

**Security Council**

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Letter dated 14 June 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to General Assembly resolution 53/212 of 18 December 1998, by which the Assembly, in paragraph 5, requested the Secretary-General:

“with a view to evaluating the effective operation and functioning of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, with the objective of ensuring the efficient use of the resources of the Tribunals, to conduct a review in full cooperation with the Presidents of the Tribunals, as recommended by the Advisory Committee [on Administrative and Budgetary Questions] in its reports, and in the statement made by the Chairman of the Advisory Committee before the Fifth Committee at its 37th meeting, without prejudice to the provisions of the statutes of the Tribunals and their independent character, and to report thereon to the relevant organs of the United Nations”.

I also have the honour to refer to General Assembly resolution 53/213 of the same date on the financing of the International Criminal Tribunal for Rwanda, by which the General Assembly, in paragraph 4, made an identical request.

Pursuant to those requests and in accordance with the recommendations of the Advisory Committee on Administrative and Budgetary Questions to which they referred, I constituted a group of five independent experts, acting in their individual capacities, to conduct a review of the effective operation and functioning of the International Tribunal for the Former Yugoslavia and of the International Criminal Tribunal for Rwanda.

The report of the Expert Group, which is contained in General Assembly document A/54/634 and was transmitted to the President of the General Assembly and the Chairman of the Advisory Committee on Administrative and Budgetary Questions on 17 November 1999, is reproduced in annex I to the present letter.

I have further the honour to refer to paragraph 5 of General Assembly resolutions 54/239 A and 54/240 A of 23 December 1999, by which the Assembly, *inter alia*, requested the Secretary-General to obtain comments and observations from the International Tribunal for the Former Yugoslavia and the International Tribunal for Rwanda on the report of the expert review group, and to submit them, through the Advisory Committee on Administrative and Budgetary Questions, to the General Assembly for consideration at its resumed fifty-fourth session.*

I have obtained the comments and observations from the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda on the report of the Expert Group. The comments and observations of the two Tribunals, and the comments of the Secretary-General where relevant, are contained in document A/54/850, which is reproduced in annex II to the present letter.

I would note that certain recommendations of the Expert Group touch on matters that fall within the purview of the Security Council. That being so, I should be grateful if you would bring the above to the attention of the members of the Security Council.

(Signed) Kofi A. **Annan**

* On the basis of its deliberations under the agenda items relating to the financing of the two Tribunals, the Fifth Committee of the General Assembly recommended that the General Assembly adopt draft resolutions A/C.5/54/L.85 and L.73 [adopted by the Assembly on 15 June 2000 as resolutions 54/239 B and 54/240 B]. It is expected that the report of the Expert Group and the comments of the two Tribunals and the Secretary-General thereon, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions (A/54/874, will also be considered by the General Assembly at its fifty-fifth session.