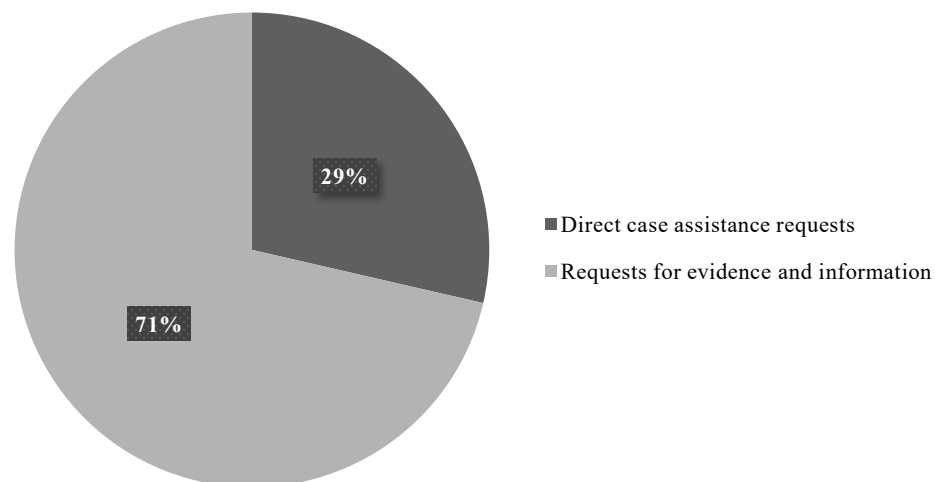
14. Assistance to national jurisdictions was led by the Office of the Prosecutor through two core streams: direct case assistance and responses to requests for evidence and information. The Office also managed its physical and digital evidence collection. The Registry and the Chambers supported the Office in responding to

requests for confidential and public documents stored in the archives of the Mechanism.

15. The Member State representatives interviewed consistently underscored the practical indispensability of the Office of the Prosecutor in supporting domestic proceedings, by facilitating access to evidence repositories, supporting witness-related processes, providing legal analysis, participating in joint task forces, and sharing case dossiers.

Figure V

Assistance to national jurisdictions workload (Office of the Prosecutor only)



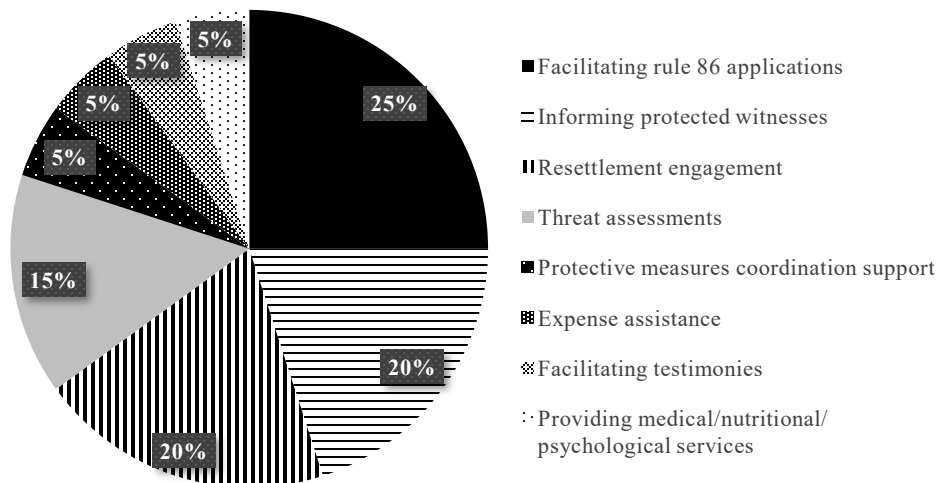
16. The Office of the Prosecutor adequately adapted its activities to reflect the Mechanism’s downsizing trend by doing the following:

- (a) establishing informal direct lines of communication with national authorities to streamline processes;
- (b) implementing a “one office” policy, enabling staff to work across branches;
- (c) setting up a joint task force with Rwandan and foreign prosecutors, applying a dual-track approach linking fugitive tracking with case development;
- (d) operationalizing trilateral and third-party cooperation models to strengthen coordination among national counterparts.

Protection of victims and witnesses

17. The Witness Support and Protection Unit of the Registry ensured the ongoing protection of victims and witnesses, including by handling applications from domestic jurisdictions seeking variation in judicial protective measures. This accounted for the most significant use of Witness Support and Protection Unit staff time. Other significant efforts included informing protected witnesses, resettlement engagement, and conducting threat assessments.

Figure VI
Protection of victims and witnesses workload



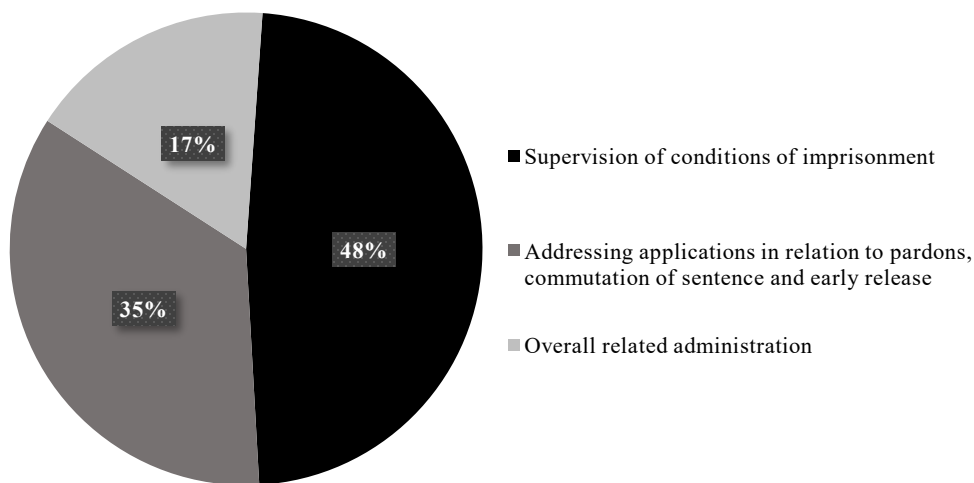
18. In response to an 80% reduction in its staffing from October 2024 and following the closure of the Kigali field office in 2024, the Witness Support and Protection Unit transitioned from being a direct service provider for victims and witnesses to a primarily coordination-focused role. Victim and witness advocacy groups interviewed expressed positive views on the Mechanism’s handover of services to national authorities.

