



# ASSOCIATION OF DEFENCE COUNSEL PRACTISING BEFORE THE INTERNATIONAL COURTS AND TRIBUNALS

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## FOR IMMEDIATE RELEASE

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### PRESS RELEASE

#### **ADC-ICT URGES PRESIDENT OF THE UN INTERNATIONAL RESIDUAL MECHANISM FOR CRIMINAL TRIBUNALS TO URGENTLY GRANT EARLY OR PROVISIONAL RELEASE TO DETAINEES IN LIGHT OF THE COVID-19 PANDEMIC**

THE HAGUE – The Association of Defence Counsel practising before the International Courts and Tribunals (ADC-ICT) urgently requests the President of the UN International Residual Mechanism for Criminal Tribunals (IRMCT) to grant early or provisional release to detainees under the authority of the Mechanism in light of the COVID-19 pandemic.

The President of the Mechanism has the power to grant early or provisional release to detainees serving sentences imposed by the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR) or the IRMCT.

The UN High Commissioner for Human Rights, Michelle Bachelet, has urged governments “***not to forget those behind bars [...] because the consequences of neglecting them are potentially catastrophic***”. The High Commissioner urged relevant authorities to work quickly to reduce the number of people in detention. She stated that authorities should examine ways to “***release those particularly vulnerable to COVID-19, among them older detainees and those who are sick, as well as low-risk offenders***”.

All detainees currently serving their sentences in Europe and in Benin are older detainees and therefore particularly vulnerable. If they contract COVID-19 while in detention, their lives are at risk.

Considering that many of the concerned individuals have served at least two-thirds of their sentence, and that the established jurisprudence of the ICTY, ICTR and the IRMCT that a convicted person having served two-thirds of his or her sentence shall be eligible to apply for early release, the President of the Mechanism should grant early release to these detainees forthwith, especially those who have reasoned applications pending before the IRMCT President.

Those detainees who have not yet served two-thirds of their sentence should be granted provisional release, with the Registry to report regularly on the situation in the individual detention facilities to ensure their return only when it is safe to do so.

The ADC-ICT is an independent professional association which represents all defence counsel practicing before the IRMCT, and formerly before the ICTY. The ADC-ICT works to promote and protect the interests of defence counsel and their clients and ensure the proper function of defence is respected in proceedings before international courts and tribunals. Further information is available at: [www.adc-ict.org](http://www.adc-ict.org)