

**SPECIAL COURT FOR SIERRA LEONE
OUTREACH AND PUBLIC AFFAIRS OFFICE**



PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

as at:

Wednesday, 10 October 2012

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

Local News

US Provides US\$2m for Special Court / *Spectator* Page 3

ICC President Calls for States Cooperation / *Awoko* Page 4

International News

Security Council...Strongly Commends Special Court for Sierra Leone / *UNSC* Pages 5-10

Sierra Leone Tribunal to Wrap up Business Soon / *AP* Pages 11-12

UN Hails Work by Sierra Leone Court...Women's Access to Justice / *UN News Centre* Pages 13-14

Sierra Leone Lauds Special Court, Warns of Fund Shortage / *Xinhua* Page 15

Sierra Leone Needs Funds for War Crimes Court / *Independent Online* Page 16

Sierra Leone Court Questions on Blacked Out Purported Dissent... / *Inner-City Press* Page 17

La ONU pide más ayuda financiera para el Tribunal Especial... / *Holaciudad* Pages 18-19

Special Court Supplement

“The Situation in Sierra Leone” – Statements by Members of the UN Security Council

US Provides US\$2m For Special Court

Over the weekend, the United States government announced it will contribute an additional US\$2 million to fund the Special Court for Sierra Leone through to its conclusion.

U.S. Ambassador-at-Large for Global Criminal Justice, Stephen Rapp made the announcement during his visit October 5-8 in Freetown with Special Court personnel, civil society and Sierra Leonean government officials.

"The Special Court played an indispensable role in contributing to justice and an enduring peace in Sierra Leone," Rapp said.

"Its judgments have sent a message that no person is above the law, and recognized the suffering of tens of thousands of victims by holding powerful individuals responsible for mass murder, amputations, rape, sexual slavery, forced marriage, attacks on peacekeepers, use of child soldiers, terror, and pillage."

The United States has long been one of the Special Court's largest contributors, and the new grant demonstrates the United States' commitment to ensuring that the Court is able to complete its final phase and transition to a Residual Special Court.

Ambassador Rapp called for continued support by the international

community to permit the Special Court to complete its mandate and achieve justice.

During his meetings, Ambassador Rapp learned about efforts by the Government of Sierra Leone and the Special Court to incorporate training and lessons learned from the Special Court in the national judicial system.

He stressed the importance of ensuring a strong legacy for the Special Court through knowledge transfer and reliance on the cadre of trained personnel who can now bring their skills to bear in the domestic system.

The Special Court, established in January 2002, is the first international criminal tribunal to be funded entirely from voluntary contributions from governments.

The Court is mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in Sierra Leone since November 30, 1996.

Ambassador Rapp served as prosecutor of the Special Court from 2007 to 2009.

ICC President calls for States cooperation

Betty Milton

The tenth anniversary of the International Criminal Court (ICC) has been celebrated with the theme 'through the lens of Nuremberg.'

President of the Court, Justice Sang-Hyun Song has called on state parties of the Rome Statute for their cooperation in ICC Orders and enforcement.

In his keynote address at the Conference in Nuremberg, Germany, the President said the co-operation is very important and that since the ICC has no police force to execute their orders, they will therefore have to rely on the States parties to execute the orders by the ICC. He said these State Parties are also expected to provide certain evidence that will facilitate the appearance of witnesses, to identify and freeze and for a number of operations related to the court core activities.

Speaking about the Nuremberg trial at the Place of Justice where the trial was

held, President Song, said "being in this office, reminds us of the 21 former high officials of the Nazi regime sitting in the dock as defendants to be convicted of the gravest crimes known to humanity on the first day of October 1946."

He added that "one can think of the prosecutor, Sir Robert Jackson first opening address and the historic judgment he read out in this court, each judge taking his turn. These events which took place in this courtroom about 67 years ago, are in our memories and help us on how to shape criminal law and justice today."

The ICC President, maintained that the Nuremberg principles guiding military officers before a tribunal, has become the foundational pillars of the Rome Statute and also about the challenges the ICC faces today in honouring these principles, through cooperation.

In 1945, he went on "at a

time where international law paid little or no regard to individuals, the creators of the Nuremberg International Military tribunal spearheaded a most remarkable development in modern legal history."

One of the legacies of the tribunal, President Sang Hyun-Song, is stipulated that "individuals can and should be held accountable for crimes which constitute violations of international law. As was famously declared by the tribunal, I quote 'crimes against international law are committed by men not by abstract entities and only by punishing individuals who commit such crimes can the provisions of International law be enforced.'"

Secondly, he went on, is that "the tribunal embodied the modern convictions that the individual should only be punished by trials which safeguard the accused. As we know today, the Nuremberg proceedings had wide ranging

effects throughout the field of international law."

Four years after the final verdict against these 21 Nazi officials had been rendered; the United Nations International Law Commission codified the legacy of Nuremberg, adopted a text setting out the main principles of international law recognized in the charter and in the judgment of the International military tribunal", President Song explained.

He also added that the seven core principles distilled from the Nuremberg trial include, the responsibility of individuals for international crimes, the right of each accused to a fair trial, the fact that acting pursuant to an order does not relieve one from the responsibility of international law, the historic pronouncement that once participation as a head of state or responsible government does not relieve one from criminal responsibility and the definition of three crimes punishable as crimes on the international law that is to say crimes against peace, war

crimes and crimes against humanity.

Highlighting the challenges of the Court, President Song said "in order to sustain and build upon the Nuremberg legacy, after the ICC's first decade of activities, a number of needs and challenges must be met and surmounted.

And to make the Rome Statute truly comprehensive, "we must achieve universality more than 70 states are yet to join, including the world's most popular countries like China, USA, Russia, India and Indonesia.

The majority of the world remains to be outside the Rome Statute protection and limit its reach and applicability of its provisions."

But however, he said, they will keep on engaging with these parties to join the ICC and Rome Statute system through increasing and tireless awareness raising from a wide range of ICC state actors such as ICC States Parties and civil societies.

United Nations Security Council

Tuesday, 9 October 2012

Security Council SC/10787

Department of Public Information • News and Media Division • New York

Security Council
6844th Meeting (AM)

Security Council, in Statement, Strongly Commends Special Court for Sierra Leone,

Urges Robust Financial Support as Historic Body Moves into Final Stages of Work

**Top Officials Highlight Court's Long Record of Unprecedented 'Firsts';
Deputy Foreign Minister Warns Lack of Resources Could 'Choke' Completion Strategy**

The Security Council today commended the Special Court for Sierra Leone's important contribution to international criminal justice, as well as its role in strengthening stability in West Africa and "bringing an end to impunity", and also hailed the completion of trial proceedings against former Liberian President Charles Taylor for war crimes and crimes against humanity.

Culminating a meeting that featured presentations from the Special Court's top officials and the Deputy Foreign Minister of Sierra Leone, Council President Gert Rosenthal (Guatemala) read out a statement approved by the 15-member body acknowledging the Court's progress towards completion of its work and recognizing the need to address residual matters after its closure, including the supervision of the enforcement of sentences for convicted persons, the protection of witnesses and the preservation of archives.

It urged the international community to continue to support the Special Court as it moved into its final stage of work, and emphasized the vital need for further pledges of voluntary contributions to allow the completion of its mandate in a timely manner. The Council also called on Member States to contribute generously towards implementation of the agreement on establishing the Residual Special Court for Sierra Leone.

Addressing the Council for the first time, Sierra Leone's Deputy Minister for Foreign Affairs and International Cooperation, Ebus Jusu, said the Special Court had made unprecedented contributions to gender justice and had laid the foundations in international criminal jurisprudence regarding acts of forced marriage, sexual violence, sexual slavery and the recruitment and use of child soldiers during the conflict as punishable.

"The Special Court had successfully delivered on the goals set for it by the Government of Sierra Leone and the United Nations," she said, underscoring the need for the Organization and the international community to continue supporting the Court to complete its work.

Outlining just a few important milestones, she said the Court had attained victory for victims of sexual violence, for human rights, for democracy and for the hundreds of former child soldiers and adoptees who had had the letters "RUF", the acronym for the Revolutionary United Front, carved or engraved with hot iron onto their backs and chests to prevent them from escaping. Further, the Court had made critical contributions to national reconciliation efforts and to the restoration and maintenance of international peace and security in West Africa.

"The successful completion of the Court's mandate would send a powerful message that the international community strongly supports institutions established to hold accountable those responsible for war crimes, and in so doing, deter or minimize the perpetration of such atrocities in the future," she said. "However, the victory so well acclaimed will be incomplete if want of adequate resources and financial impediments choke the tribunal from fairly and fully completing its mandate and its residual task to their logical conclusions."

She counted on the Security Council to spare no efforts to avoid that scenario and to launch appropriate mechanisms to provide the much-needed relief and assistance to the Court for its continued survival.

Justice Shireen Avis Fisher, President of the Special Court for Sierra Leone, told the Council that "the Special Court's successes are truly your successes," as she highlighted a report containing its achievements, including a number of "firsts". After a final judgment was delivered in appellate proceedings in the case of Mr. Taylor, the Court would transition to residual status and close its doors.