Supervision of enforcement of sentences

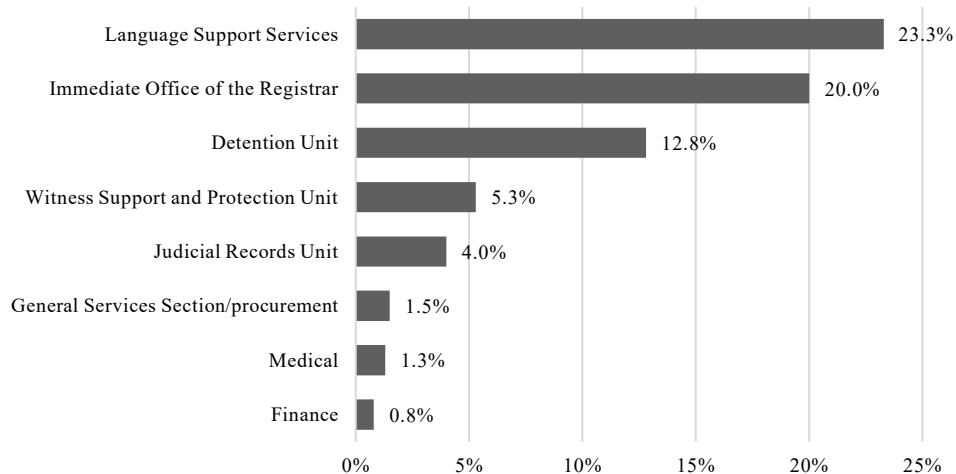
19. The sentence enforcement modality was jointly delivered by the President exercising judicial authority over enforcement decisions, with support from her Office, and the Registry, through the provision of legal and operational support across multiple sections. Fourteen staff from the President’s Office and 50 staff from across eight units of the Registry supported the implementation of this modality, with most staff time spent supporting the supervision of conditions of imprisonment.

Figure VII
Sentence enforcement workload

Workload by activity



Registry workload distribution



20. In response to changing circumstances related to a diminishing workload and resource reductions after the completion of proceedings in core crimes, the Mechanism implemented a series of concrete streamlining measures:

(a) The President issued a revised practice direction on early release that enabled the President to obtain information directly from stakeholders rather than relying on the Registry as the sole communication channel;

(b) The President streamlined the processing of early release requests by consolidating internal requests for input and drawing on prior determinations where consistent with the applicant's rights;

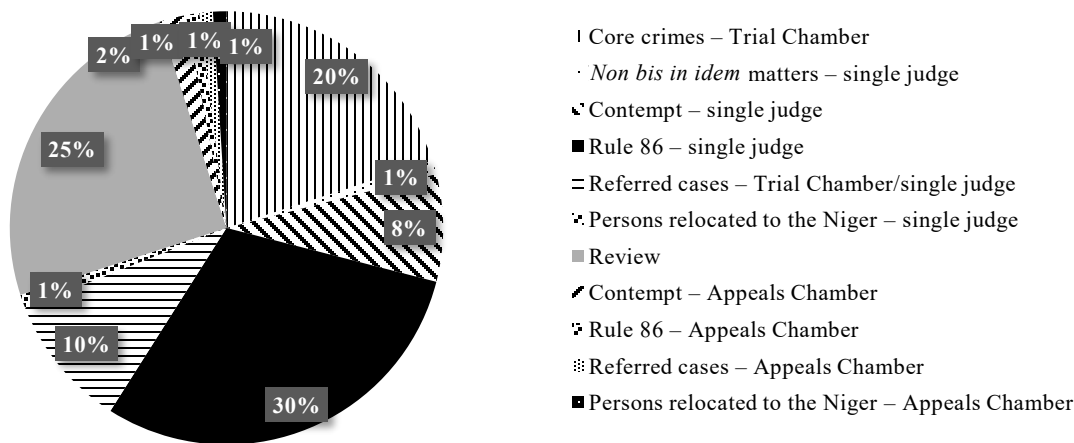
(c) The President issued a revised practice direction on the designation of enforcement States that further enabled the President to engage with prospective enforcement States directly, alongside the Registrar's efforts, in support of the potential closure of the United Nations Detention Unit. The President also took over the responsibility of communicating directly with enforcement States in response to inspection bodies' reports.

Judicial activities

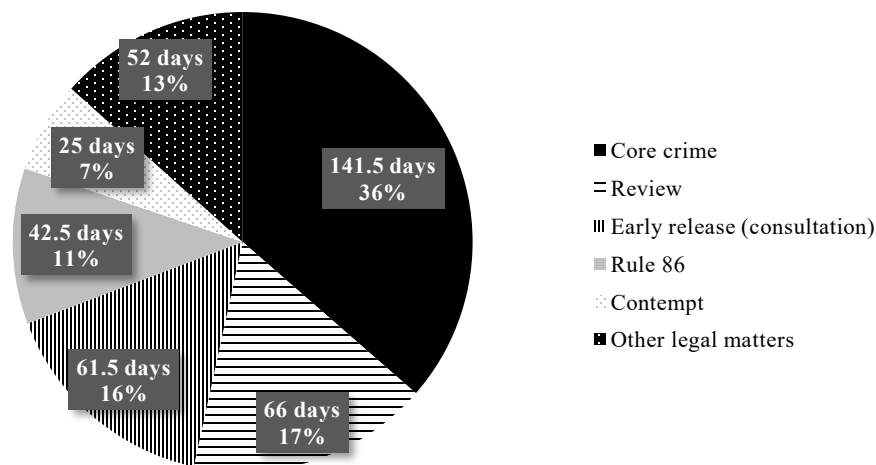
21. Judicial activities were delivered primarily by the 25 independent Judges on the Mechanism's judicial roster, supported by the Chambers Legal Support Section, and the Office of the President in relation to the President's judicial activities. The distribution of judicial engagement reflected core residual priorities, including protection of victims and witnesses and assistance to national jurisdictions, largely related to the variation of protective measures under rule 86 of the Rules of Procedure and Evidence, review proceedings including the *Ntakirutimana* case, and continued management of residual core crimes proceedings, dominated by the *Kabuga* case. The self-reported workload of Chambers staff from January 2024 to September 2025 was corroborated by the judicial caseload, as indicated by the judges' reimbursement data. In parallel, the Chambers Legal Support Section maintained and strengthened the Mechanism's jurisprudential legacy through systematic updates to the case law database, supporting domestic accountability actors and legal practitioners. The Registry supported the independent judges and the Chambers Legal Support Section through language services, processing of judicial filings, court management, detention unit management, information technology, witness protection and support, assistance to defence teams and administration of legal aid, among other functions.

Figure VIII
Judicial activities workload

Chambers Legal Support Section indicative time allocation for judicial activities



Judge reimbursement for legal matters



22. To adapt to a shrinking residual caseload and staffing reductions, the Chambers continued to employ a lean operating model combining procedural streamlining and flexible deployment, with shorter hearings, leaner drafting and stronger emphasis on timely decision-making across active matters. The Chambers continued to employ a cross-branch staffing model during the evaluation period, allowing legal officers to work on multiple matters in parallel, and shift priorities as cases progressed and as procedural deadlines, complexity and language needs changed. Further streamlining measures included:

(a) deletion of rule 155 to remove a resource-intensive and duplicative declassification procedure;

(b) amendments to rules 90, 108 and 147 to limit resource-intensive proceedings and support future drawdown, particularly by reducing reliance on costly in-court hearings while upholding fair trial standards.

