



THE SECRETARY-GENERAL

OLA  
Security Council  
Lebanon  
The UN Secretary-General  
UK

18 December 2008

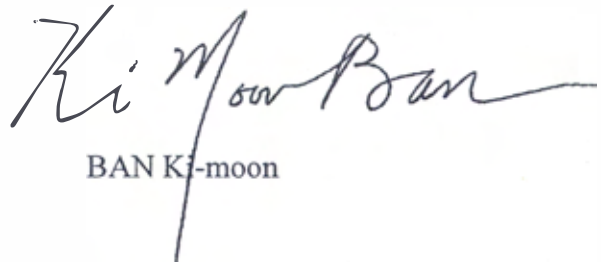
Dear Mr. President,

Following the adoption by the Security Council yesterday of resolution 1852 (2008) extending the mandate of the Independent International Investigation Commission (IIIC) to the end of February 2009, I am pleased to inform you that I have decided, in accordance with article 19 (2) of the Annex to resolution 1757 (2007), that the Special Tribunal shall commence on 1 March 2009. I have also consulted Prime Minister Fouad Siniora of the Republic of Lebanon and the IIIC Commissioner, Mr. Daniel Bellemare, as required by Article 19(2).

The commencement of the Special Tribunal will mark an important step towards ending impunity in Lebanon, and bringing to justice those responsible for the assassination of former Prime Minister Hariri, and for related attacks.

I would be grateful if you could bring this letter to the attention of the members of the Security Council.

Please accept, Mr. President, the assurances of my highest consideration.

  
BAN Ki-moon

His Excellency  
Mr. Neven Jurica  
President of the Security Council  
New York

28-14554



THE SECRETARY-GENERAL

18 December 2008

Excellency,

I was delighted to have had the opportunity to meet with you in Doha on 30 November 2008, and to discuss progress in the establishment of the Special Tribunal for Lebanon.

Following the adoption by the Security Council yesterday of resolution 1852 (2008), extending the mandate of the Independent International Investigation Commission (IIIC) to the end of February 2009, and following our telephone conversation, I am pleased to inform you that I have decided, in accordance with article 19 (2) of the Annex to resolution 1757 (2007), that the Special Tribunal will commence functioning on 1 March 2009. The commencement date will be preceded by a two month period starting on 1 January 2009 during which there will be a coordinated transition of IIIC staff from Beirut to The Hague. This is as we agreed in Doha. I have also consulted the IIIC Commissioner, Mr. Daniel Bellemare, as required by Article 19 (2).

The commencement of the Special Tribunal will mark an important step towards ending impunity in Lebanon, and a concrete demonstration of our determination that those responsible for the assassination of former Prime Minister Hariri, and for related attacks, will be brought to justice.

Please accept, Excellency, the assurances of my highest consideration.



BAN Ki-moon

His Excellency  
Mr. Fouad Siniora  
Prime Minister  
of the Republic of Lebanon  
Beirut



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18 December 2008

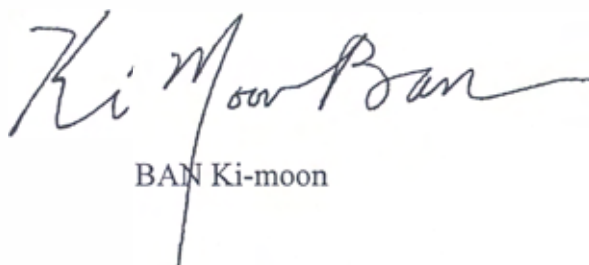
Excellency,

I am pleased to write to you as the Permanent Representative of the host country for the Special Tribunal for Lebanon.

Following the adoption by the Security Council yesterday of resolution 1852 (2008) extending the mandate of the Independent International Investigation Commission (IIIC) to the end of February 2009, I am pleased to inform you that I have decided, in accordance with article 19 (2) of the Annex to resolution 1757 (2007), that the Special Tribunal shall commence on 1 March 2009. I have also consulted Prime Minister Fouad Siniora of the Republic of Lebanon and the IIIC Commissioner, Mr. Daniel Bellemare, as required by Article 19(2) of the Annex.

The commencement of the Special Tribunal will mark an important step towards ending impunity, and bringing to justice those responsible for the assassination of former Prime Minister Hariri, and for related attacks. I wish once again to thank your Government for hosting the Special Tribunal in The Hague.

Please accept, Excellency, the assurances of my highest consideration.



BAN Ki-moon

His Excellency  
Mr. Frank Majoor  
Permanent Representative  
of the Kingdom of the Netherlands  
to the United Nations  
New York



THE SECRETARY-GENERAL

. 18 December 2008

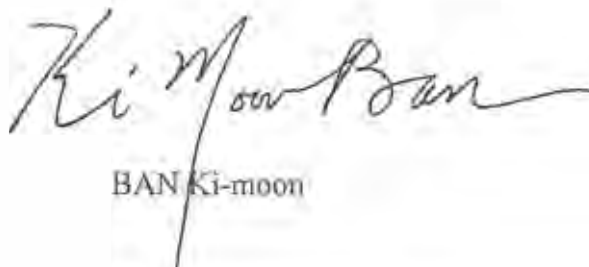
Excellency,

I am pleased to write to you in your capacity as the Chair of the Management Committee of the Special Tribunal for Lebanon.

Following the adoption by the Security Council yesterday of resolution 1852 (2008) extending the mandate of the Independent International Investigation Commission (IIIC) to the end of February 2009, I am pleased to inform you that I have decided, in accordance with article 19 (2) of the Annex to resolution 1757 (2007), that the Special Tribunal shall commence on 1 March 2009. I have also consulted Prime Minister Fouad Siniora of the Republic of Lebanon and the IIIC Commissioner, Mr. Daniel Bellemare, as required by Article 19 (2).