"It will be the first international criminal tribunal to do so," she continued, summarizing a report on the Court's activities, achievements and the completion of its mandate, and it was "the first of its kind". The Special Court was indeed the first partnership between national authorities and the United Nations to create a credible system of post-conflict justice, she said.

Not only was it the first hybrid tribunal created to assist a State that desired post-conflict justice, but did not have the capacity to ensure it, the Special Court was the first United Nations-sponsored tribunal to carry out its work in the territory where serious international humanitarian law violations were committed, ensuring that the survivors were participants in justice, not merely bystanders to it, she said.

"I could tell you that the Special Court had delivered on its mandate," she said. "I could tell you that it has contributed to ending impunity. I could tell you that it has brought justice to the people of Sierra Leone. I could tell you that, but I think it's more important that you hear that from the people of Sierra Leone and Liberia themselves." She then drew the Council's attention to studies showing that of those surveyed, 91 per cent of those living in Sierra Leone and 78 per cent in Liberia believed the Special Court had contributed to bringing peace to their countries.

Turning to another "first", she told the Council that the Special Court was "a living example of the progress of your resolution", referring to the twelfth anniversary of resolution 1325 (2000), which urged Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict. For the first time in the history of international tribunals, all four principals — the President, the Prosecutor, the Registrar and the Principal Defender — were all women, she said.

Prosecutor Brenda J. Hollis of the Special Court, seconding Justice Fisher's comments, said that the most important legacy of the Court was the prosecution of those who bore the greatest responsibility for horrific crimes committed against the people of Sierra Leone. Therefore, the Office of the Prosecutor, she recounted, had acted expeditiously in presenting 13 indictments, starting in 2003, charging senior leaders of the three main factions in the Sierra Leone conflict, all of whose cases were completed through appeal by 2009.

Mr. Taylor, who did not surrender to the Special Court until 2006, was also prosecuted expeditiously and effectively, she said, with the number of charges reduced for that purpose. His conviction was the first of a former Head of State by an international criminal tribunal since the Nuremberg trials in 1946. His conviction and subsequent sentencing for 50 years in prison came because it was shown that he had planned the attacks that culminated in the 1999 invasion of Freetown, Liberia and the resulting mass crimes. It was also shown that he aided and abetted members of the Revolutionary United Front and the Armed Forces Revolutionary Council in the commission of the charged crimes. The Office of the Prosecutor and Mr. Taylor had both appealed the judgment and the sentence, she noted.

Other achievements of which her office was proud included an outreach programme that engaged the people of Sierra Leone, particularly the affected communities in the judicial process carried out in their name. It was also the first Court to prosecute the use of child soldiers, attacks on peacekeepers and forced marriage as an inhumane act, resulting in jurisprudence that might be relied on by other international, as well as national courts. She thanked all who contributed to those achievements, including the Council, the people of Sierra Leone and Member States that supported the Court in various ways.

She said that the most demanding challenges the Court faced included indictment, staffing and witness protection issues, emphasizing that the security of witnesses remained a significant challenge, as many named individuals who had committed horrific crimes still lived among those witnesses, and the Residual Special Court, which would over protection responsibilities, was mandated to have a light, efficient footprint. It was imperative that the Residual Special Court be sufficiently resourced to meet such critical responsibilities, "if we are to ensure that those who have risked their well-being to give meaning to justice continue to be protected by the Court that they serve".

Delivering statements after the briefing were the representatives of India, United Kingdom, Germany, Pakistan, Togo, South Africa, Russian Federation, Colombia, Azerbaijan, Morocco, France, United States, China, Portugal and Guatemala.

The meeting began at 10:23 a.m. and ended at 12:08 p.m.

Presidential Statement

The full text of presidential statement S/PRST/2012/21 reads as follows:

"The Security Council expresses its warm appreciation to the President and Prosecutor of the Special Court for Sierra Leone for their briefing to the Security Council on 9 October 2012.

"The Security Council reiterates its strong support for the Special Court and commends the progress the Special Court has achieved (S/2012/741). The Security Council particularly notes the contribution of the Special Court to strengthening stability in Sierra Leone and the subregion and bringing an end to impunity.

"The Security Council congratulates the Special Court on the completion of the trial proceedings in the case of Charles Taylor on 30 May 2012. The Security Council takes note of the commencement of appellate proceedings in the case of Charles Taylor and the projected schedule for the completion of those appellate proceedings by 30 September 2013.

"The Security Council also acknowledges the Special Court's progress towards completion. The Security Council underlines its expectation that all organs of the Special Court will do their utmost to finish the remaining work of the Court, including any contempt cases, in accordance with the completion strategy.

“The Security Council commends the important outreach activities of the Special Court in bringing its judicial work to the attention of the people of Sierra Leone and Liberia, and thereby contributing to the restoration of the rule of law throughout those countries and the region.

“The Security Council commends the Special Court for the important contribution made to international criminal justice concerning the crimes within its jurisdiction, namely, crimes against humanity, serious violations of Article 3 common to the Geneva Conventions and of Additional Protocol II, and other serious violations of international humanitarian law, as well as certain crimes under Sierra Leonean law, and recognizes its work in the areas of women, peace and security, and the protection of children affected by armed conflict, including through its outreach and witness support programmes.

“The Security Council recognizes the need to address residual matters after the closure of the Court, including the supervision of the enforcement of sentences for convicted persons, the protection of witnesses, and the preservation of the archives of the Special Court. In this regard, the Security Council welcomes the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Residual Special Court for Sierra Leone.

“The Security Council urges the international community to continue to support the Special Court as it moves into its final stage of work.

“The Security Council in particular takes note of the Special Court’s ongoing and urgent need for financial support. The Security Council emphasizes the vital need for further pledges of voluntary contributions in order to allow the Special Court to complete its mandate in a timely manner. The Security Council calls upon Member States to contribute generously to the Special Court and for the implementation of the Agreement establishing the Residual Special Court for Sierra Leone, and encourages the Secretary-General to cooperate with the Registrar of the Special Court in order to find practicable solutions to address the needs of the Residual Special Court in the most efficient and effective manner.

“The Security Council will continue to offer strong support to the Special Court as it nears the completion of its mandate and to the Residual Special Court as it commences its functioning.”

Statements

SHRI E. AHAMED, Minister of State for External Affairs of India, welcomed what he said was the successful carrying out of the mandate of the Special Court for Sierra Leone, and expressed the hope that the Court would complete its work by 30 September 2013. He also welcomed international cooperation in serving the cause of justice in the country, particularly that shown by the Government of Rwanda in the enforcement of sentences, as well as the Court’s outreach activities, and called for continued support to the Court and its Residual Special Court. In that light, he noted his country’s partnership with Sierra Leone in its reconstruction efforts, pledging a continuation of that partnership and affirming the importance of next month’s national elections for the country.

MICHAEL TATHAM (United Kingdom) affirmed the importance of the Special Court, and the support of the Council for it, in ending impunity for serious crimes. He looked forward to the completion of the mandate in 2013, while acknowledging the challenges in wrapping up issues related in the case of Charles Taylor, whose prosecution had sent a strong message about “the reach and patience of international justice”. Describing his country’s financial support and offer to imprison Mr. Taylor in the United Kingdom, he pledged that the United Kingdom’s support would continue long after the convictions and sentencing. Welcoming outreach and legacy activities of the Court, including in the area of gender, he stressed the importance of continued funding for it, urging all Member States to consider further support.

CHRISTOPHE EICK (Germany) recognized the invaluable contributions of the Special Court in bringing justice to the victims of terrible crimes, in partnership with the United Nations, as well as its outreach activities, its contributions to jurisprudence related to gender-based crimes and child recruitment, and its landmark prosecution of a head of State, which makes clear that the “age of accountability has in fact begun”. His country had made significant contributions to the Court’s budget, as well as for witness protection and other needs. He supported further efforts to find practical solutions to ensure the successful completion of the Court’s work.

RAZA BASHIR TARAR (Pakistan) expressed appreciation and complete support for the Special Court’s work, including its procedure, its outreach to the people of Sierra Leone and its contributions to strengthening the justice system of the country. He urged all concerned stakeholders to continue to support the Court in finishing all its remaining tasks.

KODJO MENAN (Togo) said there were two features that could have been considered defects that might have hampered the Court’s success, namely its financing and its location, where the socio-political trauma could have compromised its mandate. Yet, the Court had fostered unforeseen progress in international criminal justice and had enriched international criminal law. Elements of jurisprudence from the Court would continue to nurture debate on issues, including sexual violence and terrorism.

Further, he said that commitments made to ensure the lasting effect of the Court’s achievements, and the conservation of its archives were signs of progress. His country supported the idea of commemorating the Court with a museum or exhibit, and hoped the Court could take the measures needed to accompany those exhibits with education initiatives aimed at ensuring those atrocities never occurred again. If the Court’s success had been made possible by cooperation among States, it was possible to use that cooperation to ensure the Residual Court was duly supported, he added.

