

Extract from:

UNITED NATIONS JURIDICAL YEARBOOK

2016

Part Three. Judicial decisions on questions relating the United Nations and
related intergovernmental organizations

Chapter VII. Decisions and advisory opinions of international tribunals



Copyright (c) United Nations

	<i>Page</i>
(b) Interoffice memorandum to the Officer-in-Charge of the UNIDO Department of Operational Support Services concerning the applicability to members of permanent missions of policies and rules governing common services on United Nations premises	408
(c) Letter to the Chief of the Treaty Section of the United Nations concerning UNIDO's objection to the reservations by the [State] to the Convention on Privileges and Immunities of the Specialized Agencies of 1947	411
(d) Internal email message to the Secretary of the UNIDO Staff Pension Committee (SPC) concerning disability pension case of an unnamed staff member	412
(e) Internal email message to the UNIDO Senior Human Resource Officer concerning possible retroactive application of the unified salary scale	413
(f) Email message to the Legal Officer of the [UN Organization] concerning the [Host Country] tax obligations for consultants	414
(g) Internal email message to the UNIDO Human Resource Officer concerning import of medication under HQ Agreement with [Host Country]	415

**Part Three. Judicial decisions on questions relating
to the United Nations and related intergovernmental organizations**

CHAPTER VII. DECISIONS AND ADVISORY OPINIONS OF INTERNATIONAL TRIBUNALS

A. INTERNATIONAL COURT OF JUSTICE	419
1. Judgments	419
2. Advisory Opinions	419
3. Pending cases and proceedings as at 31 December 2016	420
B. INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA	420
1. Judgments and Orders	420
2. Pending cases and proceedings as at 31 December 2016	420
C. INTERNATIONAL CRIMINAL COURT	421
1. Situations and cases before the Court as at 31 December 2016	422
(a) Situation in Uganda	422
(b) Situation in the Democratic Republic of the Congo	422
(c) Situation in Darfur, the Sudan	422
(d) Situation in the Central African Republic	423
(e) Situation in Kenya	423
(f) Situation in Libya	423
(g) Situation in Côte d'Ivoire	423
(h) Situation in Mali	424

	<i>Page</i>
D. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA	424
1. Judgement delivered by the Appeals Chamber	424
2. Judgements delivered by the Trial Chambers	424
3. Pending cases and proceedings as at 31 December 2016	424
E. MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS	425
Pending cases and proceedings as at 31 December 2016	425
F. EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA	425
1. Judgement delivered by the Supreme Court Chamber	426
2. Pending cases and proceedings as at 31 December 2016	426
G. SPECIAL TRIBUNAL FOR LEBANON	426
1. Judgments delivered in Contempt Cases	426
2. Pending cases and proceedings as at 31 December 2016	426
H. RESIDUAL SPECIAL COURT FOR SIERRA LEONE	427
CHAPTER VIII. DECISIONS OF NATIONAL TRIBUNALS	
A. AUSTRIA	
Austrian Federal Constitutional Court, Order of 25 February 2016, SV 2/2015-18	429
B. CANADA	
World Bank Group v. Wallace, Supreme Court of Canada, Judgment of 29 April 2016, 2016 SCC 15	430
Part Four. Bibliography	
A. INTERNATIONAL ORGANIZATIONS IN GENERAL	
1. General	455
2. Particular Questions	456
3. Responsibility of international organizations	456
B. UNITED NATIONS	
1. General	457
2. Principal organs and subsidiary bodies	458
International Court of Justice	458
Secretariat	460
Security Council	460
C. INTERGOVERNMENTAL ORGANIZATIONS RELATED TO THE UNITED NATIONS	
1. International Centre for Settlement of Investment Disputes	461
2. International Civil Aviation Organization	462
3. International Labour Organization	462
4. International Maritime Organization	462

Chapter VII

DECISIONS AND ADVISORY OPINIONS OF INTERNATIONAL TRIBUNALS

A. INTERNATIONAL COURT OF JUSTICE¹

The International Court of Justice is the principal judicial organ of the United Nations. It was established in June 1945 by the Charter of the United Nations and began work in April 1946.

