



Security Council

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Letter dated 10 February 2021 from the Secretary-General addressed to the President of the Security Council

The mandate of the Special Tribunal for Lebanon (Special Tribunal) expires on 28 February 2021. Article 21, paragraph 2, of the annex to Security Council resolution [1757 \(2007\)](#) provides that if the activities of the Special Tribunal have not been completed by the end of its current mandate “the Agreement shall be extended [...] for a further period(s) to be determined by the Secretary-General in consultation with the Government [of Lebanon] and the Security Council”.

In her letter to me of 20 November 2020, Judge Ivana Hrdličková, President of the Special Tribunal, indicated that the work of the Special Tribunal would not be completed by the end of its current mandate on 28 February 2021, and that an extension of the mandate for a further period of two years would allow the Special Tribunal to significantly advance its work towards completion.

As the activities of the Special Tribunal have not yet been completed, and in the light of the consultations with the Government of Lebanon and the members of the Security Council, as well as the precarious financial situation of the Special Tribunal, I intend to extend the mandate of the Special Tribunal from 1 March 2021 for a further period of two years, or until the completion of the cases before the Special Tribunal, if sooner, or the exhaustion of available funds, if sooner.

Within the above-indicated two-year mandate period, it is anticipated that the Special Tribunal will progressively draw down its activities as the judicial work before the different Chambers is completed. In this regard, I intend to undertake consultations on residual functions that may be required to be performed following the completion of the current judicial work of the Special Tribunal as soon as possible.

Furthermore, despite intense fundraising efforts, the financial situation of the Special Tribunal remains uncertain. Pursuant to article 5 of the annex to Security Council resolution [1757 \(2007\)](#), 51 per cent of the expenses of the Special Tribunal shall be borne by voluntary contributions from States, and 49 per cent by the Government of Lebanon. While the Government of Lebanon has confirmed its support to the Special Tribunal in line with the standing policy of previous Governments of Lebanon in the last decade, the level and timing of its contribution for 2021 is currently uncertain in view of the dire socioeconomic and financial situation in the country.

Moreover, the Management Committee of the Special Tribunal has informed the Secretariat that none of the donors would be in a position to cover any shortfall that would be left if the Government of Lebanon were to be unable to meet its assessed



contribution for 2021, and that several donors were currently unable to commit to making contributions at the same level as they had in previous years.

On the basis of the information that I have received, I understand that, without additional funding, the Special Tribunal may not be able to carry out its mandate beyond the first quarter of 2021.

Pursuant to article 5, paragraph 2, of the annex to Security Council resolution [1757 \(2007\)](#), should voluntary contributions be insufficient for the Special Tribunal to implement its mandate, the Secretary-General and the Security Council shall explore alternate means of financing the Special Tribunal. In accordance with this provision, on 15 December 2020, I launched an urgent appeal to all Member States and the international community to financially support the continuation of the judicial proceedings that still remain before the Special Tribunal. Unfortunately, the appeal did not generate any new commitments of funds.

To bring the ongoing judicial proceedings of the Special Tribunal to an abrupt close in these circumstances would be unprecedented. A premature closure would have a significant impact on international justice efforts and would send a negative message to the people of Lebanon and to victims of terrorism worldwide. Immediate steps therefore need to be taken to make up for the anticipated shortfall.

In the light of the foregoing, and following consultations with the Government of Lebanon and the members of the Security Council, I wish to inform the Council of my intention to request a subvention from the General Assembly for 2021 in the amount of approximately \$25 million, a figure that is intended to cover the anticipated shortfall in contributions from Lebanon, as well as from the usual donors of the Special Tribunal. A subvention would be a temporary measure to address the current acute financial situation, while the Special Tribunal continues to seek additional voluntary funds.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council at the earliest opportunity.

(Signed) António **Guterres**