ZAHEER LAHER (South Africa) said the fight against impunity remained an important building block for justice. Commending the Court for strengthening stability in the country and region, he said it had also contributed to establishing rule of law. The Court was a model of complementarity, he said. He was also pleased with the agreement for the Residual Court and was confident that the planned Peace Museum would also become a contribution to stability.

SERGEY KAREV (Russian Federation) said the Special Court was scheduled to close next year, after which a compact residual mechanism would be launched. The Rwandan residual mechanism had already opened this year, and he hoped the Special Court for Sierra Leone would be able to avoid the problems facing other similar courts. Overall, the outcome of the Court’s work should be seen as positive, making a contribution to international justice, as well as to strengthening the rule of law on the national and international levels, he said.

NÉSTOR OSORIO (Colombia) said the Court’s important work and mission had been largely completed. Among the results, the visible prosecution of Mr. Taylor was a landmark. The Court had made an important contribution to criminal justice. He believed the activities aimed at disseminating and promoting the Court’s work were essential, as they were the best way to ensure the positive effect of rule of law and good governance. The Court had been very active in implementing its completion strategy, he said, welcoming the establishment of a residual mechanism. However, without support, the completion of the strategy would stumble upon immense difficulties.

AGSHIN MEHDIYEV (Azerbaijan) expressed appreciation for the work of the Special Court and progress towards the completion of its mandate, as well as its contributions to end impunity, promote the maintenance of peace and security, advance the rule of law, reconciliation, and jurisprudence in post-conflict situations. Its approach to victims was particularly noteworthy, as was its contribution to gender justice. He expressed hope that the Court would complete its work as expeditiously as possible and called on the international community to continue to provide support.

MOHAMMED LOULICHKI (Morocco) thanked the Prosecutor and the President of the Special Court for the passion they had shown in the pursuit of justice, as well as all stakeholders for their contributions to the Court. The Court's importance went well beyond the completion of trials; it was an innovative model of justice based on international standards and national ownership. He commended all concerned for agreement on completion dates, but stressed the need to maintain financial support adequate for critical remaining tasks, such as protection of witnesses, building a legacy and building capacity in the national legal system. Paying tribute to the people and Government of Sierra Leone, he pledged his country's continuing support for stability and prosperity in what he called a brotherly country.

MARTIN BRIENS (France), supporting the Presidential Statement, noted his delegation's full support to the Court over the term of its existence. Calling the Court's legacy "vast", he said that it provided lessons on other issues, such as potential cases against individuals in the Democratic Republic of the Congo. The appreciation of the people of Sierra Leone must be borne in mind when the Council takes up its debate on international justice as it serves the cause of international peace and security. The Charles Taylor case had shown the regional impact of conflicts, as well as how the United Nations could apply a holistic strategy in resolving them. No doubt the Court had contributed significantly to such a strategy, he added.

JEFFREY DE LAURENTIS (United States) said the Special Court had been instrumental in helping the people of Sierra Leone move on from a "painful chapter" in their history. Noting the Court's contributions in jurisprudence, gender issues and other areas, he said that the tribunal's work was not yet done, and he welcomed the establishment of the Residual Special Court. Noting that his country was instrumental in setting up and supporting the Special Court, and was its largest financial contributor, he welcomed intentions to reduce costs and improve efficiency in the completion of remaining tasks. The United States would endeavour to contribute to closing the reported financial gap, he said, urging others to contribute, as well, to help Sierra Leone progress to peace and security while learning the lessons of the past.

GUO XIAOMEI (China) said the Court would become the first international criminal tribunal to close its doors and she acknowledged its efforts and achievements, which would serve as a source of reference to other tribunals. At the conclusion of the work, a small-scale Residual Court would be established, and she hoped both courts would contribute to long-term stability. She hoped countries would continue to provide support to the courts — and Sierra Leone.

JOSÉ FILIPE MORAES CABRAL (Portugal) said the Court had left behind a legacy of interpretation and application of international law on issues related to crimes against humanity and other serious violations of international humanitarian law. He was grateful to the Court's efforts to ensure that the mission entrusted to it would come to a successful conclusion.

GERT ROSENTHAL (Guatemala) said given his country's history, he recognized the important and indispensable role of a court of this nature in the fight against impunity and the enforcement of justice in the country. He also recognized the Court's important contribution to national and international criminal justice; legally proceeding against those who bore the greatest responsibility for serious violations of international humanitarian law and Sierra Leone's national law committed since 30 November 1996.

He then highlighted the Court's national reconciliation and restoration and maintenance of peace in the country and the region, applauding its historic contribution to the understanding of the impact of armed conflict on women and girls reflected in its jurisprudence and its treatment of the survivors as participants in post-conflict justice. He urged that the transition process was orderly and effective and that the Residual Special Court performed its duties in a timely and efficient manner.

Associated Press

Tuesday, 9 October 2012

Sierra Leone tribunal to wrap up business soon

EDITH M. LEDERER

UNITED NATIONS — The tribunal established to prosecute those most responsible for atrocities committed during Sierra Leone's 10-year civil war will soon deliver its final judgment and become the first international criminal tribunal to go out of business.

The court's president, Justice Shireen Avis Fisher, told the U.N. Security Council on Tuesday that because of its vision the tribunal not only succeeded in prosecuting and convicting the worst perpetrators of killings, systematic mutilation and other atrocities in Sierra Leone but it has become a model for bringing justice.

The court was unique when it was established in 2002. Unlike the war crimes tribunals for Yugoslavia and Rwanda, which are entirely run by the United Nations with an international staff, it was set up jointly by the U.N. and the Sierra Leone government with a mix of local and international prosecutors and judges.

The council, in a presidential statement, commended the Special Court for Sierra Leone for its important contribution to international criminal justice, ending impunity, and strengthening stability in Sierra Leone and the neighboring West African region.

Guatemala's U.N. Ambassador Gert Rosenthal, the council president who read the statement, said later that members "were very pleased for once to get good news" about the outcome of a council resolution and gave probably "the broadest support" to a tribunal in many years – "and rightly so."

"It happened in a joint effort between the host government and the United Nations in what really turned out to be a very successful lesson in combating impunity and in the development of international humanitarian law," Rosenthal said.

Fisher said the court is also the first hybrid tribunal created to assist a country that wanted post-conflict justice but didn't have the ability to ensure it, and the first U.N.-sponsored tribunal to carry out its work in a country where international humanitarian laws had been seriously violated which ensured that survivors of the civil war could participate in justice and not merely be bystanders.

She said the best evidence of the court's success can be seen in a European Union-funded independent survey in late May to measure the impact of the court. It found that nearly 80 percent of those surveyed in Sierra Leone and Liberia believe the tribunal accomplished its mandate – and that 91 percent of those surveyed in Sierra Leone and 78 percent in Liberia believe it has contributed to bringing peace to their countries, she said.

Fisher cited "truly remarkable" legal firsts for the tribunal: It was the first to recognize forced marriage as a crime against humanity and sexual violence as a form of terrorism. It was also the first to develop law on the recruitment and use of child soldiers which was used later by the International Criminal Court, and the first to rule on issues of immunity for sitting heads of state and on the crime of attacks on peacekeepers.

"On front after front, the Special Court has developed not only jurisprudence, but also tools, practices and programs addressing the specific needs of a post-conflict society," Fisher said, and it is ready to share the knowledge and expertise it has gained.

When the court was established, it was expected to operate for three years on voluntary contributions. All cases were completed by October 2009 – with eight convictions – except for prosecution of former Liberian president Charles Taylor.

The 64-year-old ex-leader, who didn't surrender until 2006, has been convicted and sentenced to 50 years imprisonment for war crimes and crimes against humanity for aiding and abetting murderous rebels during Sierra Leone's civil war.

Taylor became the first former head of state since World War II to be convicted by an international war crimes court. But he has appealed the convictions, calling them a miscarriage of justice, and prosecutors have appealed the court's decision to acquit him on more serious charges and are urging an increased sentence of 80 years behind bars.

Fisher told the council the appeals court will deliver the final judgment on Taylor's guilt or innocence soon.

The court's prosecutor, Brenda Hollis, said that while the court has set many precedents, it also faced many challenges over the past decade including ensuring the security of more than 300 prosecution witnesses before, during and after their trials. She noted that this year the court has convicted five people of contempt for interfering with witnesses.

Fisher said the tribunal will be succeeded by a small Residual Special Court for Sierra Leone whose responsibilities will include ensuring the protection of witnesses, preserving the court's archives and supervising the enforcement of sentences.

Fisher and Hollis said it's imperative that the Residual Special Court is adequately funded.

The Security Council urged donors to contribute generously to the tribunal as it finishes its work and to the Residual Special Court.

UN News Centre
 Tuesday, 9 October 2012

UN hails work by Sierra Leone court to strengthen women's access to justice



Justice Shireen Avis Fisher, President of the Special Court for Sierra Leone, addresses the Security Council. UN Photo/Eskinder Debebe

9 October 2012 – The United Nations today praised the “historic” work done by the Special Court for Sierra Leone (SCSL) to prosecute sexual and gender-based crimes committed during conflicts, and called for increased support for the Court’s work from the international community.