1. Judgments

- (a) *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)*, Judgment, 5 October 2016.
- (b) *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. Pakistan)*, Judgment, 5 October 2016.
- (c) *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. United Kingdom)*, Judgment, 5 October 2016.
- (d) *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)*, Judgment, 17 March 2016.
- (e) *Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)*, Judgment, 17 March 2016.

2. Advisory Opinions

No advisory opinions were delivered by the International Court of Justice in 2016.

¹ The texts of the judgments, advisory opinions and orders are published in the ICJ Reports. Summaries of judgments, advisory opinions and orders of the Court are provided in English and French on its website <http://www.icj-cij.org>. In addition, the summaries can be found in all six official languages of the United Nations on the website of the Codification Division of the United Nations Office of Legal Affairs, <https://legal.un.org/icjsummaries/>. For more information about the Court's activities, see Report of the International Court of Justice, *Official Records of the General Assembly, Seventy-first Session, Supplement No. 4 (A/71/4)* and *Seventieth-second Session, Supplement No. 4 (A/72/4)*, for the periods of 1 August 2015 to 31 July 2016 and 1 August 2016 to 31 July 2017, respectively.

3. Pending cases and proceedings as at 31 December 2016

- (a) *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)* (2016–).
- (b) *Immunities and Criminal Proceedings (Equatorial Guinea v. France)* (2016–).
- (c) *Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)* (2016–).
- (d) *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)* (2014–).
- (e) *Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua)* (2014–).
- (f) *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)* (2013–).
- (g) *Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)* (2013–).
- (h) *Obligation to Negotiate Access to the Pacific Ocean (Bolivia v. Chile)* (2013–).
- (i) *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* (2010–).
- (j) *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)* (1999–).
- (k) *Gabčíkovo-Nagymaros Project (Hungary/Slovakia)* (1993–).

B. INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA²

The International Tribunal for the Law of the Sea is an independent permanent tribunal established by the United Nations Convention on the Law of the Sea, 1982.³ The Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea,⁴ signed by the Secretary-General of the United Nations and the President of the Tribunal on 18 December 1997, establishes a mechanism for cooperation between the two institutions.

1. Judgments and Orders

Case No. 25—The M/V “Norstar” Case (Panama v. Italy), Judgment, 4 November 2016.

2. Pending cases and proceedings as at 31 December 2016

- (a) *Case No. 25—The M/V “Norstar” Case (Panama v. Italy)* (2015–).

² For more information about the Tribunal’s activities, including relating to orders and judgments rendered in 2016, see the Annual report of the International Tribunal for the Law of the Sea for 2016 (SPLOS/304) and the Tribunal’s website at <http://www.itlos.org>.

³ United Nations, *Treaty Series*, vol. 1833, p. 3.

⁴ *Ibid.*, vol. 2000, p. 468.

- (b) *Case No. 23—Dispute Concerning Delimitation of the Maritime Boundary between Ghana and Côte d’Ivoire in the Atlantic Ocean (Ghana/Côte d’Ivoire)* (2014–).

C. INTERNATIONAL CRIMINAL COURT⁵

The International Criminal Court is an independent permanent court established by the Rome Statute of the International Criminal Court, 1998.⁶ The Relationship Agreement between the United Nations and the International Criminal Court, signed by the Secretary-General of the United Nations and the President of the Court on 4 October 2004, outlines the relationship between the two institutions.⁷

In 2016, the following situations were under investigation by the Office of the Prosecutor: Uganda,⁸ Democratic Republic of the Congo,⁹ Central African Republic,¹⁰ Darfur (the Sudan),¹¹ Kenya,¹² Libya,¹³ Côte d’Ivoire,¹⁴ Mali,¹⁵ Central African Republic II,¹⁶ and Georgia.¹⁷

Additionally, in 2016 the Office of the Prosecutor opened preliminary examinations of the situation in Burundi since April 2015 and the situation in Gabon since May 2016, respectively. The Office of the Prosecutor continued its preliminary examinations in Afghanistan, Colombia, Guinea, Iraq, Nigeria, the State of Palestine and Ukraine.