The commencement of the Special Tribunal will mark an important step towards ending impunity in Lebanon. I take this opportunity to thank you and your Legal Counsellor, Ms. Catherine Adams, for all of your efforts within the Management Committee.

Please accept, Excellency, the assurances of my highest consideration.



BAN Ki-moon

His Excellency  
Sir John Sawers, KCMG  
Permanent Representative of the  
United Kingdom to the United Nations  
New York

UNITED NATIONS



NATIONS UNIES

POSTAL ADDRESS - ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017  
CABLE ADDRESS - ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

EXECUTIVE OFFICE OF THE SECRETARY-GENERAL  
CABINET DU SECRETAIRE GENERAL

REFERENCE:

18 December 2008

Excellency,

The Secretary-General would be grateful if you could kindly forward the enclosed letter to His Excellency Mr. Fouad Siniora, Prime Minister of the Republic of Lebanon.

A copy of the letter is attached for your information.

Please accept, Excellency, the assurances of my highest consideration.

  
Vijay Nambiar  
Chef de Cabinet

His Excellency  
Mr. Nawaf Salam  
Permanent Representative  
of Lebanon to the United Nations  
New York

Special Tribunal for Lebanon – Date of  
commencement

To: Mr. Nambiar,

Please find attached, for your approval and SG's signature four letters addressed to PM Siniora of Lebanon and the PRs of UK, Netherlands and Croatia (as President of SC for the month of December), regarding the date of commencement of the Special Tribunal for Lebanon (1 March 2009).

With respect to para. 4 of USG O'Brien note, OLA has subsequently relayed the Controller's view that pledges for years 2 and 3 remain insufficient (notwithstanding the decision to have the STL begin work on 1 March 2009).

A handwritten signature in dark ink, appearing to read 'Nicholas Haysom'.

Nicholas Haysom  
18 December 2008

Cc: KWS

28-14554

**① URGENT**

## Letters for SG's signature

### Special Tribunal for Lebanon – Date of commencement

1. H.E. Mr. Fouad Siniora, PM Lebanon
2. H.E. Sir John Sawers, PR UK
3. H.E. Mr. Franck Majoor, PR Netherlands
4. H.E. Mr. Neven Jurica, President SECCO

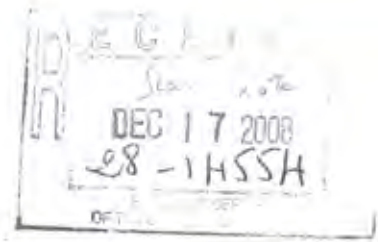
A handwritten signature in black ink, appearing to read 'b7 amh' followed by a long horizontal stroke.

Drafter: OLA  
Proofread by: JL/MZ  
Approved by:

Date: 18 December 2008

28-14554

**ACTION COPY**



**Note to the Secretary-General**

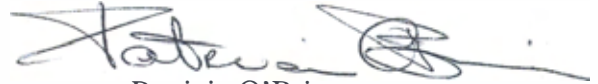
**Through Mr. Nambiar**

**Special Tribunal for Lebanon - Date of commencement**

1. The purpose of this Note is to seek the Secretary-General's formal decision that the Special Tribunal for Lebanon ("Special Tribunal") will commence functioning on 1 March 2009 in accordance with Article 19 (2) of the Agreement between the United Nations and the Lebanese Republic ("Agreement").
2. The Security Council has adopted a resolution this morning to extend the mandate of the IIIC to the end of February 2009. As the Secretary-General indicated to the Prime Minister of the Lebanon, H.E. Fouad Siniora, in Doha on 30 November 2008, the Special Tribunal will be ready to commence functioning on 1 March 2009, following a two month transition period during which IIIC staff will gradually be transferred from Beirut to The Hague. Prime Minister Siniora and the Commissioner of the Independent International Investigation Commission (IIIC), Mr. Bellemare, have agreed to this commencement date.
3. If the Secretary-General agrees, I request that he please sign the attached letters to the Prime Minister of Lebanon, the Permanent Representative of the United Kingdom as Chair of the Management Committee, the Permanent Representative of the Netherlands as the host country and the Permanent Representative of Croatia as the current President of the Security Council. I also request that the attached press release be issued.
4. Article 5 (2) of the Agreement provides that "the Secretary-General will commence the process of establishing the Tribunal when he has sufficient contributions in hand to finance the establishment of the Tribunal and twelve months of its operations plus pledges equal to the anticipated expenses of the following 24 months of the Tribunal's operation." The budget adopted by the Management Committee for the first year is \$51.4 million. The anticipated expenses for each of the second and third year are \$65 million. The total amount deposited in the OLA Trust Fund is approximately \$55.1 million (including interest), of which, \$51.2 million remains available. In addition, \$2.3 million has been pledged for each of the second and third years. Importantly, the Government of Lebanon will bear 49 per cent of the budget for each of these years.
5. As the Secretary-General is aware, the major donors have given indications of around a further \$10 million, in addition to the above-mentioned \$2.3 million, to meet the \$33 million required (net of the Government of Lebanon's contribution) for the second year of operations, and firm commitments to the continuing financial viability of the Special Tribunal. An ongoing effort, including by the Management Committee, will be required with Member



States to ensure that the funding requirement is met. There is also a strong political expectation that the Special Tribunal will commence soon. Against all of this background, I recommend that the Secretary-General now decides that the Special Tribunal shall commence on 1 March 2009.

A handwritten signature in black ink, appearing to read 'Patricia O'Brien', with a stylized flourish at the end.

Patricia O'Brien  
17 December 2008