“War harms women in multiple ways. From mass rapes to mass displacements, women are on the frontlines of conflict and they are demanding justice. This includes effective prosecutions of war crimes and adequate redress for women,” said Michelle Bachelet, the Executive Director of the UN Entity for Gender Equality and the Empowerment of Women (UN Women).

“The Special Court for Sierra Leone has served justice and contributed to peace consolidation and reconciliation within a country destroyed by a devastating civil war [...] It is now essential that the Court be given the means to complete its mandate and to document and share lessons learned in strengthening women’s access to justice,” she said.

The SCSL is an independent tribunal set up jointly by the Government of Sierra Leone and the UN. It is mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the country since 30 November 1996.

In May, the Court sentenced former Liberian President Charles Taylor to 50 years in prison for planning and for aiding and abetting crimes committed by Sierra Leonean rebel forces during the country’s civil war. Mr. Taylor was found guilty of acts of terrorism, murder, rape, sexual slavery and enlisting child soldiers, among other charges.

The Court’s work “represents a critical landmark for international justice in prosecuting sexual and gender-based crimes committed during conflicts,” UN Women said in a news release, adding that the Court’s jurisprudence played an essential role in advancing recognition in law of such crimes.

During a press briefing at UN Headquarters in New York, Ms. Bachelet also highlighted that the Court has laid the foundation in international humanitarian law, for the recognition of acts such as forced marriages as crimes against humanity.

The SCSL is currently completing the trial phase of its mandate, with operational funding secured only through the end of November. The Court's leadership addressed the Security Council today, calling for increased funds and support from the international community to establish a Residual Special Court.

"The Court continues to face crucial funding gaps very critical to the completion of its judicial mandate and its residual mechanism," the Deputy Minister for Foreign Affairs and International Cooperation of Sierra Leone, Ebun A. Jusu, said during the meeting.

The Court also faces other challenges including not having enough staff, establishing communication with hundreds of witnesses in a safe environment, and developing indictments when there have been a multitude of crimes across a wide geographical area, said the Court's Prosecutor, Brenda J. Hollis.

"We must keep in mind how fragile our accomplishment will be if we fail to keep faith with the people in the region who put their trust in you and in us," the Court's President, Shireen Avis Fisher, told the Council. "Our responsibility to these people will not cease. It must be taken up and advanced by the Residual Special Court of Sierra Leone."

In a presidential statement, the Council reiterated its strong support for the SCSL and praised the progress it has achieved in bringing stability to the country and bringing an end to impunity. The Council also urged the international community to continue to support the Court as it moves into its final stage of work.

"The Security Council emphasized the vital need for further pledges of voluntary contributions in order to allow the Special Court to complete its mandate in a timely manner," said Ambassador Gert Rosenthal of Guatemala, which holds the Council's Presidency this month.

The 15-member body also recognized the need to address residual matters after the closure of the Court and welcomed the Agreement between the UN and Sierra Leone's Government on the Establishment of a Residual Special Court.

Xinhua

Tuesday, 9 October 2012

Sierra Leone lauds special court, warns of fund shortage

UNITED NATIONS, Oct. 9 (Xinhua) — Sierra Leone on Tuesday spoke highly of the work of the Special Court for Sierra Leone (SCSL), but warned of the “crucial funding gaps very critical to the completion of its judicial mandate and its residual mechanism. “

Ebun A. Jusu, the Sierra Leonean deputy minister of foreign affairs and international cooperation, made the statement at an open meeting here while briefing the UN Security Council on the SCSL, the first international criminal tribunal to be funded entirely by voluntary contributions from governments.

“The Special Court represents an effective partnership between the government and people of Sierra Leone and the United Nations to promote justice and fight impunity for heinous crimes committed in Sierra Leone during the civil war,” she noted.

The SCSL was set up jointly by the government of Sierra Leone and the United Nations. It is mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of the West African country since Nov. 30, 1996.

Currently, the three cases heard in Freetown, the Sierra Leonean capital, have been completed, including appeals. The trial of former Liberian president Charles Taylor is nearing completion in The Hague.

“As the first hybrid tribunal created to assist a State to address impunity for crimes against humanity, the Special Court has made unprecedented contributions to gender justice and laid the foundation in international criminal jurisprudence for acts of forced marriage, sexual violence, sexual slavery, and the recruitment and use of child soldiers during the conflict as punishable,” Jusu said. “It has also successfully established that wanton attacks on United Nations peacekeepers are proscribed and perpetrators liable to prosecution.”

On the funding shortage, she said: “Despite these special and compelling accolades, it is a matter of common knowledge that the Court continues to face crucial funding gaps very critical to the completion of its judicial mandate and its residual mechanism.”

“Needless to say that the successful completion of the Court’s mandate would send a powerful message that the international community strongly supports institutions established to hold accountable those responsible for war crimes, and in so doing, deter or minimize the perpetration of such atrocities in the future,” she said.

“We, therefore, count on member states and the international community to continue to support the Court to complete its work and help facilitate its effective transition to the Residual Special Court immediately upon its completion,” she added.

Independent Online (South Africa)

Tuesday, 9 October 2012

Sierra Leone needs funds for war crimes court

New York - Sierra Leone appealed on Tuesday for extra funding to wind down the UN-backed Special Court that convicted former Liberian president Charles Taylor of committing war crimes in the country.

“The court continues to face crucial funding gaps very critical to the completion of its judicial mandate and its residual mechanism,” Sierra Leone's deputy foreign minister Ebun Jusu told the United Nations.

Successful completion of its work would “send a powerful message that the international community strongly supports institutions established to hold accountable those responsible for war crimes”, she said.

The court's prosecutor, Brenda Hollis, said the court's residual functions after September 2013 included the protection of witnesses said.

“It is imperative that the residual Special Court be sufficiently resourced to meet these critical responsibilities,” she said.

“If we are to ensure that those who have risked their well-being to give meaning to justice continue to be protected by the court that they served.”

In a statement adopted at the end of a Security Council debate, the body's 15 members reiterated “strong support” for the court and called on UN members to contribute generously to it and to the follow-on residual court.

Taylor was sentenced on May 30 to 50 years in prison after pleading guilty to supporting rebels in exchange for diamonds during the Sierra Leone civil war, but both sides have appealed.

Three former leaders of the junta in power at the time in Sierra Leone also have been accused of tampering with witnesses. - Sapa-AFP

Inner-City Press

Tuesday, 9 October 2012

Sierra Leone Court Questions on Blacked Out Purported Dissent and on Restitution

By Matthew Russell Lee

UNITED NATIONS, October 9 -- After the UN Security Council heard a briefing Tuesday about the Special Court for Sierra Leone, Inner City Press asked the Court's President, Registrar and Prosecutor why no forfeiture of Charles Taylor's assets had even been sought, and how the purported dissent of Alternate Judge El Hadji Malick Sow was being handled. Video here, from Minute 57:38.

Back on April 26, 2012 after the Taylor judgment was read out by Presiding Judge Richard Lussick, Alternate Judge Malick Sow began to declaim what he called a dissent, stating in part that there has been "no... deliberations."

But the microphone was turned off, the spectators' view then blocked.

Inner City Press asked the panel on Tuesday if some formal inquiry would be made into what he had alleged.

The Court's President, Justice Shireen Avis Fisher, told Inner City Press that since she is "sitting on the case, so there is no way I can speak to them" - the issues raised by Alternate Judge Malick Sow or why no forfeiture was sought.

The Court's Registrar Binta Mansaray told Inner City Press, "I can speak in a limited fashion. As far as Taylor funds are concerned, efforts have been made to track those funds. In terms of the dissent by the alternate judge, I won't comment, because that is going to be a part of the defense appeal. But I would like to put on record, there is a right to dissent, if they have the right of dissent or concurring."

Inner City Press thanked the Registrar, but followed up about Alternate Judge Malick Sow's statement that the judges on the case had not engaged in any, or any substantial, deliberations.

The Court's prosecutor Brenda Hollis began to answer. Secretary General Ban Ki-moon's spokesman Martin Nesirky said, "I think it's been made clear, it is a continuing case, I think you understand that given your own legal training."

When Prosecutor Hollis answered Inner City Press' restitution question, she said "on forfeiture, it was my office that looked carefully at it, in our court and in the other international ad hoc courts, you have to tie the asset or property back to what was taken, or the proceeds, we were unable to make that evidentiary link... There is a UN panel of experts on asset freeze since 2000, they have been unable with all the powers the UN has to trace those assets. There are some reparations scheme you don't have to make that link. With us, you had to make that link."

Regarding the transcript or transcripts of what Alternate Judge Malick Sow said, Prosecutor Hollis argued, "you have the word no then the symbol for a missing word, and we don't know what it is."

But is that any way to run a court, or the reading of a judgment like that of Charles Taylor? When might Alternate Judge Malick Sow take questions on this? Watch this site.

Holaciudad

Tuesday, 9 October 2012

La ONU pide más ayuda financiera para el Tribunal Especial para Sierra Leona

La ONU hizo hoy un llamamiento a la comunidad internacional para destinar más ayuda financiera al Tribunal Especial para Sierra Leona, del que elogió su "histórico" trabajo en la persecución de crímenes sexuales y de género.