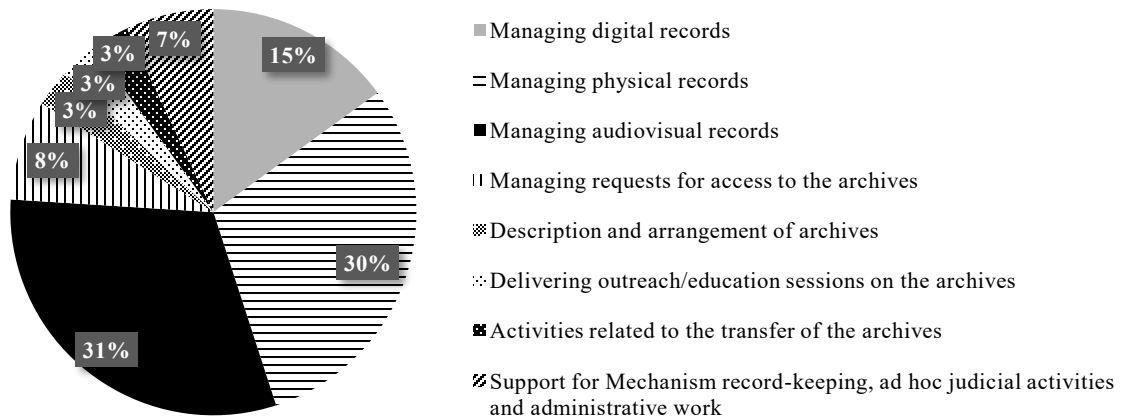
Archives management

23. Archives management was delivered by the Mechanism Archives and Records Section through four core areas of work: management of digital records, physical records, audiovisual records and requests for access to the archives.

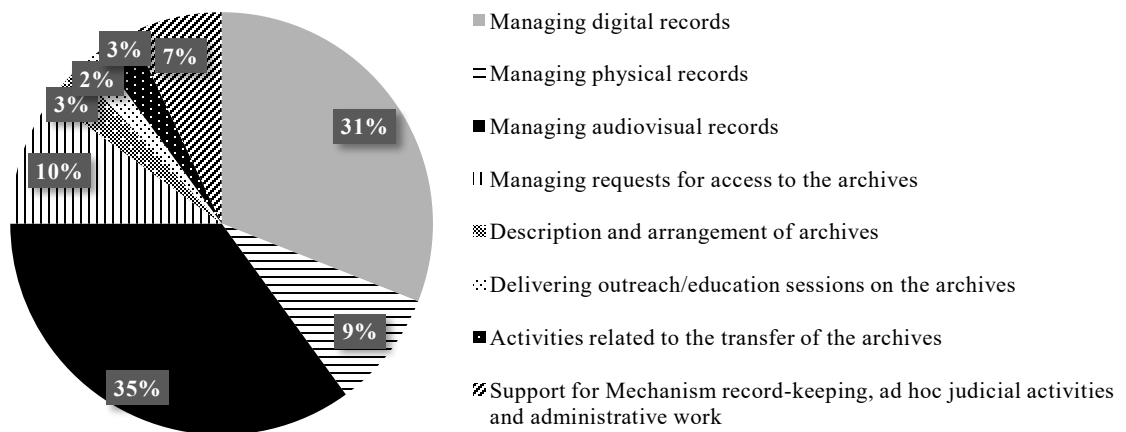
Figure IX

Archives management workload

Archives management workload, Arusha branch



Archives management workload, The Hague branch



24. Member States, staff and witness and victim advocacy groups interviewed described the archives as critical to preserve the legacy and memory of victims and survivors, and to serve as a historical record of the atrocities that occurred and the judicial fight against impunity. They noted that timely access to judicial records strengthened case outcomes and was particularly valuable for national jurisdictions managing large caseloads.

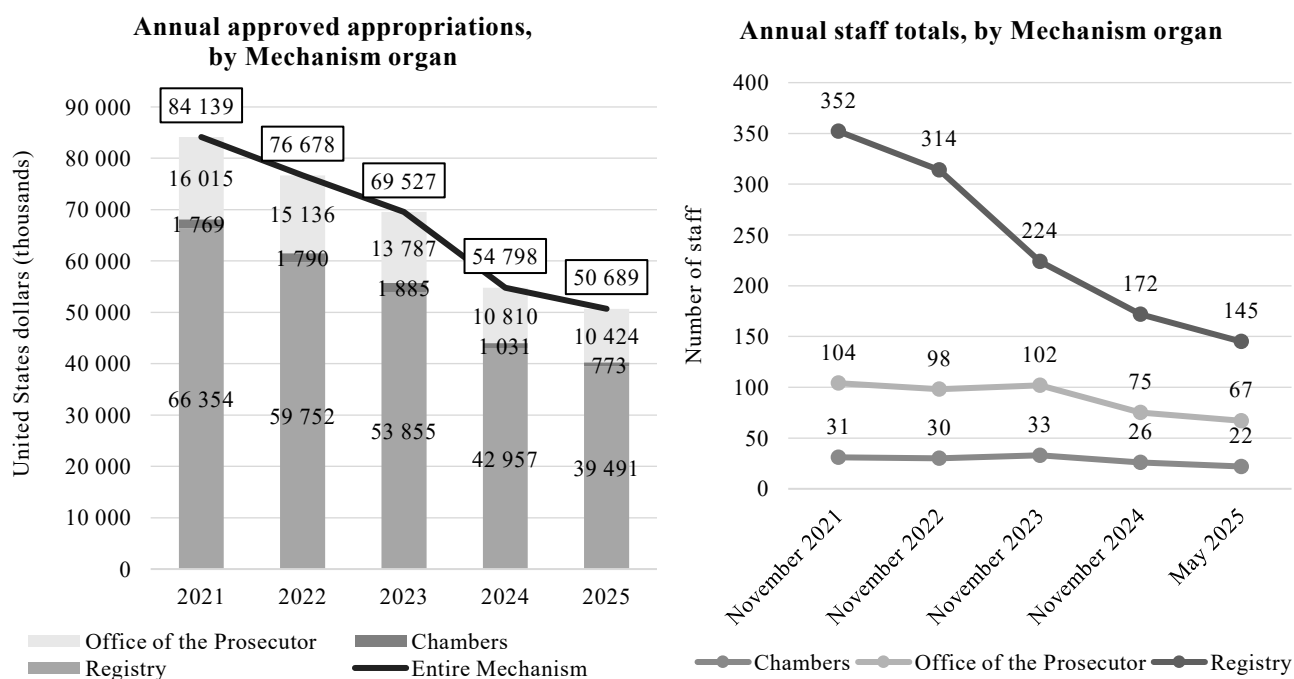
25. To mitigate reductions in staffing and resources, staff in the Mechanism Archives and Records Section reported adapting their working methods, including increased multitasking and cross-training, more flexible deployment of resources across branches, and greater reliance on existing staff expertise, all of which helped to expedite their work.

