



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

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STATEMENT

by

H.E. DR. MICHAEL IMRAN KANU

Deputy Permanent Representative

at the Twenty-first session of the Assembly of States
Parties of the International Criminal Court

Agenda Item:
“General Debate”

6th December 2022
World Forum, The Hague, Netherlands

Check Against Delivery

Madam President,

1. In the 20th anniversary year of the of **International Criminal Court** (“ICC” or “Court”) and its most active period of its work, the Republic of Sierra Leone is pleased to see the return to a less restrictive format of the Assembly of States Parties (“ASP” or “Assembly”) session, having together States Parties, principals and staff of the Court, civil society, and other stakeholders in this annual convocation.
2. We commend the leadership of the Court and indeed the staff for their dedication in carrying out its important mandate as an **independent and impartial judicial institution**, committed to uphold and defend the principles and values enshrined in the **Rome Statute**, in the universal resolve to end impunity for atrocity crimes.
3. This commitment to the mandate of the Court is needed on a perpetual basis, including cooperating on the outstanding requests for arrest and surrender. Sierra Leone will continue to support a strong and efficient ICC and the Rome Statute system. This system of ensuring accountability for atrocity crimes is founded on the **principle of complementarity** and inter-state cooperation. For it to work, we must emphasize the strengthening of the domestic capacity of States Parties to investigate, prosecute and punish the perpetrators of crimes within the jurisdiction of the Court. The ICC

will step in, only as a last resort, when States Parties are unable or unwilling to do so.

4. With the current spate of regrettable continuing perpetration of atrocity crimes, the relevance of the ICC's mandate cannot be overstated, and the need for continuing commitment by the States Parties and other stakeholders to address accountability gaps in line with the Rome Statute cannot be overemphasized.
5. To undertake its important mandate, leadership by and within the Court is fundamental. As the Assembly of State Parties and the Judiciary are in the process of electing the next **Registrar of the ICC**, and as we agree on the need to stress "*the necessity of securing the highest standards of efficiency and competency*", we use this opportunity to emphasize the importance to accord "*high priority to equitable geographical representation, gender balance, and an adequate representation of the principal legal systems of the world, while emphasizing the need for preserving diversity and multilingualism, recognizing rotation as a useful tool*". This is significant for the Court to attain and be seen to reflect the universal character to which it aspires.
6. We also use this opportunity to pay tribute to the outgoing **Registrar, Mr. Peter Lewis**, for leading the work of the Registry, at a critical and consequential time for the Court. We thank him for his excellent

contributions, his dedication and for implanting the sense of stability when needed the most.

Madam President,

7. Following recent elections of the Prosecutor and Deputy Prosecutors, the ongoing election process for the Registrar, and judicial elections next ASP session, Sierra Leone joins other States Parties and civil society in welcoming the institutionalization of a vetting process for ICC and ASP elections, where “high moral character” is a requirement.
8. We therefore also welcome the **Report by the Facilitators on the third election of the Prosecutor of the ICC – Lessons Learnt** of 25 October 2022 (ICC-ASP/21/16), noting that “a large majority of States Parties considered vetting to be central to the election process, and considered that there should be clear rules, covered in the Terms of Reference, from the start”. We look forward to the next steps in developing the permanent vetting process in an inclusive and transparent manner.

Madam President,

9. Sierra Leone acknowledges that the Court, in its 20th anniversary year, made significant progress and expanded its activities despite the challenges caused by the coronavirus disease (COVID-19)

pandemic, with the Court being seized of 24 cases, involving 31 defendants, and 17 situations. Since its establishment, the Court has now opened 31 cases, involving 50 suspects or accused. Investigations have also been opened regarding the said 17 situations with an almost universal regional spread.

10. This is reason why Sierra Leone supports the commemorative series of events planned for the 25th anniversary of the adoption of the Rome Statute in 2023. The extraordinary achievement of the international community in the adoption of the Rome Statute and the Court is worth commemorating with the objectives to enhance political support for the Rome Statute system, promote universality, and to reflect on the future of the Court and the Rome Statute system, with high-level discussions on the strategic vision for the next ten years to implement recommendation 363 of the Independent Expert Report (“IER”).

11. On the **Independent Expert Review process**, Sierra Leone is pleased with the pace of work of the Review Mechanism and results achieved thus far. The review process aimed at improving the performance, efficiency, and effectiveness of the Court’s operation must achieve its stated aim. Sierra Leone therefore continues to urge States Parties and all stakeholders to continue their support and constructive engagement as the focus shifts to implementation of the positively assessed recommendations.

Madam President,

12. In Sierra Leone's bid for a non-permanent seat at the **United Nations Security Council** ("Security Council" or "UNSC") for the term 2024-2025, noting the significant role of the Security Council within the Rome Statute system, we have prioritized the effective maintenance of international peace, safeguarding human rights and pursuing a culture of accountability. We believe that human rights protection and promotion builds confidence in democratic governance as well as bridge societal divides by strengthening a sense of common values and shared humanity, and at the same time, promote peaceful resolution of conflicts grounded in respect for the rights and dignity of all. Our membership in the Security Council will support the work to break the culture of impunity through engagement and action to foster a culture of accountability.

13. We therefore acknowledge the key role of the Security Council within the Rome Statute system, and in this regard by the States Parties to the Rome Statute serving on the Security Council. The Court and the Security Council indeed have "*different yet complementary roles in addressing the gravest crimes of concern to the international community, which have the potential to destabilize international peace and security. The Security Council's prerogative to refer a situation to the Court can help to promote*

accountability in situations where grave crimes may have been committed but the Court lacks jurisdiction”.

14. In closing, **Madam President**, the Government of Sierra Leone, in recognition of the important work of the **Committee on Budget and Finance** (“CBF”) of the ICC-ASP, nominated **Mr. Sahr Lahai Jusu** for the one seat allocated to the African States Parties, with the election to be conducted in this 21st ASP session.

15. We believe Mr. Jusu’s competence, qualifications, and prior experience, among others, at various regional and multilateral financial institutions, and being the Government’s principal adviser on economic and financial matters make him valuable in advancing the principles, objectives, and values of the Rome Statute. He is of high moral character, impartiality, integrity and has the requisite competence as required of the CBF. The nomination is consistent with the overall commitment of Sierra Leone to the Court and its effective and efficient discharge of its important mandate.

16. As we thank States Parties for your support as we move towards a consensual outcome in this ASP’s election of members of the CBF, we urge this Assembly to act on the need to address the issue of the composition of the CBF and for the principle of equitable geographical distribution rooted in the fundamental principle of sovereign equality of each State Party to be fully respected.

17. Let me close, **Madam President**, by reiterating Sierra Leone's "*unwavering support for the Court as an independent and impartial judicial institution*", and this restatement of support to the Court is a way of reiterating our commitment to the victims, on whose behalf we have this accountability system".
18. We continue to acknowledge and commend the **Trust Fund for Victims** for the discharge of its critical mandate. Therefore, Sierra Leone further supports the call for "*the consistent implementation of the Court's mandate across the situations and cases under its jurisdiction in the interests of justice and the victims' right of access to justice, stressing the need for sustainable resources for all situations, as well as cooperation with the Court*".
19. I thank you.