

Agenda item 138

Proposed programme budget for 2022

Report on the use of the 2021 subvention and request for a subvention to the Special Tribunal for Lebanon for 2022 (A/76/522)

FIFTH COMMITTEE

**Statement by
Mr. Chandramouli Ramanathan**

Assistant Secretary-General, Controller

14 December 2021

Chair, distinguished delegates,

1. I have the honour to introduce the report of the Secretary-General, entitled “Report on the use of the 2021 subvention and request for a subvention to the Special Tribunal for Lebanon for 2022”, contained in document A/76/522. The report outlines the judicial progress made since the Secretary-General’s previous request for a subvention to the Tribunal, contained in document A/75/763, and provides information on the financial situation and projected use of the subvention for 2021. Further, it presents information on the budget of the Tribunal for 2022 and seeks the approval of the General Assembly of an appropriation for a subvention in the amount of \$8.3 million for 2022.

2. The Special Tribunal was established following the adoption of Security Council resolution 1757 (2007) to try those responsible for the 14 February 2005 attack in Beirut that killed 22 people, including former Lebanese Prime Minister Rafik Hariri and injured 226 others. Under resolution 1757 (2007), 51 per cent of the expenses of the Special Tribunal shall be borne by voluntary contribution from States, while the remaining 49 per cent be borne by the Government of Lebanon.

3. Since the Secretary-General’s previous report, there have been significant developments as the Tribunal adapted to its financial challenges. The 2021 appropriation of \$15.5 million subvention was essential for the work of the Tribunal but was considerably lower than required to cover the full judicial caseload initially planned and reflected in the Secretary-General’s previous report. Despite intensive engagement with prospective

donors and the Tribunal's Management Committee, there were no indications of sufficient contributions to fully fund the approved 2021 budget. Consequently, the Tribunal, reduced its approved 2021 budget by \$10.5 million in line with the lower projected income.

4. The revised programme of work for 2021 included staying judicial proceedings in one of its cases — the “connected” case, STL-18-10 — two weeks before the scheduled start of trial. The case related to three attacks against Lebanese politicians, Mr. Marwan Hamade, Mr. George Hawi and Mr. Elias El-Murr.

5. Further, the revised programme of work also included transitioning to residual functions in mid-2022, seven months earlier than initially planned and reflected in the Secretary-General's previous report. The only active judicial work pertains to the appeal judgment in the main case, STL-11-01, concerning the attack on the former Prime Minister. With this revised programme of work, expenditures were significantly curtailed in 2021 as the Tribunal commenced its drawdown of operations. Examples include the closure of its office in Beirut, the non-extension or amendment of more than 150 staff contracts, and the review and/or termination of contractual and commercial agreements.

6. In August 2021, the Tribunal's Management Committee approved the Tribunal's budget for 2022 in the amount of \$8.3 million. The budget reflects the Tribunal's plan to commence its residual phase by the end of July 2022, upon completion of the main case appeal. The “connected” case continues to be stayed due to insufficient funding and has no allocated resources in the 2022 budget.

7. The budget for 2022 reflects the absolute minimum requirements necessary for the completion of the appeal and an orderly transition to the residual phase. The residual functions would be primarily limited to the management and preservation of the records and archives of the Tribunal, assistance to national authorities and responses to requests for information, and the protection and support of victims and witnesses. Any further reductions would mean that the Tribunal cannot implement all the activities planned in the 2022 budget proposal.

8. As mentioned, the funding situation for the Tribunal's 2022 budget remains dire. Since January, the Tribunal has solicited contributions in over 15 Management Committee meetings and in over 68 bilateral diplomatic meetings. This has been coupled with fundraising correspondence and working-level diplomatic engagement. While Lebanon continues to demonstrate its support to the Tribunal, the country is suffering a devastating economic crisis. Notwithstanding these challenges, Lebanon signaled its continued commitment by disbursing a limited portion of its 2021 assessed contribution. The Tribunal to date has no confirmed pledges for 2022 and receipt of the Lebanese contribution is not anticipated.

9. While the Tribunal will continue its efforts to raise voluntary funds, at this time, without a full subvention of \$8.3 million, the Tribunal will have to forego some of the planned activities. This puts at risk the completion of the appeal judgment, as well as the very limited, and yet critical, residual functions of preserving the records and archives, assisting national authorities, and protecting and supporting victims and witnesses.

10. Chair, distinguished delegates, in light of the foregoing, I thank you for your consideration of the Secretary-General's request for an appropriation for a subvention for the Tribunal in the amount of \$8.3 million for 2022. My team and I stand ready to respond to any questions you may have on the proposal.