On 16 July 2015, following a request for review presented by the Government of the Union of the Comoros, Pre-Trial Chamber I requested the Prosecutor to reconsider her decision, dated 6 November 2014, to close the preliminary examination regarding the situation on Registered Vessels of the Comoros, Greece and Cambodia, due to the lack of a

⁵ For more information about the Court’s activities, see Report of the International Criminal Court, for the period 1 August 2015 to 31 July 2016 (A/71/342) and the period 1 August 2016 to 31 July 2017 (A/72/349), as well as the Court’s website at <http://www.icc-cpi.int>.

⁶ United Nations, *Treaty Series*, vol. 2187, p. 3.

⁷ *Ibid.*, vol. 2283, p. 195.

⁸ The situation was referred to the Court by Uganda in January 2004.

⁹ The situation was referred to the Court by the Democratic Republic of the Congo in April 2004.

¹⁰ The situation was referred to the Court by the Central African Republic in December 2004. The referral pertains to crimes within the jurisdiction of the Court committed anywhere on the territory of the Central African Republic since 1 July 2002.

¹¹ On 31 March 2005, the Security Council referred the situation in Darfur, the Sudan, to the Prosecutor of the Court by Security Council resolution 1593 (2005), adopted on 31 March 2005.

¹² On 31 March 2010, Pre-Trial Chamber II granted the Prosecutor’s request to open an investigation *proprio motu* into the situation in Kenya.

¹³ On 26 February 2011, the Security Council referred the situation in Libya to the Prosecutor of the Court by Security Council resolution 1970 (2011), adopted on 26 February 2011.

¹⁴ On 3 October 2011, Pre-Trial Chamber III granted the Prosecutor’s request to open an investigation *proprio motu* into the situation in Côte d’Ivoire.

¹⁵ The situation was referred to the Court by Mali in July 2012.

¹⁶ The situation was referred to the Court by the Central African Republic in May 2014. The referral pertains to crimes allegedly committed on the Central African Republic territory since 1 August 2012.

¹⁷ On 27 January 2016, Pre-Trial Chamber I granted the Prosecutor’s request for authorisation to open an investigation *proprio motu* into the situation in Georgia.

reasonable basis to proceed with an investigation.¹⁸ On 6 November 2015, the Appeals Chamber of the International Criminal Court (ICC) decided by majority to dismiss, *in limine* and without discussing its merits, the Prosecutor's appeal against the decision of Pre-Trial Chamber I requesting the Prosecutor to reconsider the decision.¹⁹ Consequently, the Prosecutor was required to review its decision as soon as possible pursuant to rule 108(2) of the Rules of Procedure and Evidence of the ICC. This reconsideration was still ongoing at the end of 2016.

1. Situations and cases before the Court as at 31 December 2016

(a) Situation in Uganda

Pending cases and proceedings

- (a) *The Prosecutor v. Joseph Kony and Vincent Otti*, Case No. ICC-02/04-01/05.
- (b) *The Prosecutor v. Dominic Ongwen*, Case No. ICC-02/04-01/15.

(b) Situation in the Democratic Republic of the Congo

Pending cases and proceedings

- (a) *The Prosecutor v. Thomas Lubanga Dyilo*, Case No. ICC-01/04-01/06.
- (b) *The Prosecutor v. Bosco Ntaganda*, Case No. ICC-01/04-02/06.
- (c) *The Prosecutor v. Germain Katanga*, Case No. ICC-01/04-01/07.
- (d) *The Prosecutor v. Sylvestre Mudacumura*, Case No. ICC-01/04-01/12.

(c) Situation in Darfur, the Sudan

Pending cases and proceedings

- (a) *The Prosecutor v. Ahmad Muhammad Harun ("Ahmad Harun") and Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb")*, Case No. ICC-02/05-01/07.
- (b) *The Prosecutor v. Omar Hassan Ahmad Al Bashir*, Case No. ICC-02/05-01/09.
- (c) *The Prosecutor v. Abdallah Banda Abakaer Nourain*, Case No. ICC-02/05-03/09.
- (d) *The Prosecutor v. Abdel Raheem Muhammad Hussein*, Case No. ICC-02/05-01/12.