[La ONU pide más ayuda financiera para el Tribunal Especial para Sierra Leona]

"Resulta esencial que el tribunal tenga los medios para completar su mandato y para documentar y compartir las lecciones aprendidas para reforzar el acceso a la justicia de las mujeres", afirmó ante la prensa la directora general de ONU Mujeres, Michelle Bachelet. EFE/Archivo

La ONU hizo hoy un llamamiento a la comunidad internacional para destinar más ayuda financiera al Tribunal Especial para Sierra Leona, del que elogió su "histórico" trabajo en la persecución de crímenes sexuales y de género.

"Resulta esencial que el tribunal tenga los medios para completar su mandato y para documentar y compartir las lecciones aprendidas para reforzar el acceso a la justicia de las mujeres", afirmó ante la prensa la directora general de ONU Mujeres, Michelle Bachelet.

El TESL ha contribuido a la "paz" y la "reconciliación" de un país "devastado" por la guerra civil, según destacó la también expresidenta chilena, quien hizo un llamamiento a la comunidad de donantes en la comunidad internacional para aportar más fondos para ese tribunal.

"La guerra daña a las mujeres de múltiples formas, de violaciones masivas a desplazamientos, y están en primera línea de conflictos y demandan justicia, lo que incluye una persecución efectiva de los crímenes de guerra", añadió Bachelet.

Precisamente hoy el Consejo de Seguridad de la ONU reiteró en una declaración presidencial su firme apoyo al TESL y alabó los progresos que ha conquistado hasta la fecha para traer "estabilidad" al país africano y ayudar a poner fin a la impunidad en la región.

"Es de vital importancia que se hagan nuevas contribuciones voluntarias para permitir que el Tribunal Especial para Sierra Leona concluya su mandato en los tiempos fijados", indicaron los quince miembros del máximo órgano de seguridad.

Ese tribunal es una instancia independiente establecida en 1996 por la ONU para procesar a los responsables de violaciones graves de las leyes humanitarias internacionales, tales como los crímenes de guerra, durante la guerra civil entre 1991 y 2002.

El pasado 30 de mayo el TESL condenó a cincuenta años de cárcel al expresidente de Liberia Charles Taylor por su complicidad en crímenes de guerra cometidos en Sierra Leona, el primer mandatario africano sentenciado por un tribunal internacional.

La viceministra de Exteriores de Sierra Leona, Ebus Jusu, afirmó hoy ante la prensa en la sede de Naciones Unidas que ese tribunal sigue haciendo frente a "agujeros de financiación" que resultan "críticos" para poder completar su mandato judicial.

Mientras, la fiscal del TESL, Brenda Hollis, que estuvo al frente del caso contra el expresidente Taylor, advirtió que el tribunal no tiene suficiente personal y no puede establecer comunicación con cientos de testigos en un ambiente seguro por falta de fondos.

"Debemos tener en cuenta lo frágiles que serían nuestros logros si no tenemos fe en los pueblos de la región que depositaron su confianza en nosotros", dijo, por su parte, la presidenta del tribunal, Shireen Avis Fisher.

Taylor Prosecutor: War Crimes Court in Liberia ‘Not A Decision For U.S.’ to Make

Written by Rodney D. Sieh, rodney.sieh@frontpageafricaonline.com



Monrovia – The head of the Office of Global Criminal Justice in the U.S. Department of State, Ambassador Steven Rapp says the decision over whether or not a war crimes court should be established in Liberia is not a decision for the United States of America to make but one the Liberian government will have to initiate in order for such court to become a reality.

Addressing heads of select media institutions in Monrovia Tuesday, Ambassador Rapp drew contrast between Liberia and Sierra Leone, who said initiated the discussions for a War Crimes court with the United Nations and the international community.

Said Rapp: “This is not a decision for the United States; not a decision for Steven Rapp who used to be a prosecutor at the Special Court for Sierra Leone; It’s a decision for the people of Liberia.”

“What happened in Sierra Leone let’s not forget is that after the end of the war, their President wrote with strong public support for a special court to be established to be a partnership with Sierra Leone and the United Nations.”

“And the initiative came from the Sierra Leone side and

if there is an initiative from the Liberian side the rest of the world would respond to that and people in Liberia process the consultations on this issue.”

The War Crimes Court in Sierra Leone originated from a June 12, 2000 letter written by President Ahmad Tejan Kabbah to then United Nations Secretary General Kofi Annan asking the international community to try those responsible for crimes during the conflict.

The UN in turn adopted on August 10 2000, a resolution requesting the Secretary-General to start negotiations with the Sierra Leonean government to create a Special Court. On 16 January 2002, the UN and the government of Sierra Leone signed an agreement establishing the court.

Ambassador Rapp said the question of what’s going to happen in the future is in the hands of the Liberian people and the democratic system but the U.S. as a partner of Liberia and strong supporter of its people, will support realistic approaches to achieving accountability and reconciliation in the post-war nation but it is not for the U.S. to decide what those approaches should be.

The U.S. envoy declined to delve into the resignation Monday of Nobel Laureate Leymah Gbowee, who stepped down from the Reconciliation Commission citing President Ellen Johnson-Sirleaf’s failure to curb corruption.

Said Ambassador Rapp: “I’m not familiar with this particular commission. This is not something I am going to comment on. This is a sovereign nation. There are people appointed to positions, there are people who resign them and do it for a variety of reasons and what we want is that good people be appointed and serve and work for reconciliation. There are many people that are interested in that and we’re hoping that the commission can move forward with people that are prepared to work with it.”

The Ambassador recommended for Liberia a process that establishes the truth and recognizes the suffering of the victims which there are hundreds of thousands – dead and alive, experienced during the civil war and one that is focused on allowing people to live together in peace in the future and sends a message that these kinds of crimes, the murder and mutilation of children, the sexual violence and use of child soldiers and all of these acts, people understand is wrong and this is not the way in which you can gain or keep power and in future those kinds of things will not happen again.

Ambassador Rapp said the question of what’s going to happen in the future is in the hands of the Liberian people and the democratic system but the U.S. as a partner of Liberia and strong supporter of its people, will support realistic approaches to achieving accountability and reconciliation in the post-war nation but it is not for the U.S. to decide what those approaches should be.

[/B]The U.S. envoy cautioned that in most parts of the world the establishment of such systems is not done over night.



“These things don’t happen overnight.

There are countries in South America where they are happening more than 30 years after the events occurred.”

"And those process are the ones in which the people in those countries took it upon themselves and seek out advice and participation from people in other countries, not necessarily South America but other countries have gone through the same kinds of things."

"As far as the specific measures I think Liberians should look at what’s worked elsewhere and what would work for them and it is not for me to come up and say it has to be this model or that model.”

Pressed on what time period of the war such a court should stipulate, Ambassador Rapp said Liberians should have to decide.

“These are decisions that you will have to make. In Sierra Leone, the international community made it November 30, 1996 which actually knocked out some of the crimes that happened during the war."

"As prosecutor I like to have it broader so I can have the whole picture in there. On the other hand, you have to have multiple processes. Bad things have happened in all of our countries and if you did established some kind of specialized courts there has to be a timeframe. I know in the case of the TRC, the timeframe began in ‘79 when the violence began and 1980 when Doe came to power. That was the sort of time period but these are the decisions for the people in this country.”

Ambassador Rapp prevailed on Civil Society organizations to work with Liberians to find the best approach on the War Crimes issue. “I’ve met with civil society organizations and my advice to them is to

consult with their fellow Liberians to use the democratic process to press those ideas forward and the ones that make sense, and have those ideas factor in decisions in terms of the way forward."

"This country has already had a Truth and Reconciliation Commission and another step could be taken but we do support a process of the establishment of the truth and that would contribute to future peace and reconciliation."

Ambassador Rapp was appointed by President Obama, confirmed by the Senate, and assumed his duties on September 8, 2009. Prior to his appointment, Ambassador Rapp served as Prosecutor of the Special Court for Sierra Leone beginning in January 2007, responsible for leading the prosecutions of former Liberian President Charles Taylor and other persons alleged to bear the greatest responsibility for the atrocities committed during the civil war in Sierra Leone.

During his tenure in Sierra Leone, his office won the first convictions in history for recruitment and use of child soldiers and for sexual slavery and forced marriage as crimes under international humanitarian law.

From 2001 to 2007, Mr. Rapp served as Senior Trial Attorney and Chief of Prosecutions at the International Criminal Tribunal for Rwanda, personally heading the trial team that achieved convictions of the principals of RTLM radio and Kangura newspaper—the first in history for leaders of the mass media for the crime of direct and public incitement to commit genocide.

Mr. Rapp was United States Attorney in the Northern District of Iowa from 1993 to 2001, where his office won historic convictions under the firearms provision of the Violence Against Women Act and the serious violent offender provision of the 1994 Crime Act. Prior to his tenure as U.S. Attorney, he worked as an attorney in private practice and served as Staff Director of the U.S. Senate Judiciary Subcommittee on Juvenile Delinquency and as an elected member of the Iowa Legislature.