B. Despite the Mechanism’s downsizing efforts and resource reductions, it continued to deliver its core mandate, although its ability to evolve into and function as a “small, temporary and efficient structure” was hampered by its mandated architecture

The Mechanism has experienced significant budget and staffing cuts over the past four years

26. Since 2021, the Mechanism’s overall budget appropriations have declined sharply by more than 40%, affecting all three organs. Staffing levels mirrored this trend, with an overall reduction of more than 43% during the same period.

Figure X
Mechanism resource trends, 2021–2025



Source: S/2021/487, S/2022/404, S/2023/357, S/2024/836 and S/2025/309.

High staffing costs in support of its rigid operational footprint accounted for the majority of the Mechanism’s resources

27. Articles 3 and 4 of the Mechanism’s Statute prescribe a fixed organizational architecture – two geographically separate branches and three organs, led by two Under-Secretaries-General and one Assistant Secretary-General – which has constrained opportunities for consolidation and cost savings. As a result, the Mechanism’s ability to reallocate resources in response to decreasing workloads has been inherently limited. Although the Registry experienced proportionally larger reductions in budget and staffing than the Chambers or the Office of the Prosecutor, the Registry’s functions and operating costs associated with maintaining the Mechanism’s footprint across two locations continued to absorb the largest share of the Mechanism’s resources. The existing allocation across the organs, therefore, reflects administrative rather than managerial and operational needs.

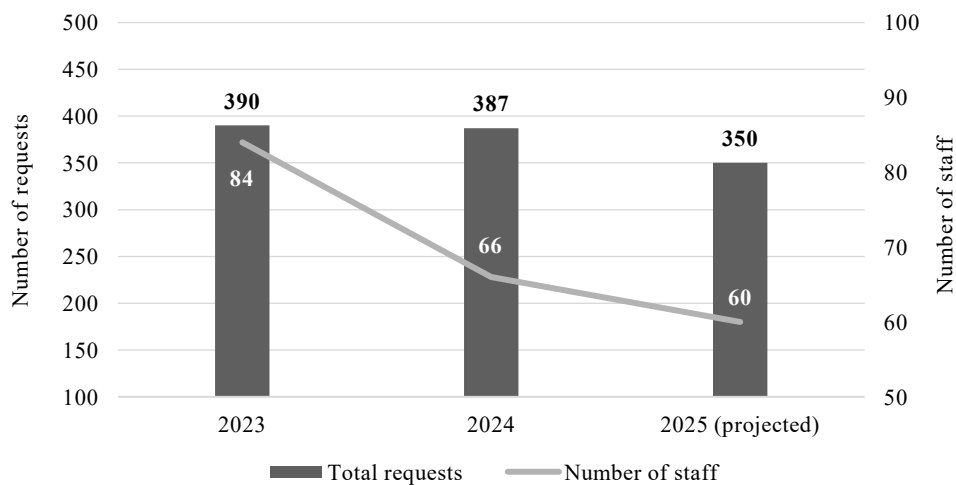
C. Despite the steep reduction in resources, the Mechanism continued to deliver results across all mandated residual functions through its implementation modalities

Assistance to national jurisdictions continued to respond to growing demand despite staffing reductions

28. Assistance to national jurisdictions resulted in several positive outcomes, despite a steady workload and decreasing staff levels since 2023. The Office of the Prosecutor processed 240 requests for assistance up to September 2025, comprising 81 direct case assistance requests and 159 requests for evidence and information. The total number of requests for 2025 was projected to reach approximately 350, including around 100 direct case assistance requests and 250 requests for evidence and information. Direct case assistance requests, which are more complex and workload-intensive, increased steadily between 2021 and 2025. These outputs demonstrated the Mechanism's continued ability to respond to a steady demand from national jurisdictions, notwithstanding reduced staffing levels.

Figure XI

Assistance to national jurisdictions workload and staffing trends



29. The assistance provided enabled national authorities to advance complex national prosecutions of war crimes, crimes against humanity and genocide committed in the former Yugoslavia and Rwanda. The Office of the Prosecutor did so by providing access to evidence and information, direct prosecutorial assistance and support in addressing cross-cutting accountability challenges, including tracking of fugitives and international cooperation, thereby contributing to accountability and justice for victims.

30. An in-depth case study of cooperation between the Office of the Prosecutor, the French prosecutorial authorities and their Rwandan counterparts demonstrated the concrete results achieved through the Mechanism's assistance to national institutions. Case-specific assistance, namely timely access to evidence and sustained investigative and prosecutorial engagement, helped national authorities to overcome evidentiary, procedural and cooperation constraints and advance domestic genocide prosecutions, which resulted in eight convictions since January 2024. The Office provided rapid access to key documentary evidence from the International Criminal Tribunal for Rwanda during ongoing trials, including delivering documents within 24 hours when evidentiary needs were identified in court. The Office also prepared and shared

investigation dossiers to support investigations. In addition, continuous case-specific guidance, grounded in institutional knowledge of the Tribunal's investigations and witnesses, strengthened evidentiary foundations, enabled lawful use of protected material and accelerated case progression.

Protection of victims and witnesses: the Witness Support and Protection Unit continued to safeguard victims and witnesses and facilitate the variation of judicial protective measures, despite minimal staffing resources

31. Despite downsizing to a small team of five staff members, the Witness Support and Protection Unit effectively sustained the protection, safety and confidentiality of victims and witnesses across jurisdictions. Judicial protective measures continued to safeguard 3,200 witnesses residing in more than 50 countries, while extrajudicial relocation arrangements remained in place for 210 individuals, ensuring continuity of protection for the most vulnerable witnesses.

32. In facilitating the variation of judicial protective measures (rule 86), the Witness Support and Protection Unit successfully implemented judicial orders and decisions arising from 46 applications. This work covered 595 witnesses, including relocated witnesses and cases involving the transfer of confidential or medical information. More than 690 direct contacts were undertaken by the Unit's five full-time staff, to assess risks, obtain views or consent, and ensure that any variation of protective measures did not compromise witness safety.

