



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. WALEED ALSHAHARI, PERMANENT MISSION OF THE REPUBLIC OF YEMEN TO THE UNITED NATIONS, ON AGENDA ITEM 129, PROGRAMME BUDGET FOR THE BIENNIUM 2010-2011: REQUEST FOR A SUBVENTION TO THE SPECIAL COURT FOR SIERRA LEONE, AT THE MAIN PART OF THE SIXTY-FIFTH SESSION OF THE FIFTH COMMITTEE OF THE UNITED NATIONS GENERAL ASSEMBLY (New York, 13 December 2010)**

Mr. Chairman,

1. I have the honour to speak on behalf of the Group of 77 and China on this important agenda item.

2. The Group of 77 and China would like to thank the Assistant Secretary-General, Controller, Mr. Jun Yamazaki, for introducing the report of the Secretary General related to the request for a subvention to the Special Court for Sierra Leone. We would also like to thank the Chairperson of the ACABQ, Ms. Susan McLurg, for introducing the related report of the Advisory Committee.

Mr. Chairman,

3. The Security Council, by its resolution 1315 (2000), requested the Secretary-General to negotiate an agreement with the Government of Sierra Leone with a view to creating an independent Special Court with the primary objective of prosecuting persons who bore the greatest responsibility for the commission of crimes against humanity, war crimes and other serious violations of international humanitarian law, as well as crimes under relevant Sierra Leonean law committed within the territory of Sierra Leone.

4. Consequently, an agreement was signed the 16 January 2000 between the United Nations and the Government of Sierra Leone on the establishment of a Special Court for Sierra Leone. Article 6 of the Agreement stipulates that: "Should voluntary contributions be insufficient for the Court to implement its mandate, the Secretary-General and the Security Council shall explore alternate means of financing the Special Court". Accordingly, the current request was made by the Secretary-General and authorized by the Security Council.

Mr. Chairman,

5. The Group of 77 and China values the constructive and useful work carried out by the Special Court for Sierra Leone and commends the significant progress made by the Special Court as underlined by the Secretary-General in section III of his report.

6. The Group of 77 and China fully supports the proposals of the Secretary-General as updated by the ACABQ.

Mr. Chairman,

7. The Group of 77 and China notes that despite the 174 fund-raising meetings held by the Court across capitals and diplomatic missions, it is still impossible for to the Court to secure voluntary contributions sufficient to complete its mandate. Moreover, in view of the responses from the Court's traditional donors, it is highly unlikely that further funding will be secured through voluntary

contributions. The Group will seek more information on this situation of recurrent lack of funds for the financing of the Special Court of Sierra Leone.

8. The Group of 77 and China, taking in account the specificity and important aspects of the ongoing final trial, will be keen also to explore the detailed implementation of the completion strategy of the Special Court.

9. Finally, the Group is of the view that the recurrent shortfall of adequate resources will increase the risk and impede the Court's ability to complete its judicial proceedings thereby jeopardizing the Court's mandate.

10. In conclusion, the Group of 77 and China would like to restate its determination to work constructively to conclude this agenda item.

Thank you, Mr. Chairman.

G-77

G-77

G-77

G-77

G-77

G-77

G-77

G-7

G-77

G-77

G-77

G-77

G-77

G-77

G-77

G-7

G-77

G-77

G-77

G-77

G-77

G-77

G-77

G-7

G-77

G-77

G-77

G-77

G-77

G-77

G-77

G-7

G-77

G-77

G-77

G-77

G-77

G-77

G-77

G-7

G-77

G-77

G-77

G-77

G-77

G-77

G-77

G-7

G-77

G-77

G-77

G-77

G-77

G-77

G-77

G-7