He received his BA degree from Harvard College in 1971. He attended Columbia and Drake Law Schools and received his JD degree from Drake in 1974.

Yes to War Crimes Court for Liberia: US Envoy Suggestion is on Point

Written by FPA Editorial Team



Liberia Must Send a Message to Those Who inflicted Harm, maimed and killed innocent Liberians That Their Actions Have Repercussions.

AMBASSADOR STEVEN RAPP, recently appointed by U.S. President Barack Obama as the head of the Office of Global Criminal Justice in the U.S. Department of State struck a chord Tuesday when he declared that the decision on whether or not Liberia should established a war crimes court must be left to Liberians to decide.

AMBASSADOR RAPP was speaking when he held a lunch session with the heads of selected media institutions in Monrovia Tuesday, Ambassador Rapp drew contrast between Liberia and Sierra Leone, who said initiated the discussions for a War Crimes court with the United Nations and the international community.

AMBASSADOR RAPP noted: “This is not a decision for the United States; not a decision for Steven Rapp who used to be a prosecutor at the Special Court for Sierra Leone; It’s a decision for the people of Liberia. What happened in Sierra Leone let’s not forget is that after the end of the war, their President wrote with strong public support for a special court to be established to be a partnership with Sierra Leone and the United Nations. And the initiative came from the Sierra Leone side and if there is an initiative from the Liberian side the rest of the world would respond to that and people in Liberia process the consultations on this issue.”

THE WAR CRIMES COURT in Sierra Leone originated from a June 12, 2000 letter written by President Ahmad Tejan Kabbah to then United Nations Secretary General Kofi Annan asking the international community to try those responsible for crimes during the conflict. The UN in turn adopted on August 10 2000, a resolution requesting the Secretary-General to start negotiations with the Sierra Leonean government to create a Special Court. On 16 January 2002, the UN and the government of Sierra Leone signed an agreement establishing the court.

WE AGREE WITH Ambassador Rapp that a clear message needs to be sent to those who inflicted harm, maimed and killed innocent Liberians that there are repercussions and consequences for their actions.

WE APPLAUD also Ambassador Rapp’s recommendation that Liberia explores the process of a system that establishes the truth and recognizes the suffering of the victims which there are hundreds of thousands – dead and alive, experienced during the civil war and one that is focused on allowing people to live together in peace in the future and sends a message that these kinds of crimes, the murder and mutilation of children, the sexual violence and use of child soldiers and all of these acts, people understand is wrong and this is not the way in which you can gain or keep power and in future those kinds of things will not happen again.

WE HOPE THAT Civil Society and other advocacy groups will take a cue from Ambassador Rapp and begin drawing inputs and suggestions from Liberians across the board in a bid to come up with ideas that makes sense and could pave the way for Liberia to once and for all turn the corner and complete its transition from war to peace.

TODAY, THERE are still a number of intolerant Liberians advocating for a return to war simply because they are unhappy with the government of the day or because their voices are not being heard.

WHILE IT IS TRUE that everything is not right with Liberia today. War is not the answer to our problem and the establishment of a war crimes court to hold accountable those who inflicted harm to innocent Liberians in the past, will send a strong and clear message to those pondering war and preaching violence that there are consequences and they will pay.

LIBERIA RISK a return to conflict if we fail to put our house in order. We can begin by ensuring that those who played a major role in the killing of innocent people pay for the pains and hardships those families, friends and loved ones are going through today.

A WAR CRIMES court may not answer all the questions but it could lay a lot of broken hearts to rest and bring closure to families still hurting from the painful era of the civil war.

LIST OF SPEAKERS – TUESDAY, 9 OCTOBER 2012

“The situation in Sierra Leone”

1. INDIA – His Excellency Mr. E. Ahamed, Minister of State for External Affairs
2. UNITED KINGDOM
3. GERMANY
4. TOGO
5. PAKISTAN
6. SOUTH AFRICA
7. RUSSIAN FEDERATION
8. COLOMBIA
9. AZERBAIJAN
10. MOROCCO
11. FRANCE
12. UNITED STATES
13. CHINA
14. PORTUGAL
15. GUATEMALA (PRESIDENT)



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

245 East 49th Street • New York, NY 10017

STATEMENT

by

H. E. MRS. EBUN A. JUSU
Deputy Minister for Foreign Affairs & International Cooperation
of the Republic of Sierra Leone

at the

SECURITY COUNCIL

on

BRIEFINGS ON THE SPECIAL COURT FOR SIERRA LEONE

New York, 9th October 2012

Check Against Delivery

Mr. President,

At the outset, allow me, taking the floor for the first time, to congratulate you for assuming the Presidency of the Security Council for the month of October and to wish you full success during your tenure. Accept also our thanks and appreciation for the inclusion in the Security Council's program of work, the briefing on the Special Court for Sierra Leone (SCSL)

I would also like to thank the Secretary-General for his unwavering support to the work of the Special Court for Sierra Leone and in backing the Court's efforts in carrying out its mandate.

We commend the President of the Court and Prosecutor for the comprehensive briefings to Council on the operations of the Court during the period under review, and also for the Court's relentless efforts in implementing its mandate in accordance with Security Council Resolution 1315 of 14 August 2000, including the Agreement between the United Nations and the Government of Sierra Leone signed on 16th January 2002.

We accordingly welcome the new completion strategy adopted by the Management Committee of the Court, and wish to underscore the various challenges outlined in the strategy, in particular, the perennial funding gap for the completion of the Court's mandate and its residual tasks.

Mr. President,

The Special Court represents an effective partnership between the government and people of Sierra Leone and the United Nations to promote justice and fight impunity for heinous crimes committed in Sierra Leone during the civil war. As the first hybrid tribunal created to assist a State to address impunity for crimes against humanity, the Special Court has made unprecedented contributions to gender justice and laid the foundation in international criminal jurisprudence for acts of forced marriage, sexual violence, sexual slavery and the recruitment and use of child soldiers during the conflict as punishable. It has also successfully established that wanton attacks on United Nations peacekeepers are proscribed and perpetrators liable to prosecution.

Furthermore, the Special Court's jurisprudence underscores the importance of understanding gender-related traumas from the point of view of those who experienced them, and their suffering within local cultural contexts. It also made critical contribution to national reconciliation efforts and to the restoration and maintenance of international peace and security in the sub-region. Taking all this into consideration, it cannot be gainsaid that the Special Court has successfully delivered on the goals set for it by the Government of Sierra Leone and the United Nations. Indeed the tribunal has proven to be equal to the task as evidenced in its landmark judgments and contributions to the rule of law at both the national and international levels and as an important adjunct to our peacebuilding initiatives.

Mr. President,

Despite these special and compelling accolades, it is a matter of common knowledge that the Court continues to face crucial funding gaps very critical to the completion of its judicial mandate and its residual mechanism. We wish to express much appreciation and gratitude for the support of member states to the Court through voluntary contributions as well as the United Nations for its life saving subventions, and to underscore the need for the United Nations and the international community to continue supporting the Court to complete its good work.

Needless to say that the successful completion of the Court's mandate would send a powerful message that the international community strongly supports institutions established to hold accountable those responsible for war crimes, and in so doing, deter or minimise the perpetration of such atrocities in the future. We therefore, count on member states and the international community to continue to support the Court to complete its work and help facilitate its effective transition to the Residual Special Court immediately upon completion.

Mr. President,

To conclude, Sierra Leone underscores the importance of the Special Court in fighting impunity for war crimes, crimes against humanity, and other serious violations of International Humanitarian Law, and in contributing to peace and stability in Sierra Leone and the sub-region. Some notable and recognizable milestone attained by the court so far would include victory for more than the hundreds of former child soldiers and adoptees who had the letters 'RUF' carved or engraved with hot iron onto their backs and chests to prevent them escaping; victory for victims of sexual violence; and victory for human right and democracy. However, the victory so well acclaimed will be incomplete if want of adequate resources and financial impediments choke the tribunal from fairly and fully completing its mandate and its residual task to their logical conclusions. We therefore count on Council to spare no efforts to avoid such an undesirable scenario and to launch appropriate mechanisms to provide the much needed relief and assistance to the Court for its continued survival.



INDIA
भारत

Please check against delivery

Statement

by

H.E. Mr. E. Ahamed,

Minister of State for External Affairs of India,

in the Security Council Meeting on

Sierra Leone

New York

09 October 2012

Thank you, Mr. President.

Let me begin by thanking the Guatemalan delegation for organizing today's briefing on the special court for Sierra Leone. Having started my career as an advocate, the topic under discussion is of special interest to me.

2. I would also like to thank the President of the Special Court, Hon. Justice Shireen Avis Fisher, for presenting the report on the activities and achievements of the Court since the last briefing to the Security Council on 16 July 2009.

3. Mr. President, the Special Court was established in the year 2000 by Security Council resolution 1315 at the request of the Government of Sierra Leone. Since its establishment, the Court has successfully carried out its mandate set out in the Statute of the Court. Three of the four main cases have been completed, and the last case is in the final stages of judgment at the Appeals Chamber.