¹⁸ *Situation on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia*, Pre-Trial Chamber I, Decision on the request of the Union of the Comoros to review the Prosecutor's decision not to initiate an investigation, 16 July 2015, No. ICC-01/13-34.

¹⁹ *Situation on Registered Vessels of the Union of the Comoros, the Hellenic Republic and the Kingdom of Cambodia*, Appeals Chamber, Decision on the admissibility of the Prosecutor's appeal against the "Decision on the request of the Union of the Comoros to review the Prosecutor's decision not to initiate an investigation", 6 November 2015, No. ICC-01/13 OA.

(d) Situation in the Central African Republic**(i) Judgments delivered by the Trial Chambers**

- (a) *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, Case No. ICC-01/05-01/13, Public Redacted Version of Judgment pursuant to article 74 of the Rome Statute, 19 October 2016.
- (b) *The Prosecutor v. Jean-Pierre Bemba Gombo*, Case No. ICC-01/05-01/08, Judgment pursuant to article 74 of the Rome Statute, 21 March 2016.

(ii) Pending cases and proceedings

- (a) *The Prosecutor v. Jean-Pierre Bemba Gombo*, Case No. ICC-01/05-01/08.
- (b) *The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido*, Case No. ICC-01/05-01/13.

(e) Situation in Kenya**(i) Judgment delivered by the Appeals Chamber**

The Prosecutor v. William Samoei Ruto and Joshua Arap Sang, Case No. ICC-01/09-01/11, Judgment on the Appeals of Mr. William Samoei Ruto and Mr. Joshua Arap Sang against the Decision of Trial Chamber V(a) of 19 August 2015 entitled “Decision on Prosecution Request for Admission of Prior Recorded Testimony”, 12 February 2016.

(ii) Pending cases and proceedings

- (a) *The Prosecutor v. Walter Osapiri Barasa*, Case No. ICC-01/09-01/13.
- (b) *The Prosecutor v. Paul Gicheru and Philip Kipkoech Bett*, Case No. ICC-01/09-01/15.

(f) Situation in Libya***Pending case and proceeding***

The Prosecutor v. Saif Al-Islam Gaddafi, Case No. ICC-01/11-01/11.

(g) Situation in Côte d’Ivoire***Pending cases and proceedings***²⁰

- (a) *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, Case No. ICC-02/11-01/15.
- (b) *The Prosecutor v. Simone Gbagbo*, Case No. ICC-02/11-01/12.

²⁰ On 11 March 2015, Trial Chamber I joined the *Gbagbo* case (ICC-02/11-01/11) and the *Blé Goudé* case (ICC-02/11-02/11).

(h) Situation in Mali**(i) Judgment delivered by Trial Chamber III**

The Prosecutor v. Ahmad Al Faqi Al Mahdi, Case No. ICC-01/12-01/15, Judgment and Sentence, 27 September 2016.

(ii) Pending case and proceeding

The Prosecutor v. Ahmad Al Faqi Al Mahdi, Case No. ICC-01/12-01/15.

D. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA²¹

The International Criminal Tribunal for the former Yugoslavia is a subsidiary body of the United Nations Security Council. The Tribunal was established by Security Council resolution 827 (1993), adopted on 25 May 1993.²²

1. Judgement delivered by the Appeals Chamber

Prosecutor v. Mićo Stanišić and Stojan Župljanin, Case No. IT-08-91-A, Judgement, 30 June 2016.

2. Judgements delivered by the Trial Chambers

- (a) *Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-T, Judgement, 31 March 2016.
- (b) *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18-T, Judgement, 24 March 2016.

3. Pending cases and proceedings as at 31 December 2016

- (a) *The Prosecutor v. Petar Jojić & Jovo Ostojić and Vjerica Radeta*, Case No. IT-03-67-R77.5 (2014–).
- (b) *Prosecutor v. Goran Hadžić*, Case No. IT-04-75 (2004–).
- (c) *Prosecutor v. Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić and Berislav Pusić*, Case No. IT-04-74 (2004–).

