



**PERMANENT MISSION OF THE REPUBLIC OF  
SIERRA LEONE TO THE UNITED NATIONS**

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***STATEMENT***

***BY***

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**SIXTH COMMITTEE**

**AGENDA ITEM 146:  
INTERNATIONAL CRIMINAL COURT**

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CHECK AGAINST DELIVERY

Mr. President,

We are meeting six years after the adoption of the Rome Statute by 120 States, including my country, Sierra Leone. Today, the Statute can boast 97 ratifications; the ICC has been established, it has put in place its main organs and has begun its investigations. The establishment of an international criminal justice system has come a long way since Rome.

Mr. President,

For nearly eleven years, Sierra Leone suffered unimaginable wrongs in terms of the commission of horrendous crimes that resulted in the loss of human life but also in the erosion of the rule of law. The experience of my country clearly demonstrates that the absence of the rule of law creates an atmosphere in which the commission of crimes under international law is not only possible but can be accepted and even encouraged.

It is the view and belief of the President of Sierra Leone, H.E. Alhaji Ahmad Tejan Kabbah, that the rule of law is a necessary pre-requisite and, furthermore, an essential ingredient for justice and accountability. We in Sierra Leone believe without equivocation that the International Criminal Court is the tool, I dare say the *sine qua non*, that can be instrumental in not only bringing alleged war criminals to justice but to reinforce the fundamental principle of individual criminal responsibility for crimes under International law. I can assure you that Sierra Leone takes these egregious crimes very seriously and I am proud to recall that Sierra Leone was the 20<sup>th</sup> State to ratify the Rome Statute establishing the ICC on 15 September 2000.

Mr. President,

My delegation appreciates the strides that have been made so far in making the Court a functioning institution. Nevertheless, we must and do recognize that there is still a lot of work to be done to establish a fully effective international criminal justice system, with the ICC at the helm. There is a great need for universal-or near universal-ratification of the Statute. Yet in our view, ratification is not enough: it has to be incorporated in domestic law through implementing legislation. This is particularly true in English-speaking African countries, which belong to the dualist school, whereby international treaties and instruments become

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domestic law through national legislation. The sooner steps are taken to implement the Statute worldwide, the better the prospects for prosecuting crimes within the jurisdiction of the Court, thereby fully realising the principle of complementarity. In this vein, I am proud to announce that my country, Sierra Leone, is at an advanced stage in the process of implementing the Rome Statute.

Mr. President,

As evidence of the great strides the Court has made, we can point to the election of the Second Deputy Prosecutor at this year's session of the ASP. We welcome and congratulate her and wish her the best with her new position. We have set up the Permanent Secretariat of the ASP, under the indefatigable leadership of Dr. Medard Rwelamira of South Africa. My delegation can say without hesitation that the wonderful work done in the organization of this year's session in The Hague is testimony to the fact that the Court made the correct decision in the appointment of the Secretariat's leadership.

During this year's session, many discussions were held on proposals on how to make the ASP more responsive to the needs of the ICC. In this regard, the ASP has tremendous responsibilities to the ICC and, in extensu, to the new system of International criminal justice. My delegation believes that the ASP should develop mechanisms and, equally as important, the expertise to carry out its mandate effectively and efficiently. We believe that this may be done through the leadership of the Bureau, in developing ways and means of restructuring of the meetings of the ASP to maximize participation, maximize efficiency and maximizing both support for and oversight of the ICC. This delegation supports the recommendations of the Coalition for the International Criminal Court that the ASP establish a number of subsidiary bodies to facilitate its work, including by meeting outside of regular ASP sessions. We also strongly support the establishment of a New York Liaison Office for the ICC. Our support is based largely on the fact that many countries-mainly developing countries – do not have representatives in The Hague but do have representatives in New York. For these countries, their only direct link to the ICC will be through the Liaison office. In addition, we believe that it is important for the ICC to have a good and strong relationship with the UN; having a liaison office in UN Headquarters will facilitate this goal.

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Mr. President,

We are extremely pleased that on October 4, 2004 the United Nations' Secretary-General and the President of the ICC signed a relationship agreement. This is a very important step that encourages and makes possible greater cooperation between the two bodies and through which the Court will have access to the vital support of the United Nations.

Mr. President,

It would be remiss if my delegation did not recognize the invaluable contribution that the Coalition for the International Criminal Court, No peace without Justice and other NGOs continue to play in our historic journey of establishing a fair, transparent and credible international Criminal Justice system. Let me also take this opportunity to express our profound thanks to the International Human Rights Law Institute and No Peace Without Justice for facilitating the participation of many delegations from developing countries in this year's session of the ASP.

Mr. President,

Sierra Leone has unfettered commitment to the ICC, the independent exercise of its functions and the goals and aims it has been established to meet, just as we remain strongly committed to the Special Court for Sierra Leone and support the independent exercise of its functions as it helps establish accountability for the wrongs my country and her people have suffered. Those who have a vested interest in misinterpreting certain actions taken by Sierra Leone in light of our national interests venture to question our commitment to the ICC. However, I would point to the numerous pronouncements by our President, H.E. Alhaji Ahmad Tejan Kabbah, by ministers of our government and Members of Parliament, Sierra Leone's legal luminaries and our vibrant civil society. Their words and deeds all demonstrate, beyond any shadow of doubt, Sierra Leone's commitment to democracy, the rule of law and the International Criminal Court. We shall continue to work tirelessly for a fair, transparent and effective International Criminal Court.

Thank you.