



Security Council

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Letter dated 30 December 2019 from the Chair of the Informal Working Group on International Tribunals addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Informal Working Group on International Tribunals on the Working Group's activities in 2019.

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Luis Ugarelli

Chair

Informal Working Group on International Tribunals



Report of the Informal Working Group on International Tribunals for 2019

I. Introduction

1. The present report is submitted to inform the Security Council of the work of the Informal Working Group on International Tribunals in 2019.

II. Organizational matters

2. The Working Group was established on an informal basis in 2000 to consider matters relating to the United Nations and United Nations-assisted tribunals, in particular the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and, in recent years, the International Residual Mechanism for Criminal Tribunals. The Working Group consists of the legal advisers of the permanent missions of the members of the Security Council and is assisted by the Office of the Legal Counsel of the Office of Legal Affairs and the Security Council Affairs Division of the Department of Political and Peacebuilding Affairs.

3. Until 2007, the chairing of the Working Group followed the monthly rotation of the presidency of the Security Council and it met only on an ad hoc basis. At the end of 2007, given the intensive work relating to residual issues and the completion strategies of the Tribunals pursuant to resolutions [1503 \(2003\)](#) and [1534 \(2004\)](#), the Working Group decided to appoint a single Chair and began meeting regularly. Subsequently, the Working Group was chaired by Belgium (2008), Austria (2009 and 2010), Portugal (2011), Guatemala (2012 and 2013), Chile (2014 and 2015) and Uruguay (2016 and 2017).

4. The Permanent Representative of Peru to the United Nations, Gustavo Meza-Cuadra, was appointed as the Chair of the Working Group for 2018 (see the note by the President of the Security Council dated 2 January 2018 ([S/2018/2](#))). His appointment was renewed for 2019 (see the note by the President of the Security Council dated 2 January 2019 ([S/2019/2](#))). Mr. Meza-Cuadra was succeeded as Chair by the Deputy Permanent Representative of Peru to the United Nations, Luis Ugarelli, as of 17 October 2019 (see the note by the President of the Security Council dated 17 October 2019 ([S/2019/2/Rev.1](#))).

5. In 2019, the Working Group held two formal meetings with the President and the Prosecutor of the Mechanism.

III. Briefings to the Security Council

6. Following previous practice, the Chair of the Working Group briefed the Security Council on the activities of the Working Group and gave his personal reflections on 17 July (8576th meeting) and 11 December 2019 (8681st meeting).

IV. Exchange of views with the President and the Prosecutor of the Residual Mechanism

7. At its meeting on 16 July 2019, the Working Group held an exchange of views with the President and the Prosecutor of the Mechanism, in preparation for their briefings to the Security Council on the work and activities of the Mechanism on 17 July.

8. At its meeting on 9 December 2019, the Working Group held an exchange of views with the President and the Prosecutor of the Mechanism, in preparation for their briefings to the Security Council on the work and activities of the Mechanism on 11 December.

V. Appointment of Judges of the Mechanism

9. By a letter dated 19 December 2018 addressed to the President of the Security Council (S/2018/1151), the Secretary-General conveyed his intention to appoint Mahandrisoa Edmond Randrianirina (Madagascar) as a judge of the Mechanism to fill the vacancy created by the death of Judge Mparany Mamy Richard Rajohnson. By a letter dated 21 December 2018 from the President of the Security Council addressed to the Secretary-General (S/2018/1152), members of the Security Council took note of the intention expressed in the letter of the Secretary-General. Subsequently, by a letter dated 21 January 2019 addressed to the President of the Security Council (S/2019/84), the Secretary-General informed Council members that following a corresponding letter from the President of the General Assembly, he was appointing Mr. Randrianirina with immediate effect, for a term of office ending on 30 June 2020.

10. By a letter dated 29 January 2019 addressed to the President of the Security Council (S/2019/107), the Secretary-General conveyed his intention to appoint Claudia Hoefer (Germany) as a judge of the Mechanism to fill the vacancy created by the resignation of Judge Christoph Flügge. By a letter dated 4 February 2019 from the President of the Security Council addressed to the Secretary-General (S/2019/108), members of the Security Council took note of the intention expressed in the letter of the Secretary-General. Subsequently, by a letter dated 19 February 2019 addressed to the President of the Security Council (S/2019/170), the Secretary-General informed Council members that following a corresponding letter from the President of the General Assembly, he was appointing Ms. Hoefer with immediate effect, for a term of office ending on 30 June 2020.

11. By a letter dated 11 December 2019 addressed to the President of the Security Council (S/2019/999), the Secretary-General conveyed his intention to appoint Lord Iain Bonomy (United Kingdom of Great Britain and Northern Ireland) as a judge of the Mechanism to fill the vacancy created by the resignation of Judge Ben Emmerson. By a letter dated 27 December 2019 from the President of the Security Council addressed to the Secretary-General (S/2019/1000), members of the Security Council took note of the intention expressed in the letter of the Secretary-General.

VI. Conclusion

12. In 2019, Peru was honoured to continue to chair the Informal Working Group on International Tribunals, which allowed it to reaffirm its commitment to multilateralism and international law, as well as to the work of the International Residual Mechanism for Criminal Tribunals, which inherited a number of essential functions from the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda.

13. The Chair recognizes the important role of the Working Group and thanks each of its members for their commitment and constructive participation throughout 2019.

14. The Chair would like this constructive approach to continue in 2020, under a new Chair, in order to proceed with the consideration of any additional issue that may arise.

15. The Chair emphasizes his commitment to supporting the work of the Mechanism and giving priority to the dialogue with the Mechanism, as well as with States concerned and the Secretariat, for the most expeditious completion of the Mechanism's mandate.

16. To conclude, the Chair extends his appreciation to the Office of Legal Affairs and the Security Council Affairs Division for their invaluable support during 2019. The Chair would also like to thank the President and the Prosecutor for their commitment to working closely together in furtherance of the mandates established by the Council. The Chair values the excellent relationship built with all of them during 2019.