²¹ The texts of the indictments, decisions and judgements are published in the *Judicial Reports/ Recueils judiciaires* of the International Criminal Tribunal for the former Yugoslavia. The texts are also available in English and French on the Tribunal's website at <http://www.icty.org>. For more information about the Tribunal's activities, see the Twenty-third and Twenty-fourth annual reports 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, for the periods from 1 August 2015 to 31 July 2016 (A/71/263–S/2016/670) and from 1 August 2016 to 31 July 2017 (A/72/266–S/2017/662), respectively.

²² The Statute of the Tribunal is annexed to the report of the Secretary-General pursuant to Security Council resolution 808 (1993) of 22 February 1993 (S/25704 and Add.1).

- (d) *Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67 (2003–).
- (e) *Prosecutor v. Mićo Stanišić and Stojan Župljanin*, Case No. IT-08-91 (1999–).
- (f) *Prosecutor v. Ratko Mladić*, Case No. IT-09-92 (1995–).
- (g) *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18 (1995–).

E. MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS²³

The Mechanism for International Criminal Tribunals was established in 2010 by Security Council resolution 1966 (2010), adopted on 22 December 2010.²⁴ The Mechanism was created to carry out certain residual functions of the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda,²⁵ including trial and appellate proceedings, the supervision and enforcement of sentences, and tracking the remaining fugitives.

No judgements were delivered by the Mechanism for International Criminal Tribunals in 2016.

Pending cases and proceedings as at 31 December 2016

- (a) *Prosecutor v. Vojislav Šešelj*, Case No. MICT-16-99 (2016–).
- (b) *Prosecutor v. Augustin Ndirabatware*, Case No. MICT-12-29 (2016–).
- (c) *Prosecutor v. Radovan Karadžić*, Case No. MICT-13-55 (2016–).
- (d) *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. MICT-15-96 (2015–).

F. EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA²⁶

The Agreement between the United Nations and the Royal Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during the period

²³ The texts of the orders, decisions and judgements are available on the Mechanism's website at <http://www.unmict.org/>. For more information about the Mechanism's activities, see the Fourth and Fifth annual reports of the International Residual Mechanism for Criminal Tribunals, for the period 1 July 2015 to 30 June 2016 (A/71/262–S/2016/669) and 1 July 2016 to 30 June 2017 (A/72/261–S/2017/661), respectively.

²⁴ The Statute of the Mechanism is contained in the annex to the resolution.

²⁵ The International Criminal Tribunal for Rwanda was a subsidiary body of the United Nations Security Council, established by Security Council resolution 955 (1994), adopted on 8 November 1994. The Statute of the Tribunal is in the annex to the resolution. The Tribunal closed on 31 December 2015. The texts of the orders, decisions and judgements are published in the *Recueil des ordonnances, décisions et arrêts/Reports of Orders, Decisions and Judgements* of the International Criminal Tribunal for Rwanda. The texts are also available in English and French in the on the Legacy website of the International Criminal Tribunal for Rwanda at <https://unictr.irmct.org/en>.

²⁶ The texts of the judgements, decisions and orders of the Extraordinary Chambers in the Courts of Cambodia are available on its website at <http://www.eccc.gov.kh>. For more information on the Court's activities, see the Report of the Secretary-General on the Request for a subvention to the Extraordinary Chambers in the Courts of Cambodia of 16 August 2016 (A/71/338).

of Democratic Kampuchea, signed in Phnom Penh on 6 June 2003,²⁷ entered into force on 29 April 2005 and established the Extraordinary Chambers in the Courts of Cambodia to prosecute crimes committed during the period of Democratic Kampuchea.

1. Judgement delivered by the Supreme Court Chamber

Khieu Samphân and Nuon Chea, Case No. 002/01, Judgement, 23 November 2016.

2. Pending cases and proceedings as at 31 December 2016

- (a) *Khieu Samphân and Nuon Chea*, Case No. 002/01 (2010–).
- (b) *Khieu Samphân and Nuon Chea*, Case No. 002/02 (2010–).
- (c) *Meas Muth*, Case No. 003 (2009–).
- (d) *Yim Tith*, Case No. 004 (2009–).
- (e) *Im Chaem*, Case No. 004/01 (2009–).
- (f) *Ao An*, Case No. 004/02 (2009–).

