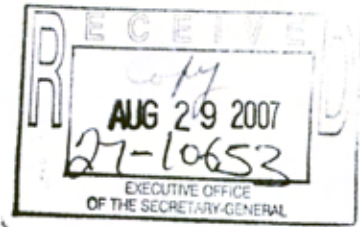


ACTION
COPYMr. Michel
YJC
AC

Lebanon



MINISTER-PRESIDENT

A.G. FYI.
Very datedH.E. Ban Ki-moon
Secretary-General of the United Nations

No.: 3045162

The Hague, 14 August 2007

Dear Mr Secretary-General,

Thank you for our pleasant phone conversation of 22 July and your letter of 23 July 2007 asking the Dutch Government to consider hosting the Special Tribunal for Lebanon. This letter follows up our earlier exchanges.

I appreciate your kind words about the Netherlands' role in the development of international justice and the rule of law. For a country that has written promoting the development of the international legal order into its Constitution, it is an honour to be considered the most appropriate State to host the Special Tribunal.

I am pleased to inform you that the Government of the Kingdom of the Netherlands is favourably disposed towards hosting the Tribunal. Of course, a number of issues will have to be further discussed and resolved, such as:

- the establishment of the necessary legal basis prior to locating the Special Tribunal's seat in the Netherlands (a headquarters agreement and national legislation);
- the selection and preparation of a mutually agreed, appropriate site;
- the costs of the Tribunal. With the exception of certain costs which the host State would agree in principle to bear, the expenses of locating the Special Tribunal in the Netherlands and of its functioning should be borne in conformity with the provisions of Article 5 of the Agreement between the United Nations and the Lebanese Republic on the establishment of a Special Tribunal for Lebanon, annexed to Security Council resolution 1757 (2007) of 30 May 2007;
- enforcement of sentences. The Netherlands would need prior assurances that other States are willing to accept persons convicted by the Special Tribunal, so that any person convicted by the Tribunal would be transferred immediately to another State.

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This is not an exhaustive list. Another issue that would need to be addressed, for instance, is the relocation to third States of witnesses who for security reasons cannot return to their home countries after testifying before the Tribunal.

To consider thoroughly all the aspects of locating the Tribunal's seat in the Netherlands, we accept the proposal in your letter for a meeting between our representatives to discuss the necessary modalities and practical arrangements. These discussions would aim to clarify the outstanding issues; agree to work on the basis of common working hypotheses related to various aspects of the Tribunal; discuss how the UN can persuade third States to do their share in financing the Tribunal, enforcing sentences, relocating witnesses, etc.; and work out the terms and conditions under which the Tribunal can be located in the Netherlands.

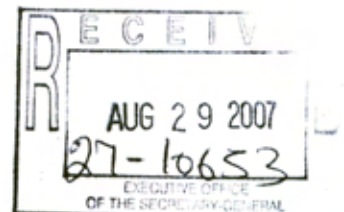
I propose that consultations take place as soon as possible in the Netherlands. This would allow your representatives to visit a number of potential sites for the Tribunal and to meet with Dutch experts in such fields as law, finance, safety and security, detention, housing, logistics and protocol. It would also be a great pleasure for me to briefly take stock of progress with you personally when I visit New York next month to attend the High-Level Event on Climate Change and the 62nd General Assembly.

I am confident, Mr Secretary-General, that we will work together constructively and successfully on this important endeavour. The Netherlands' Government looks forward to assisting you.

Yours sincerely,



Dr. Jan Peter Balkenende
Prime Minister of the Kingdom
of the Netherlands



Koninkrijk
der Nederlanden

Fax message

Permanent Mission of the Kingdom of
the Netherlands to the United Nations
235 East 45th Street, 16th floor
New York, NY 10017

To Secretary General of the United Nations
Mr. Ban Ki-moon

Cc

Fax +1 212.963.2155

Date 28 August 2007


Our ref. NYV/2006/2493

Pages 3 (including cover sheet)

Re Hosting of the Special Tribunal for Lebanon

Copy of letter dated 14 August 2007 of Dr. Jan Peter Balkenende, Prime Minister of the
Kingdom of the Netherlands.

Original will be hand-delivered.

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