RESOLUTION 827 (1993)

Adopted by the Security Council at its 3217th meeting, on
25 May 1993

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all
subsequent relevant resolutions,

Having considered the report of the Secretary-General (S/25704 and Add.1)
pursuant to paragraph 2 of resolution 808 (1993),

Expressing once again its grave alarm at continuing reports of widespread
and flagrant violations of international humanitarian law occurring within the
territory of the former Yugoslavia, and especially in the Republic of Bosnia and
Herzegovina, including reports of mass killings, massive, organized and
systematic detention and rape of women, and the continuance of the practice of
"ethnic cleansing", including for the acquisition and the holding of territory,

Determining that this situation continues to constitute a threat to
international peace and security,

Determined to put an end to such crimes and to take effective measures to
bring to justice the persons who are responsible for them,

Convinced that in the particular circumstances of the former Yugoslavia the
establishment as an ad hoc measure by the Council of an international tribunal
and the prosecution of persons responsible for serious violations of
international humanitarian law would enable this aim to be achieved and would
contribute to the restoration and maintenance of peace,

Believing that the establishment of an international tribunal and the
prosecution of persons responsible for the above-mentioned violations of
international humanitarian law will contribute to ensuring that such violations
are halted and effectively redressed,

Noting in this regard the recommendation by the Co-Chairmen of the Steering
Committee of the International Conference on the Former Yugoslavia for the
establishment of such a tribunal (S/25221),
Reaffirming in this regard its decision in resolution 808 (1993) that an international tribunal shall be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991,

Considering that, pending the appointment of the Prosecutor of the International Tribunal, the Commission of Experts established pursuant to resolution 780 (1992) should continue on an urgent basis the collection of information relating to evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law as proposed in its interim report (S/25274),

Acting under Chapter VII of the Charter of the United Nations,

1. Approves the report of the Secretary-General;

2. Decides hereby to establish an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Security Council upon the restoration of peace and to this end to adopt the Statute of the International Tribunal annexed to the above-mentioned report;

3. Requests the Secretary-General to submit to the judges of the International Tribunal, upon their election, any suggestions received from States for the rules of procedure and evidence called for in Article 15 of the Statute of the International Tribunal;

4. Decides that all States shall cooperate fully with the International Tribunal and its organs in accordance with the present resolution and the Statute of the International Tribunal and that consequently all States shall take any measures necessary under their domestic law to implement the provisions of the present resolution and the Statute, including the obligation of States to comply with requests for assistance or orders issued by a Trial Chamber under Article 29 of the Statute;

5. Urges States and intergovernmental and non-governmental organizations to contribute funds, equipment and services to the International Tribunal, including the offer of expert personnel;

6. Decides that the determination of the seat of the International Tribunal is subject to the conclusion of appropriate arrangements between the United Nations and the Netherlands acceptable to the Council, and that the International Tribunal may sit elsewhere when it considers it necessary for the efficient exercise of its functions;

7. Decides also that the work of the International Tribunal shall be carried out without prejudice to the right of the victims to seek, through appropriate means, compensation for damages incurred as a result of violations of international humanitarian law;

8. Requests the Secretary-General to implement urgently the present resolution and in particular to make practical arrangements for the effective
functioning of the International Tribunal at the earliest time and to report periodically to the Council;

9. **Decides** to remain actively seized of the matter.

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