4. Keeping in view its track record, we hope that the Special Court would successfully accomplish its mandate by 30 September 2013 when the Appeals Chamber is expected to give its verdict in the Charles Taylor case. We appreciate the efforts of the United Nations and the international community to assist States, upon their request, in restoring peace and stability, including through the fight against impunity.

5. Mr. President, the enforcement of sentences with the assistance of the Government of Rwanda is a good example of international cooperation in furthering the cause of justice. We have also taken note of the Court's outreach activities, witness protection, and archive development programme, including through capacity building initiatives that will strengthen national judicial institutions in Sierra Leone. We also appreciate the creation of a Peace Museum that would contribute to the efforts aimed at national reconciliation in the country.

6. As the Special Court prepares for closure, focusing on residual issues such as enforcement of sentences, protection of witnesses, and preservation of archives of the Special Court assume great importance. In this regard, there is a need to continue support to the Special Court as well as to the Residual Special Court.

7. Mr. President, India has a long history of cordial relationship with Sierra Leone. India played a major role in the UN Assistance Mission in Sierra Leone (UNAMSIL) till 2001. Since then, India has continued to partner with the Government of Sierra Leone in its reconstruction efforts. India has extended loans and credit lines worth US\$ 94.45 million during the last few years to enable Sierra Leone procure agricultural equipment, and modernize and expand its National Telecommunications Network (SIERRATEL). Our partnership has included the restoration and rehabilitation of six potable water and solar street lighting projects. As part of our bilateral cooperation programme, India is providing 45 training slots to Sierra Leone this year. India has also offered to set up an India-Africa Information and Communication Technology Centre in Sierra Leone.

8. Before I conclude, Mr. President, let me convey our best wishes to the Government and people of Sierra Leone as they prepare for national elections next month. The successful conduct of the elections will be a major milestone in post-conflict peacebuilding in Sierra Leone, which should help in the process of national reconciliation and further consolidation of democracy in the country. India remains committed to continue its partnership with the Government of Sierra Leone, particularly in capacity building and human resources development.

I thank you.

* * * * *

UNITED KINGDOM STATEMENT TO THE SECURITY COUNCIL

**BRIEFING BY THE PRESIDENT AND PROSECUTOR OF THE
SPECIAL COURT FOR SIERRA LEONE**

9 October 2012, 10am

Ambassador Michael Tatham

As delivered

Mr President,

In September 2000, with the adoption of resolution 1315, the Council demonstrated its commitment to the fight against impunity and the restoration of peace and security in Sierra Leone. Given its deep concern that serious violations of international humanitarian law had been committed in Sierra Leone, the Council was determined to bring those responsible to account in accordance with international standards of justice, fairness and due process of law. The Council requested the Secretary-General to work with the Government of Sierra Leone to establish an independent special court to prosecute those persons bearing the greatest responsibility for the commission of those crimes, including those leaders who threatened the peace process in Sierra Leone.

Today, as we have heard from the President and the Prosecutor of the Special Court for Sierra Leone, that vital task is almost complete. The United Kingdom congratulates the Special Court for its significant achievements, and we thank the President and Prosecutor for their briefings. We are also grateful to Guatemala for convening this meeting during its Presidency. Like you, Mr President, the United Kingdom believes it is important and timely to take stock

of the progress made by the Special Court – to acknowledge how much it has achieved and to better understand the tasks that remain.

The United Kingdom looks forward to September 2013, when the Special Court is due to become the first modern war crimes tribunal to successfully complete its mandate. We do not underestimate the complexity and significance of the appellate proceedings in the case against Charles Taylor.

The United Kingdom strongly believes that the completion of the trial of Charles Taylor by the Special Court was a landmark for international justice. As the Foreign Secretary of the United Kingdom said at the time, the trial proceedings played an important role in helping the people of Sierra Leone come to terms with the past and consolidate national reconciliation. And it is heartening to hear from the President of the Special Court that the people of Sierra Leone and Liberia feel so strongly that the Special Court has contributed to bringing peace in their countries. The Special Court's prosecution of Charles Taylor sends a strong message that the international community will not allow serious crimes to be committed with impunity. And it signals that the reach of international justice is long and patient.

Since its inception in 2002, the United Kingdom has been a leading supporter of the Special Court. UK funding has reached approximately \$44 million and accounts for some 20 percent of the Court's voluntary contributions to date. This includes a contribution of almost \$1 million in March this year. And we re-affirm our commitment to imprison Charles Taylor in the United Kingdom, if the Appeals Chamber upholds his conviction and if the President asks us to do

so. Our support for the Special Court will remain strong long after the Taylor appeal and the high profile work of the Special Court has come to an end.

But the achievements of the Special Court do not begin and end with Charles Taylor in The Hague. The United Kingdom commends the Special Court in Freetown for successfully completing three important trials of eight former rebel leaders and for conducting five contempt proceedings.

Furthermore, the Special Court's invaluable role in building the capacity of the Sierra Leonean legal system will certainly be a lasting legacy. So will the Special Court's vital outreach programmes which have made its work accessible to many people in Sierra Leone and Liberia, contributing to reconciliation and raising awareness of important issues such as child soldiers and sexual violence in armed conflict. We welcome the way in which the Court has developed gender sensitive approaches to witness support and outreach in partnership with local women's organisations and resources.

But the United Kingdom cannot fail to acknowledge the Special Court's serious and challenging financial circumstances. Funding shortfalls risk the completion of appellate proceedings in the Taylor case. Funds are needed urgently. Longer-term, the Residual Special Court requires secure and sustainable funding in order to continue to protect witnesses, manage the detention of those convicted and protect the archives. The UK is considering all funding options for the Special Court and the Residual Special Court and we urge other members of the Council, and indeed all Member States, to do so as well.

Mr President, the United Kingdom applauds the Special Court for its ground breaking achievements. We remain ready to support the Special Court as it completes its mandate and in order to ensure its legacy is preserved.

Togo

Exposé sur la situation en Sierra Leone:

La Cour spéciale pour la Sierra Leone

Déclaration de S.E.M. l'Ambassadeur Kodjo Menan,
Représentant Permanent du Togo auprès des Nations Unies

Monsieur le Président,

Je remercie le Président, Shireen Avis Fisher, et la Procureure, Brenda Hollis pour leurs présentations très édifiantes sur les résultats, les réalisations en cours et les projections pour la stratégie d'achèvement de la Cour spéciale pour la Sierra Leone ainsi que pour le lancement de la Cour spéciale résiduelle.

Nous nous félicitons de ce que la Cour spéciale pour la Sierra Leone ait pu surmonter, au moins deux caractéristiques qui pouvaient être considérées comme des tares de manière à susciter des réserves sur sa capacité à exécuter, à satisfaction, le mandat qui lui était dévolu.

D'une part, les incertitudes liées au financement de cette juridiction hybride ou internationalisée sur la base d'un accord entre les Nations Unies et le Gouvernement sierra léonais, contrairement aux deux tribunaux ad hoc pour le Rwanda et pour l'ex-Yougoslavie, qui en tant qu'organes subsidiaires du Conseil de sécurité des Nations Unies, bénéficient d'une garantie de financement par les Nations Unies.

D'autre part, c'est aussi la première fois qu'une telle juridiction est implantée sur le territoire du pays qui a été le théâtre des actes passibles de poursuite, dont la

dose de traumatisme et de ressentiments sociopolitiques et le risque d'insécurité qui pouvaient en résulter étaient de nature à compromettre la bonne exécution du mandat de la juridiction.

En dépit de ces particularités ayant prévalu à sa création, la preuve est aujourd'hui faite que la Cour spéciale a, remarquablement, contribué au renforcement de la stabilité de la Sierra Leone ainsi que de la sous-région ouest africaine, en œuvrant à mettre fin à la culture de l'impunité. Il est même reconnu que cette Cour a favorisé une avancée inespérée de la justice pénale internationale et un enrichissement notable du droit pénal international.

A cet égard, le Togo se félicite du travail de la Cour spéciale qui a permis de conclure de nombreuses affaires clés, auxquelles s'ajoutent l'affaire Charles Taylor actuellement en instance d'appel et prévue pour être close au 30 septembre 2013.

Il va sans dire que des éléments de la jurisprudence de la Cour spéciale continueront à alimenter les débats enrichissants en vue du progrès de la justice pénale aux plans national et international sur des questions telles que le mariage forcé comme crime contre l'humanité, les violences sexuelles en temps de guerre comme terrorisme, pour ne citer que ces exemples là.

En outre, ma délégation se réjouit que la Cour spéciale ait réussi à relever un des plus grands défis des juridictions de son genre en concluant avec le gouvernement du Rwanda un accord garantissant l'exécution des peines qu'elle aura infligées aux personnes reconnues coupables.

Par ailleurs, ma délégation estime que les engagements que la Cour spéciale a pris pour assurer la pérennité de ses réalisations, dans le cadre de la lutte contre l'impunité, à travers la conservation de ses archives ainsi que la sensibilisation, et la divulgation de ses résultats constituent des avancées notables.

Le Togo soutient particulièrement la dimension de travail de mémoire que la Cour spéciale donne à son mandat à travers la création de Musées et de mausolées pour créer et figer des images en vue de l'instruction de la conscience collective pour que ces faits ne se répètent plus jamais.

