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PROPOSAL FOR A RECOMMENDATION TO THE COUNCIL

pursuant to Rule 114(1) of the Rules of Procedure

by Annemie Neyts-Uyttebroeck, Sarah Ludford and Jelko Kacin

on behalf of the ALDE Group

on the mandate of the International Criminal Tribunal for the former
Yugoslavia

European Parliament recommendation to the Council on the mandate of the International Criminal Tribunal for the former Yugoslavia

The European Parliament,

- having regard to resolutions 1503 and 1504 of the UN Security Council and the plans to wind down the International Criminal Tribunal for the former Yugoslavia by the end of 2010,
 - having regard to the fact that fugitives remain at large,
 - having regard to the considerable and consistent support for the Tribunal from the European Union and its Member States and to the fact that full cooperation with the Tribunal has become a central benchmark in the EU's policy towards the countries in the Western Balkans,
 - having regard to Rule 114(1) of its Rules of Procedure,
- A. underlining that the Tribunal has already made a significant contribution to a process of reconciliation in the Western Balkans,
- B. considering, however, that the work of the Tribunal is still unfinished and that the remaining cases must be examined without time pressure,
1. Addresses the following recommendations to the Council:
- (a) urgently explore possibilities to extend the mandate of the Tribunal so that all the ongoing trials can be examined without undue haste and the remaining indicted war criminals can be brought to justice and the cases against them tried;
 - (b) devise a strategy on how to deal with remaining fugitives should the UN fail to extend the mandate of the Tribunal;
 - (c) clarify how the EU will judge the performance of the justice sector in the countries of the Western Balkans after the possible end of term of the Tribunal and what measures the EU can take to increase support for domestic war crime investigations and trials;
2. Instructs its President to forward this recommendation to the Council and, for information, to the Commission, the Member States, the countries of the Western Balkans, the United Nations and the Tribunal.