

**Security Council**

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**Letter dated 10 August 2021 from the Secretary-General
addressed to the President of the Security Council**

I have the honour to write to you with regard to the financing of the Residual Special Court for Sierra Leone.

Pursuant to article 3 of the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Residual Special Court for Sierra Leone, “the expenses of the Residual Special Court shall be borne by voluntary contributions from the international community” and “the parties and the oversight committee may explore alternative means of financing the Residual Special Court”. The oversight committee has informed me that the Court will run out of funding at the end of 2021 and that, while fundraising efforts will continue, it is not expected that there will be sufficient voluntary contributions for the operations of the Court beyond 2021.

The Residual Special Court was established pursuant to a mandate from the Security Council and has been carrying out residual functions of the Special Court for Sierra Leone since 1 January 2014. Those functions include supervising the enforcement of sentences of the persons who were convicted by the Special Court; providing for witness and victim protection and support; preserving and managing the archives of the Special Court; responding to requests for access to evidence by national prosecutorial authorities; responding to requests from national authorities with respect to claims for compensation; reviewing convictions and acquittals; conducting contempt of court proceedings; providing defence counsel and legal aid for the conduct of proceedings before the Residual Special Court; and preventing double jeopardy.

The Residual Special Court is a lean institution with a small number of staff. The Registrar is the only senior full-time official, and the judges, the Prosecutor and the Principal Defender are remunerated on a pro rata basis for work actually performed.

In order to minimize costs further, the office of the Residual Special Court in The Hague is co-located with and receives administrative support, on a cost-reimbursable basis, from the International Residual Mechanism for Criminal Tribunals.

The senior officials of the Residual Special Court have continued to raise funds in 2021 with a view to broadening the donor base of the Court. Furthermore, in May, I wrote to all Member States to appeal for voluntary contributions for the Court. Two pledges have been made in 2021, for \$20,000 and €10,000, and one contribution of \$30,000 has been received for the 2022 fiscal year, for which I am grateful. No additional contributions or pledges have been made towards the budget of the Court for the 2022 fiscal year, however.



The Residual Special Court is helping to consolidate the rule of law and contributes to efforts aimed at achieving peace and security in Sierra Leone and the region. If it does not secure sufficient funding, it will not be able to fulfil its important mandate. The failure of the Residual Special Court would diminish the legacy of the Special Court for Sierra Leone and severely undermine the achievements made in pursuit of accountability for the serious international crimes committed in Sierra Leone.

In the light of the foregoing, I intend again to propose to the General Assembly that the costs of the Residual Special Court for 2022 be provided through a subvention under the assessed programme budget. A subvention would be a temporary measure to address the current financial situation. Moreover, I will continue to seek additional voluntary contributions for the Court, as well as to assess the potential for achieving greater efficiencies and possible savings, in coordination with the Court.

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

(Signed) António **Guterres**