G. SPECIAL TRIBUNAL FOR LEBANON²⁸

The Special Tribunal for Lebanon was established in 2007 pursuant to the Agreement between the United Nations and the Lebanese Republic on the establishment of a Special Tribunal for Lebanon, dated 22 January and 6 February 2007,²⁹ and to the Security Council resolution 1757 (2007) adopted on 30 May 2007 to prosecute persons responsible for the attack of 14 February 2005 resulting in the death of former Lebanese Prime Minister Rafiq Hariri and in the death or injury of other persons.

1. Judgments delivered in Contempt Cases

- (a) *Akhbar Beirut S.A.L. and Ibrahim Mohamed Ali Al Amin*, Case No. STL-14-06/T/CJ, Judgment, 15 July 2016.
- (b) *Al Jadeed [CO.] S.A.L./NEW T.V. S.A.L. (N.T.V.) and Ms. Karma Mohamed Tahsin Al Khayat*, Case No. STL-14-05/A/AP, Appeal Panel, Judgment, 8 March 2016.

2. Pending cases and proceedings as at 31 December 2016

- (a) *Salim Jamil Ayyash, Mustafa Amine Badreddine, Hassan Habib Merhi, Hussein Hassan Oneissi and Assad Hassan Sabra*, Case No. STL-11-01 (2011–).

²⁷ United Nations, *Treaty Series*, vol. 2329, p. 117.

²⁸ The texts of the indictments, decisions and orders of the Special Tribunal for Lebanon are available on the Tribunal's website at <http://www.stl-tsl.org>. For more information on the Tribunal's activities, see the Seventh and Eighth Annual Reports of the Special Tribunal for Lebanon, for the periods 1 March 2015 to 29 February 2016 and 1 March 2016 to 28 February 2017, respectively, available from <https://www.stl-tsl.org/en/documents/annual-reports>.

²⁹ United Nations, *Treaty Series*, vol. 2461, p. 257.

- (b) *Al Jadeed [CO.] S.A.L./NEW TV S.A.L. and Karma Mohamed Tahsin Al Khayat*, Case No. STL-14-05 (2014–).
- (c) *Akhbar Beirut S.A.L. and Ibrahim Mohamed Ali Al Amin*, Case No. STL-14-06 (2014–).

H. RESIDUAL SPECIAL COURT FOR SIERRA LEONE³⁰

The Special Court for Sierra Leone³¹ was an independent court established by the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, 2002.³² The Special Court was mandated to try those who bore the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996.

As the Special Court completed its mandate and finished its judicial activities in 2013, the Residual Special Court for Sierra Leone superseded the Special Court. The Residual Special Court was established pursuant to an Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Residual Special Court for Sierra Leone,³³ signed in 2010 and entered into force in 2012.

The purpose of the Residual Special Court is to carry out the continuing obligations of the Special Court after its closure in 2013, such as witness protection, supervision of prison sentences, and management of the Special Court's archives. Johnny Paul Koroma is the only indicted person by the Special Court who is not in custody. Should he be arrested, the Residual Special Court will have jurisdiction to try him.

No judgments were delivered by the Residual Special Court for Sierra Leone in 2016.

³⁰ The texts of the decisions delivered by the Residual Special Court for Sierra Leone are available at the Residual Special Court's website at <http://www.rscsl.org>. For more information on the Residual Special Court's activities, see the Third Annual Report of the President of the Residual Special Court for Sierra Leone, available from <http://www.rscsl.org/Documents/AnRpt2016.pdf>.

³¹ The texts of the judgements and decisions delivered by the Special Court for Sierra Leone are available at the Residual Special Court's website at <http://www.rscsl.org>. For more information on the Court's activities, see the Eleventh and Final Report of the President of the Special Court for Sierra Leone, available from <http://www.rscsl.org/Documents/AnRpt11.pdf>.

³² For the text of the Agreement and the Statute of the Special Court dated 26 January 2002, see United Nations, *Treaty Series*, vol. 2178, p. 137.

³³ The Agreement and the Statute of the Residual Special Court were registered with the United Nations under No. 50125 (see also S/2012/741).