



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

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STATEMENT

by

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on behalf of

Her Excellency Zainab Bangura,
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of the Republic of Sierra Leone

at the

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General Debate

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Check Against Delivery

Mr President, Distinguished delegates,

At the outset, allow me to express my thanks and the appreciation of my Government to the Presidency of this Assembly and to the distinguished delegates here assembled. We look forward to another fruitful session of this Assembly and to the discussions on critical issues for the effective and efficient functioning of the International Criminal Court. [My delegation also aligns itself with the statement by XX on behalf of the African Group.]

We are very pleased to be able to participate in this very important discussion on policy priorities, issues of concern and our common vision for the Court. It is my great pleasure to take the floor on behalf of my delegation and the new Government of Sierra Leone and to reassure this august Assembly that international criminal justice continues to be an important policy priority for Sierra Leone.

Mr President, some international courts and tribunals are just beginning the early stages of their work; they need support and guidance. Others are entering the final stages of their work, and it is appropriate to talk of what they have achieved and what they have failed to achieve.

The International Criminal Court is in some ways the middle child: it has some years under its belt but has not yet begun a fully-fledged trial. It still needs nurturing and understanding from us as it breaks new ground and feels its way in the world. But it is also now old enough to be subject to analysis, to set some examples, as it has had the opportunity to learn from those that have come before it. It is a difficult stage to be in and it is critical that we, the body tasked with providing oversight and support to the Court, ensure that we maintain the right balance of constructive criticism to help the Court fulfil its mandate to bring an end to impunity across the world, for this and future generations.



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Mr President, cooperation continues to be the main thorn in the side of the ICC, as it has been the thorn in the side of many international Courts and Tribunals. In this area, it is difficult to see specific lessons learnt that could apply to the ICC beyond the overwhelming importance of cooperation by each and every State Party and by as many international actors as possible. It is difficult to see specific lessons because each court and tribunal operates in different situations and with different tools for encouraging cooperation, be they political or otherwise. We can only encourage each and every State to do everything within its power to cooperate with and provide support for the Court, particularly in the circulation and execution of arrest warrants.

We should always remember that the Court's potential for deterrence lies mainly in the likelihood of the threat of prosecution being carried out. Any dilution of that threat makes the worldwide fight against impunity and the ICC's role within that process much more difficult and more at risk of failure.

Justice must be protected, as justice is a critical component of peace: without justice, there can be no peace. And without peace, the lives of hundreds of thousands of people are put in jeopardy, right now and for future generations. We must not allow a weakening of international criminal justice processes; instead, we must support them, promote them, protect them and defend them. This is the only way forward to lasting peace and a prosperous future for all.

Mr President, cooperation is an area where the Court needs nurturing, understanding and support. It is not the time to be critical of the Court for the difficulties it is facing in the area of cooperation: this does not lie solely in the hands of the Court, but in the hands of all of us. It is an area where we all have the responsibility to find solutions and to make the system work.



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The same is not true of another crucial aspect of the Court's work, namely the Court's work on outreach. Yes, the Court needs our support and understanding. Yes, the Court needs to be nurtured as it builds and develops its outreach strategy and work. But much of this was done at last year's Assembly: the Court asked the Assembly for the opportunity to implement its newly-minted strategy and for the financial support it needed to do so. This Assembly rose to meet that occasion and gave the Court all the support it needed, both political and financial. We are pleased with the progress that has been made in the 12 months since the last Assembly but we are concerned that the increase in need and opportunity has not been completely matched in the direction, vision and activities for outreach.

My delegation considers outreach to be the most important non-judicial core function of the Court. And we consider that this Assembly has an important role to play not only in supporting and nurturing the Court's outreach work, but also in providing proper oversight and guidance. It is for this reason that every year since 2005, Sierra Leone and other delegations have convened an ASP Hearing on Outreach, held in the margins of the Assembly's other scheduled work. I am pleased to confirm that Sierra Leone and other delegations are continuing to take a lead on this issue and that we have convened an ASP Hearing on Outreach, which will be held in Conference Room 3 on Friday, 7 December 2007, as scheduled in the United Nations Daily Journal. All delegations and members of civil society are warmly invited to attend.

Mr President, it is for these same reasons, and to emphasise the importance of outreach in the view of the Assembly, that my Delegation has the honour to propose that the omnibus resolution foresee a Focal Point on Outreach within the Bureau. We believe this would be an important mechanism to assist both the



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Assembly and the Court in our continued oversight and guidance over this critical non-judicial function. We hope that this proposal will meet with the support of the Assembly.

As we all know, the ICC does not have the advantage of being focused only on one situation. It operates in situations that can be volatile, where the security situation can vary from day to day. It operates in situations where there are difficulties in spreading information, where the infrastructure is usually challenging at best. We know this type of situation very well: not so long ago, that was the situation facing my country. Just one decade ago, we were in a state of crisis, with years of brutal conflict still awaiting us. But look at us now: we have peace, we have justice and we have a functioning democratic system. Many challenges await us, but we are in a good position to meet those challenges. And one reason for our success is that we faced the need for accountability head-on and took steps to address that need.

Of course, the Special Court for Sierra Leone cannot and does not claim responsibility for our change of fortune: that was done by the good men and women of Sierra Leone. But the Special Court has made an important contribution to restoration of the rule of law, which has helped us move forward. It has done so through being present in the everyday life of our country; not interfering in politics or internal matters, but being there and making an effort to be known, to be understood and to engage with all Sierra Leoneans.

Mr President, the Court has indeed made important progress in its outreach work. But we continue to need more Court Outreach staff on the ground, giving lectures, talking on local radio and disseminating information in person. The Court needs a public face in each and every situation country. It needs to be engaged in public debate on justice and accountability. It needs to be known, to



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be recognised, to be understood and it needs to tap into local realities and to have its finger on the pulse of the country. We are not saying the Court does not do this; it does, but to fulfil its potential it needs to be more engaged and to do this, it needs to be geared less towards headquarters and more towards the field, which is where the real trenches are and where the real battles will be fought. We in this Assembly and the Court itself need to start thinking of the Court as a justice delivery mechanism and to do that, the Court needs its people to be in the field, particularly its outreach people. This is a necessity for the ICC to do what it is intended to do; to bring accountability and to help turn a page in the history of the situation countries.

Mr President, my delegation would like briefly to raise another important issue, related to the crime of aggression, which we consider important for the Court's legacy of peace and justice. In our view, it is of critical importance that the Special Working Group on the Crime of Aggression continue to recognise and bear in mind that aggression may come in many forms. In our case, the crime of aggression was committed through what appeared to be a rebel group, but was in fact acting on behalf of Mr Charles Taylor, President of Liberia. In fact, the Special Court for Sierra Leone will be considering this issue during the trial of former President Charles Taylor in The Hague, not for the crime of aggression itself but for untold crimes committed by the RUF in Sierra Leone. Aggression committed through the intermediary of rebel forces has just as devastating consequences as aggression committed by States directly, and we feel strongly that this should be reflected in whatever definition of the crime of aggression is finally adopted.

Mr President, before closing, my delegation would like to express our gratitude to those who, particularly through the Trust Fund, have helped delegations such as my own to attend this crucial meeting of the Assembly of States Parties. We



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have supported and will continue to support the Court as a key element in the restoration of peace and the rule of law in all the corners of the world. To maximise its potential, we must continue our efforts towards universal ratification and implementation of the Rome Statute, we must provide the Court with clear and steady cooperation and, above all, we must assist the Court by providing it with clear guidance and constructive support.

Thank you.