Supervision of enforcement of sentences: the Mechanism maintained effective oversight of conditions of imprisonment, reduced its detention footprint and successfully adjudicated applications for pardon, commutation and early release, despite resource reductions

33. The Mechanism continued its effective supervision of sentence enforcement activities despite resource reductions. At the beginning of the evaluation period, the Mechanism was responsible for supervising 50 convicted persons under its jurisdiction, including 43 individuals serving sentences in 12 enforcement States, four persons conditionally released, and three convicted persons temporarily housed at the United Nations Detention Unit. By December 2025, there were 44 convicted persons under the Mechanism's jurisdiction, including 38 individuals serving sentences in eight enforcement States, four persons conditionally released, and two convicted persons temporarily housed at the Detention Unit. In addition, one accused person remained at the Detention Unit. The Mechanism sustained international oversight of their conditions of imprisonment, including monitoring of healthcare and humanitarian matters, and engagement with enforcement States and the relevant independent inspection bodies. The decrease in the population of convicted persons held in the Detention Unit during the period reflected a reduced detention footprint under the Mechanism's direct, hands-on management.

34. With respect to the adjudication of applications for pardon, commutation and early release, the President issued 17 decisions from January 2024 to September 2025. Case evidence indicates that refinements to adjudication practices have contributed to expedited timelines. For example, one specific application was resolved in approximately 9 months, compared with 12 months for a comparable application decided in previous periods, demonstrating improved efficiency in individual case processing.³

³ MICT-13-53-ES.2 and MICT-17-112-ES.2

Judicial activities: core judicial functions including review matters, rule 86 litigation and judicial matters related to the released and acquitted persons in the Niger were completed, despite ongoing resource constraints

35. Between January 2024 and September 2025, the Mechanism completed 69 judicial matters, issuing 169 decisions and orders across both branches, thereby sustaining core judicial functions under persistent resource constraints.

36. In core crimes proceedings, the Mechanism delivered substantive judicial outcomes across review, trial and fugitive-related matters. In the *Ntakirutimana* case, a multi-stage review process was concluded within a compressed time frame, with the Appeals Chamber adjudicating both a request for review and a subsequent request for reconsideration, conducting a one-week hearing, and issuing a reasoned review judgment. In the *Kabuga* case, notwithstanding the indefinite stay of proceedings, the Trial Chamber maintained active judicial oversight through decisions on detention and health monitoring, consideration of possible release, recovery of assets to offset legal aid expenditures, and the conduct of five status conferences.

37. The most workload-intensive judicial activity – rule 86 litigation – was adjudicated consistently, with a high proportion of decisions becoming final without appeal, thereby supporting national proceedings while preserving judicial safeguards. The Chambers adjudicated an average of 25 matters related to rule 86 annually, granting approximately 83% of applications in full or in part since 2021, with only three appeals filed during the period and none since 2023. Decisions consistently reaffirmed strict confidentiality, witness safety and the continued application of protective measures, with tailored safeguards where health or other concerns arose. Through the use of rule 86(G), which allowed the Office of the Prosecutor to submit applications on behalf of national authorities facing domestic procedural constraints, all variations of protective measures were authorized by Mechanism judges.

38. Moreover, in relation to released and acquitted persons relocated to the Niger in December 2021, the Registry engaged extensively with Member States on relocation efforts, including legal submissions and related administrative measures to implement court orders and the Mechanism’s duty of care. A judicial decision issued in November 2025 clarified the scope and temporal limits of the Mechanism’s duty of care by ordering the continuation of financial assistance no further than 31 December 2026. This decision established a defined framework for the conclusion of financial assistance to the affected individuals.

Archives management: archives management progressed and achieved results across its digital, physical and audiovisual holdings with minimal staff

39. With a team of nine staff members across both branches, the Mechanism Archives and Records Section reported that the archives management function achieved concrete results across digital, physical and audiovisual holdings, mitigating preservation risks and sustaining core archival functions. OIOS was not able to independently verify the extent of progress achieved or the amount of residual work remaining.

40. For digital records, the Mechanism reported that 308,536 shared folders of International Criminal Tribunal for Rwanda material, and 929 shared folders, 2,200 CDs, DVDs and floppy disks, and 34 databases of the International Tribunal for the Former Yugoslavia were appraised. In addition, 2,003 obsolete media carriers were migrated, securing over 200,000 digital records. In parallel, 72,000 compromised digital files (approximately 300 terabytes) were technically repaired, 157,940 digital records were registered or transferred into the Electronic Document and Records

Management System, and an additional 8.2% of the digital archives were ingested into the Digital Preservation System, advancing long-term preservation.

41. For physical records, the Mechanism reported that 340 linear metres were reviewed and appraised across both branches, 540 fragile thermal-paper documents and 112 at-risk physical records were preserved or conserved, 1,900 preservation copies of photographic exhibits were created, and 400 linear metres of physical records were transferred into controlled archival storage.

42. Furthermore, audiovisual preservation also progressed with the appraisal of over 38,000 recordings, the digitization of 9,476 audiovisual recordings, the creation of 1,560 quality-controlled and redacted public versions, and the preparation of 4,654 audiovisual recordings for long-term digital preservation.

43. In parallel with preservation activities, the Mechanism reported that the archives sustained high levels of access and judicial support, processing 262 access requests and 54 requests for assistance, delivering nearly 2,000 hours of audiovisual footage, and maintaining 380,940 publicly accessible judicial records, which generated over ten million document accesses during the period.

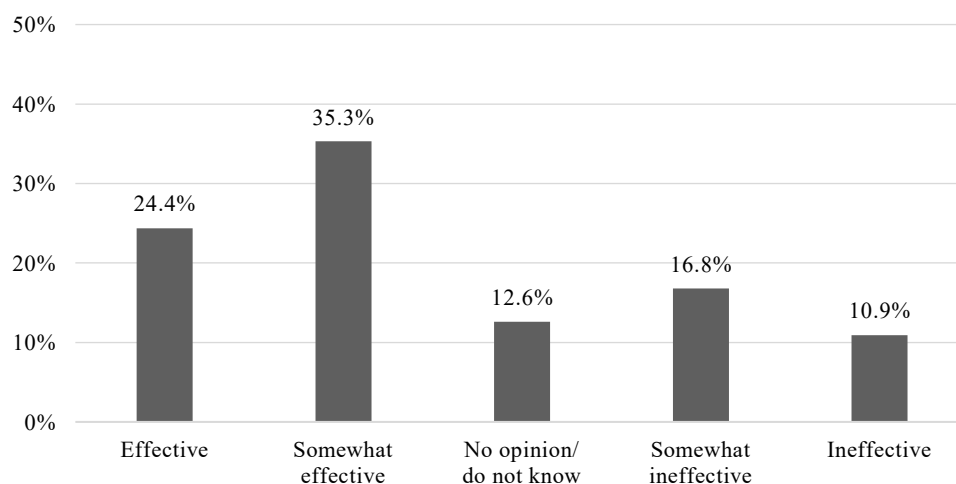
D. Progress towards the expected completion or transfer of the Mechanism's mandated activities was impeded by the lack of a Mechanism-wide unified strategic vision and ongoing external challenges

Regular internal coordination mechanisms involving the Principals of the Mechanism addressed overarching management issues, but a unified vision and concrete decisions on the Mechanism's future remained unachieved

44. The Mechanism maintained a range of formal internal coordination mechanisms, including nine meetings of the Coordination Council, 13 meetings of the cross-organ working group, and 12 bilateral meetings between the President's Office and the Registry. These processes provided regular forums for information exchange and operational coordination across the three organs.

