

**Security Council**

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**Letter dated 3 November 2003 from the Secretary-General
addressed to the President of the Security Council**

I have the honour to refer to article 13 bis, paragraph 2, of the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads as follows:

“In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the Statute, for the remainder of the term of office concerned.”

In this connection, I should like to inform you that Judge David Hunt, a national of Australia, has resigned as a permanent judge of the Tribunal, effective 16 November 2003.

The Government of Australia has presented the candidacy of Kevin Horace Parker, a national of Australia, to replace Judge Hunt. Please find attached his curriculum vitae (see annex).*

It is my view that Mr. Parker meets the qualifications which are prescribed in article 13 of the Tribunal's statute. I also consider that Mr. Parker's appointment would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in article 13 bis (1) (c) of the Tribunal's statute.

I should, therefore, like to proceed to consultation with you on the appointment of Mr. Parker, in accordance with article 13 bis, paragraph 2, of the Tribunal's statute. I look forward to receiving your views on the matter.

(Signed) Kofi A. **Annan**

* The annex is being circulated in the language of submission only.