45. Staff indicated that this internal coordination supported the smooth discharge of day-to-day operations, with 59% of survey respondents rating cross-organ coordination as effective or somewhat effective (see figure XII). Staff also reported that coordination arrangements enabled routine cooperation, information-sharing and operational continuity.

Figure XII
Staff survey responses on the effectiveness of internal coordination within the Mechanism



Note: 119 staff participated in the survey.

46. Nonetheless, staff identified structural limitations in internal coherence. Nearly 28% of survey respondents rated internal coordination as low, indicating uneven experiences across the organization. The 2020 OIOS evaluation of the Mechanism,⁴ as well as staff interviewed for the present evaluation, noted that coordination arrangements primarily supported operational matters and were not anchored in a shared, institution-wide strategic vision for completion planning. Furthermore, divergent views among the Principals on key issues, including closure timelines, staffing and resource levels across the organs, and the future handling of remaining judicial activities, were perceived as further constraining internal coherence, limiting the translation of regular dialogue into decisive, institution-wide action during a critical phase of transition planning.⁵

47. Internal coherence challenges manifested as organs operating according to their own mandates and priorities, with limited alignment around common institutional objectives. The absence of an institution-wide approach to document and records management complicated preparations for the transfer of archives and increased administrative burdens.⁶ Furthermore, staff and Member State representatives reported that engagement with Member States was not consistently coordinated across organs, with interrelated issues, such as the closure of the United Nations Detention Unit and archives transfer, often advanced through separate, issue-specific tracks rather than through a consolidated Mechanism-wide agenda.

The Mechanism undertook sustained efforts to mitigate external challenges that affected its ability to complete or transfer its functions, but progress remained contingent on Member State cooperation

48. Over the past four years, the Mechanism has engaged with external stakeholders to mitigate constraints affecting the completion or transfer of its mandated activities:

⁴ S/2020/236, recommendation 1, paras. 37 and 38.

⁵ Transfer position papers of the President's Office and the Office of the Prosecutor submitted pursuant to Security Council resolutions 2637 (2022) and 2740 (2024) (advance copy).

⁶ OIOS report 2025/034, "Audit of management of records and archiving processes at the International Residual Mechanism for Criminal Tribunals".

(a) With regard to the closure of the United Nations Detention Unit, the Mechanism engaged with the host State, all current enforcement States, one potential enforcement State, as well as the two independent inspection bodies, to explore options for cost containment and the transfer of remaining detainees to alternative detention arrangements;

(b) With regard to the transfer and hosting of the archives, the Mechanism coordinated with the Office of Legal Affairs and engaged with Member States through a call for expressions of interest, pursued fundraising efforts to accelerate digitization, and coordinated with relevant United Nations entities to assess the feasibility of proposed transfer options;

(c) With regard to the released and acquitted persons in the Niger, the Mechanism coordinated with the Niger and potential relocation States, resident United Nations officials, and humanitarian actors and collaborated with the International Committee of the Red Cross on human rights monitoring;

(d) With regard to assistance to national jurisdictions, the Mechanism embedded case and strategic prioritization within delivery, through sustained partnerships with national prosecutors in Rwanda and the Western Balkans, and through cooperation with European Union member States and other States.

49. Despite such mitigation efforts, progress towards completion and transfer for all remaining residual functions remained contingent on external political agreement and operational cooperation. Interview feedback indicated that levels of State cooperation with the Mechanism varied and were influenced by domestic political sensitivities, capacity constraints and fragmented institutional responsibilities of the Mechanism, particularly in relation to enforcement and transfer matters, archives hosting, and arrangements for released and acquitted persons. These factors limited the Mechanism's ability to plan transitions with a unified coherent strategy and contributed to variable progress across completion-related functions.

E. The Mechanism advanced its review of options for completing and transferring mandated functions, although the pace of progress and resource implications differed across its core modalities

The Mechanism proposed clear-cut options for the completion or transfer of its sentence enforcement and national assistance functions, while the options for the archives were less developed, in part due to political sensitivities related to hosting the archives

50. The Mechanism proposed options for the transfer of the sentence enforcement function and pardon or commutation of sentences under articles 25 (2) and 26 of its Statute, and assistance to national jurisdictions on prosecutions under article 28 (3), including the legal, budgetary, administrative and other implications of such options.⁷ It developed a structured set of options for the future handling of the sentence enforcement function, informed by engagement with enforcement States, host States and relevant Secretariat entities. The proposals drew a clear distinction between core judicial responsibilities, assessed as not feasible to transfer, and day-to-day supervisory functions, assessed as potentially transferable depending on prevailing circumstances (see table 2).

⁷ See S/2025/786.

Table 2
Proposals for transfer of sentence enforcement function

<i>Sentence enforcement function</i>	<i>Mechanism's proposal</i>	<i>Resource implications</i>
Continuing judicial functions	Not transferable to States or the Secretariat	If retained, will require a small complement of legal staff, with support in witness protection, language services and judicial records management
Day-to-day supervision functions	Partially transferable (based on present circumstances)	If fully transferred, will eliminate most Registry support for supervision of enforcement of sentences

51. With respect to continuing the Mechanism's judicial functions, including ultimate authority over the enforcement of sentences under article 25 of the Statute and decisions relating to pardons, commutation of sentence and early release under article 26, the Mechanism assessed these responsibilities to be inherently judicial in nature and therefore not transferable to States or to the Secretariat. In interviews, Member States and inspection bodies also underscored the importance of maintaining equal treatment standards in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). Retention of those responsibilities would require the maintenance of a small competent judicial capacity, supported by a limited complement of legal staff and support for judicial records management, language services, and the provision of information to and consultations with victims and witnesses.

52. The evaluation case study on early release indicates that these functions were appropriately retained at the international judicial level. Given significant divergence among enforcement States in domestic eligibility thresholds, sentence remission regimes and approaches to humanitarian release, transferring these functions would risk unequal or arbitrary treatment. The case study also highlighted the challenges of early release adjudication, including rehabilitation assessment, weighing humanitarian release grounds and relying on information provided by third parties. These matters engage core principles of legality, equality and due process and are less feasible to transfer to States or to the United Nations Secretariat. Retention of those functions at the international level therefore supports consistent application of the Statute, legal certainty and fairness.

53. In contrast, the Mechanism assessed the day-to-day supervision functions, which include monitoring conditions of imprisonment, liaising with external inspection bodies, handling complaints and related administrative and logistical support, as potentially transferable, subject to State willingness and capacity and continued compliance with international standards. Those activities currently accounted for more than half of the Registry's sentence enforcement workload, particularly in areas related to detention conditions, medical oversight, finance and procurement. Full transfer to enforcement States would eliminate those functions entirely from the Registry's workload. As of December 2025, all six European enforcement States had accepted that possibility, while the two African enforcement States had not yet confirmed their willingness. The response of one potential new enforcement State in Africa was pending, with initial signals appearing positive.

54. The Office of the Prosecutor provided clear and detailed proposals for the transfer of the assistance to national jurisdictions function, including budgetary and administrative implications, as requested by the Security Council in its resolution [2740 \(2024\)](#). Two transfer options were prioritized based on discussions with Council members: transfer to national authorities; or transfer to the United Nations Secretariat (see table 3).

Table 3
Proposals for transfer of assistance to national jurisdictions function

<i>Transfer option</i>	<i>Mechanism proposal</i>	<i>Resource implications</i>
Transfer to national authorities	Not recommended given restrictions on access to confidential evidence collection	Complete transfer would result in the elimination of nearly all staff in the Office of the Prosecutor and a reduction in the number of supporting Registry staff
Transfer to the United Nations Secretariat	Recommended based on feasibility, with potential location within the United Nations Office on Drugs and Crime, the Office of Legal Affairs or the Office of the United Nations High Commissioner for Human Rights, with the United Nations Office at Vienna providing premises and administrative support	<ul style="list-style-type: none"> • Estimated elimination of nearly all staff in the Office of the Prosecutor • Destination Secretariat entity would need resources to absorb the function, albeit at a significantly reduced level due to efficiencies and streamlining • Non-recurring costs of transfer and harmonizing information technology infrastructure (not estimated)

55. Member States considered the continuation of the national assistance function to be important for five key reasons:

(a) Irreplaceable institutional memory, as the Office of the Prosecutor retains long-standing knowledge of cases, their historical context, and cross-jurisdictional linkages;

(b) Unique evidence handling, given the Office's centralized databases and records, which provide access to large volumes of material maintained under established standards that support integrity and reliability;

(c) Specialized operational skills, including expertise in fugitive tracking, investigative strategy, multi-jurisdictional coordination and mentoring of national teams;

(d) Perceived international authority and trust, as few other national institutions are seen as having comparable credibility and authority;

(e) Time-sensitive expertise, as delays caused by transferring responsibilities risk compromising ongoing prosecutions and weakening prospects for accountability as time passes.

56. When discussing the potential receiving entity for this function, the Member State representatives recognized the importance of assistance for prosecution and accountability at the national level and expressed their support for the retention of the assistance to national jurisdictions function within the United Nations. They said that even if the Mechanism were to close in the next few years, the function should remain within a United Nations entity, highlighting that the services provided by the Office of the Prosecutor required vast amounts of knowledge and evidence that would otherwise be unobtainable to national jurisdictions.

The residual volume of archival work remained high, which constrained the Mechanism's ability to develop feasible proposals for transfer

57. At the end of 2025, significant archival work remained, which directly affected the willingness and capacity of potential host entities to accept the transfer of the Mechanism's archives. The digitization of audiovisual recordings was projected to

require approximately 1.5 years, while the migration of digital archives into a secure digital preservation system was estimated to take up to 10 years. In addition, the quality control of unredacted master recordings and the creation of public-access versions of audiovisual materials were expected to take 20 years. Any entity taking on that work would therefore assume responsibility for completing those remaining tasks, as well as for securing the financial resources necessary to sustain that work over the long term.

Table 4
Remaining archival work

<i>Type of records</i>	<i>Residual volume</i>	<i>Resource implications</i>
Digital	<ul style="list-style-type: none"> Varies from 43–77% depending on branch and area of work, which ranges from review for preservation to ingestion into the digital preservation system 	<ul style="list-style-type: none"> Audiovisual digitization: four staff for 1.5 years Transfer to digital preservation system: four staff for 10 years
Physical	<ul style="list-style-type: none"> Approximately 39% of International Tribunal for the Former Yugoslavia and 69% of International Criminal Tribunal for Rwanda archives still need to be preserved Approximately 43% of International Tribunal for the Former Yugoslavia and 69% of International Criminal Tribunal for Rwanda archives need to be repackaged 	<ul style="list-style-type: none"> Quality checking for unredacted material: four staff for 20 years Specialist preservation and conservation: two staff for 12 years
Audiovisual	<ul style="list-style-type: none"> Digitization needs of 1% for International Tribunal for the Former Yugoslavia and 20% for International Criminal Tribunal for Rwanda Review for preservation needs of 1% for International Tribunal for the Former Yugoslavia and 17% for International Criminal Tribunal for Rwanda Quality control for redaction needs of 52% for International Criminal Tribunal for Rwanda and 82% for International Tribunal for the Former Yugoslavia Preparation for preservation needs of 58% for International Criminal Tribunal for Rwanda and 98% for International Tribunal for the Former Yugoslavia 	

58. While the Mechanism took steps to further advance its ongoing archival work, including heightened efforts to secure extrabudgetary funding, these efforts faced significant challenges and did not yield the intended results. Progress was further constrained by the accelerated downsizing of the Mechanism Archives and Records Section, with a 60% reduction in staffing since December 2022, leaving only nine full-time staff as of 2025. Moreover, the Mechanism lacked both organ-wide prioritization and an institution-wide strategy to prioritize archival materials among the remaining records requiring processing, further impeding timely completion of the archival work.

Discussions with several Member States to host the archives yielded interest and tentative offers but had not materialized

59. The Mechanism's archives remain the property of the United Nations in perpetuity and cannot be simply transferred to Member States or non-Secretariat entities. Therefore, they must be managed by United Nations staff. Accordingly, any transfer of the archives requires management by a United Nations Secretariat entity, regardless of where they are housed.

60. Due to the constraints discussed above, proposals for the transfer of the archives remained underdeveloped. Various options are outlined in table 5.⁸ The option to transfer the archives to the Archives and Records Management Section in New York was explored and deemed infeasible due to the high estimated cost of over \$6 million and the physical distance from the affected communities, who would be unable to access the materials. Several affected and neutral States expressed an interest in hosting the archives, but detailed transfer proposals had not concretely materialized. Limited clarity regarding the scope of the remaining archival work hindered precise projections of the cost and time implications of the transfer for potential host institutions. Furthermore, there is a lack of consensus among Member States on the preferred location of either archival collection.

Table 5
Proposals for transfer of archives function

<i>Transfer option</i>	<i>Mechanism proposal</i>	<i>Resource implications</i>
Transfer of all archives to Archives and Records Management Section	<ul style="list-style-type: none"> • Not feasible given lack of sufficient storage space and high costs • Not desirable for physical accessibility to affected populations 	<ul style="list-style-type: none"> • One-off transfer cost of \$1.7 million • Annual maintenance costs of \$4.5 million (encompassing costs for six staff budgeted at \$1.5 million and physical and digital storage costs) • Co-location would yield some staffing cost optimization
Transfer of International Criminal Tribunal for Rwanda archives to United Republic of Tanzania or Rwanda	<ul style="list-style-type: none"> • Feasible, whether the archives remain in the United Republic of Tanzania or are transferred to Rwanda 	<ul style="list-style-type: none"> • Physical facilities already exist in Arusha, so no transfer costs • Rwanda committed to a dedicated physical facility but would involve one-time transfer costs • Cost for managing physical facilities to be absorbed by host • Cost of licences and information technology infrastructure: \$0.38 million • Current staffing redeployment cost: approximately \$0.98 million • Reduction of workload for the Mechanism: 7.5% towards managing requests for access; 3% description and arrangement of archives; 3% delivering outreach/education sessions

⁸ See also [S/2025/785](#).

<i>Transfer option</i>	<i>Mechanism proposal</i>	<i>Resource implications</i>
Transfer of International Tribunal for the Former Yugoslavia archives to any country of the former Yugoslavia or a neutral country	<ul style="list-style-type: none"> • Desirable if the affected communities agree on the location in the former Yugoslavia to ensure proximity to those populations • If agreement is not possible, the Security Council may wish to explore further locations in Europe 	<ul style="list-style-type: none"> • Physical facility to be provided by host country, which would cover the costs of managing it • Would involve a one-time transfer cost • Cost of licences and information technology infrastructure: \$0.5 million • Current staffing redeployment cost: approximately \$0.75 million • Reduction of workload for the Mechanism: 10% towards managing requests for access; 3% description and arrangement of archives; 2% delivering outreach/ education sessions

The Principals of the Mechanism provided comprehensive but divergent analyses on options for the transfer or completion of the other judicial functions that the Security Council did not request to examine⁹

61. On the range of issues encompassed under the remaining judicial functions, the views of the President and the Prosecutor varied to a large extent (see table 6).

Table 6
Proposals for transfer of remaining judicial functions

<i>Remaining judicial function</i>	<i>Alignment/variation between positions</i>	<i>Resource implications (if transferred completely)^a</i>
Contempt of court	Aligned: both favour transfer to States; Office of the Prosecutor frames contempt as less necessary; President emphasizes resource burden	Reduction of: <ul style="list-style-type: none"> • 10% of Chambers' workload • 7% of judges' workload
Witness protection and rule 86 access	High variation: President strongly protects judicial oversight; Office of the Prosecutor wishes to modify and transfer it to the Secretariat as a technical function	Reduction of: <ul style="list-style-type: none"> • 31% of Chambers' workload • 11% of judges' workload • 25% of Witness Support and Protection Unit's workload
Review of judgments (article 24)	Moderate variation: President sees review as essential; Office of the Prosecutor sees it as remote in likelihood and remains flexible to support the function	Reduction of: <ul style="list-style-type: none"> • 25% of Chambers' workload • 17% of judges' workload

⁹ Transfer position papers of the President's Office and the Office of the Prosecutor submitted pursuant to Security Council resolutions 2637 (2022) and 2740 (2024) (advance copy).

<i>Remaining judicial function</i>	<i>Alignment/variation between positions</i>	<i>Resource implications (if transferred completely)^a</i>
<i>Non bis in idem</i> (double jeopardy)	Low/moderate variation: President is neutral; Office of the Prosecutor more willing to consider transfer	Reduction of 1% of Chambers' workload
Referral monitoring and revocation (article 6)	High variation: President wishes to keep monitoring/ revocation; Office of the Prosecutor wishes to terminate revocation authority	Reduction of 11% of Chambers' workload

^a Along with proportionate reduction in staff in the Office of the Prosecutor and the Registry.

V. Conclusion

62. There is broad consensus that the Mechanism has entered its sunset phase. While Member States and other stakeholders continued to view the Mechanism's mandated activities as relevant and acknowledged its effective and efficient delivery despite sustained budgetary and staffing reductions, the status quo was viewed as being no longer viable. The Mechanism – designed as a “small, temporary and efficient” structure intended to diminish over time – must accelerate its transition towards completion or transfer of its functions. The current organizational architecture is no longer fit for purpose, and the absence of a clearly articulated, institution-wide completion strategy and transition plan risks extending its operations beyond what is justified and delaying its intended downward trajectory. This juncture represents a critical inflection point for the Mechanism, presenting the opportunity to capitalize on the strong stakeholder consensus on its relevance. Relying on the recommendations presented in the Secretary-General's reports of 1 December 2025 (S/2025/785 and S/2025/786) as a starting point, the Mechanism should establish a coordinated, time-bound road map, supported by realistic resource planning, to ensure that its residual functions are completed or transferred in an orderly, timely and sustainable manner.

VI. Recommendations

63. OIOS makes two important recommendations to the Mechanism.

Recommendation 1 (see section IV, results D and E)

64. To promote further progress towards the transfer of the archives, **the Mechanism Archives and Records Section should develop a list of strategic priorities for digitization and preservation from among the remaining archival work, in partnership with the Judicial Records Unit of the Registry**, with a focus on ensuring access for ongoing national investigative and prosecutorial processes.

Indicator of implementation: finalization of a strategy for the Mechanism Archives and Records Section with the Judicial Records Unit, as described above.

Recommendation 2 (see section IV, results D and E)

65. Pending the decision of the Security Council regarding the future of the Mechanism, the Mechanism should **develop a time-bound plan with resource implications for the various scenarios emanating from the options for the completion or transfer of its functions.**

Indicator of implementation: finalization of a time-bound plan as described above.

Annex¹**Comments received from the International Residual Mechanism for Criminal Tribunals**

1. Further to your memorandum dated 17 February 2026 with reference number OIOS-2026-00293 and following working-level consultations between our Offices, I write to convey the profound gratitude of the International Residual Mechanism for Criminal Tribunals (“the Mechanism”) for the draft evaluation report prepared by your Office on our methods and work. The Mechanism accepts the two recommendations in the report.
 2. The draft evaluation report comes at a critical juncture in the Mechanism’s existence and will provide important contributions to advance the Mechanism’s future planning in line with the Security Council’s vision.
 3. I wish to extend our sincere appreciation to your staff, particularly Ms. Srilata Rao, Ms. Maria Singer and Ms. Zhen Yu, for their excellent collaboration and valuable support.
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¹ In the present annex, the Office of Internal Oversight Services presents the full text of the comments received from the International Residual Mechanism for Criminal Tribunals. This practice has been instituted in line with General Assembly resolution [64/263](#), following the recommendation of the Independent Audit Advisory Committee.