Toutefois, étant donné que la magie des images peut toujours surprendre et produire un résultat opposé à celui souhaité, ma délégation souhaite que la Cour prenne les mesures en vue d'accompagner ces images de la démarche pédagogique requise pour anéantir leurs effets pervers qui pourraient plutôt inspirer et inciter d'aucuns à rééditer ces atrocités.

Monsieur le Président,

Comme dans le cas des deux tribunaux pour le Rwanda et pour l'ex-Yougoslavie, la stratégie d'achèvement de la Cour spéciale ne devrait, en aucune manière, signifier ni la porte ouverte à des procès expéditifs, ni l'impunité. Nous nous réjouissons du fait que le travail de la Cour spéciale pour la Sierra Leone devra se prolonger, après sa fermeture, par la mise en œuvre du mandat de la Cour spéciale résiduelle pour continuer la lutte contre l'impunité, traduire en justice les accusés encore fugitifs, assurer l'exécution des peines et promouvoir la protection des témoins etc.

Il importe donc que la Cour spéciale travaille, sans relâche et avec le même pragmatisme, pour respecter les délais et les projections visant à l'achèvement du travail et la clôture des dossiers qui sont encore pendants.

Ma délégation reste convaincue que si les succès enregistrés par de la Cour spéciale ont été essentiellement rendus possibles grâce à la coopération agissante des Etats, cette coopération est aussi indispensable, non seulement en cette phase critique où elle s'apprête à achever son mandat, mais aussi pour assurer le démarrage et la réussite de la Cour spéciale résiduelle.

C'est pourquoi le Togo lance un appel à tous les Etats en vue de continuer à coopérer avec la Cour spéciale et de contribuer à son budget, d'une part et d'étendre les mêmes soutiens, en matière de coopération et de contribution financière, à la Cour spéciale résiduelle d'autre part.

Je vous remercie.

**Постоянное представительство
Российской Федерации
при Организации
Объединенных Наций**

*Phone: (212) 861 4900
Fax: (212) 628 0252*



**Permanent Mission
of the Russian Federation
to the United Nations**

*136 East 67th Street
New York, NY 10065*

Check against delivery

ВЫСТУПЛЕНИЕ

**Заместителя Постоянного представителя Российской Федерации
при ООН С.Н.Карева на заседании Совета Безопасности ООН
в связи с брифингом Специального Суда по Сьерра-Леоне**

9 октября 2012 года

Г-н Председатель,

Хотели бы поблагодарить Председателя Специального Суда по Сьерра-Леоне за доклад о деятельности этого органа за период начиная с 16 июля 2009 года.

Сегодняшний брифинг имеет особое значение. Он по сути подводит итоги работы Спецсуда.

По плану Спецсуд закроется 30 сентября 2013 года, после чего заработает компактный Остаточный механизм. Опыт перевода международных судебных механизмов в режим остаточной компетенции уже имеется. Как известно, в июле этого года открылось руандийское отделение Остаточного механизма для Югославского и Руандийского трибуналов (МТБЮ/МТР). Учитывая эффективную работу Спецсуда по Сьерре-Леоне по сворачиванию своей деятельности, надеемся, что он сможет избежать тех проблем, с которыми столкнулись эти трибуналы.

Отмечаем высокий темп, который поддерживает Спецсуд в своем судопроизводстве, включая последнее дело Чарльза Тейлора. Особенно показательны приведенные в докладе данные о том, что его Апелляционная палата ни разу не вышла за намеченные временные рамки рассмотрения дел. Это хороший пример для тех трибуналов, которые постоянно нарушают графики судопроизводств, мотивируя это тем, что точно предсказать сроки судебной деятельности, дескать, невозможно.

В целом, итоги работы Спецсуда следует признать позитивными. Он внес значительный вклад в развитие международного уголовного правосудия. Будучи первым подобным гибридным трибуналом, включающим международные и национальные элементы, созданным в пост-конфликтной фазе, он способствовал укреплению верховенства права как на международном, так и на национальном уровнях.

Благодарю Вас, г-н Председатель.

COLOMBIA



Consejo de Seguridad de las Naciones Unidas

**INTERVENCION DEL REPRESENTANTE PERMANENTE DE COLOMBIA,
EMBAJADOR NESTOR OSORIO**

Tema

Presentación sobre la Corte Especial para Sierra Leona

Nueva York, 9 de octubre 2012

-Cotejar con texto leído-

United Nations Security Council

**STATEMENT BY THE PERMANENT REPRESENTATIVE OF COLOMBIA,
AMBASSADOR NESTOR OSORIO**

Item

Briefing on the Special Court for Sierra Leone

New York, 9 October 2012

-Check against delivery-

Señor Presidente,

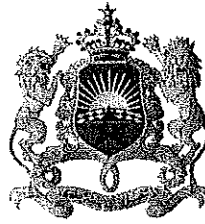
En forma muy breve, mi delegación quiere sumarse a quienes han expresado sus agradecimientos al Presidente de la Corte Especial para Sierra Leona por su presentación.

Creemos que esta es una oportunidad adecuada para reiterar el firme respaldo de los miembros del Consejo de Seguridad a la Corte Especial y expresar su aprecio y reconocimiento por los avances logrados hasta la fecha, el más visible de los cuales puede ser el procesamiento y condena de Charles Taylor, que representa un verdadero hito en el campo de la puesta en vigor del principio de la responsabilidad penal individual en el derecho internacional.

A través de su trabajo la Corte Especial ha hecho una importante contribución al desarrollo de la justicia penal internacional y ha generado así mismo un positivo impacto en el plano doméstico, no solamente en Sierra Leona sino también en Liberia. En relación con este último aspecto, creemos que las actividades de difusión y promoción de su labor que se han adelantado son fundamentales ya que constituyen la mejor manera de asegurar un efecto directo y positivo sobre el estado de derecho y la gobernabilidad en dichos países y en la región a la que pertenecen.

Finalmente, deseo destacar que la Corte Especial también ha sido muy activa en la ejecución de su Estrategia de Culminación. En este contexto, damos la bienvenida a la firma del Acuerdo entre las Naciones Unidas y el Gobierno de Sierra Leona sobre el Establecimiento de una Corte Residual para Sierra Leona. Hacemos un llamado a los Estados y organizaciones internacionales que estén en capacidad de brindar apoyo financiero para la implementación de este instrumento a que lo hagan, ya que sin dicho apoyo la estrategia de culminación tropezaría con serias dificultades.

Muchas gracias.



*Check against
delivery*

**Mission Permanente du Royaume du Maroc
auprès des Nations Unies**

**Déclaration
de
M. Mohammed LOULICHKI
L'Ambassadeur Représentant Permanent**

Briefing sur : le Tribunal spécial pour la Sierra Leone

9 octobre 2012

seul le discours prononcé fait foi

Monsieur le Président,

Je voudrais remercier le Président et le Procureur du Tribunal spécial pour la Sierra Leone pour leurs exposés. Ce débat est une occasion qui nous est offerte pour exprimer notre reconnaissance du dévouement de nombreux hommes et femmes, dont un grand nombre de sierra-léonais, qui ont œuvré pour que le Tribunal spécial s'acquitte de son mandat avec succès. Je voudrais également saluer la participation de S.E Madame Ebun Jus, Vice-ministre des Affaires Etrangères et de la Coopération internationale de la Sierra Leone et de lui réaffirmer la solidarité agissante du Maroc et son engagement à accompagner son pays frère dans ses efforts pour consolider la paix et assurer une transition vers le développement et de prospérité.

Nous nous félicitons que depuis l'entrée en fonction du Tribunal, en 2002, beaucoup a été accompli. Le Conseil de Sécurité a eu l'occasion d'exprimer, en avril dernier, sa satisfaction suite au verdict rendu par le Tribunal spécial dans le procès de M. Taylor et de souligner l'importance que revêt ce verdict pour les victimes des crimes commis en Sierra Leone et tous ceux qui ont souffert pendant le conflit passé. Nous avons pris note avec satisfaction que le jugement définitif concernant M. Taylor est prévu avant le 30 Septembre 2012.

Ce verdict hautement symbolique a été précédé, faut-il le rappeler, de l'accomplissement de deux autres affaires impliquant les chefs des "Forces de défense civile" et du "Conseil des Forces armées révolutionnaires". De même, une affaire d'outrage à la Cour a été récemment jugée et deux autres cas du même genre sont en cours de jugement.

Au-delà des cas particuliers, nous restons convaincus que l'importance du Tribunal spécial pour la Sierra Leone, dépasse l'objectif de l'achèvement de ses procédures judiciaires. En effet, le Tribunal a contribué au rétablissement et la consolidation de la paix en Sierra Leone et dans la sous-région. Le Tribunal a contribué également aux efforts déployés en Sierra Leone pour restaurer l'état de droit et pour mettre fin à l'impunité. De même, le Tribunal spécial pour la Sierra Leone représente le succès d'un modèle innovant de justice internationale mixte, basée sur la complémentarité et l'appropriation nationale.

Nous nous réjouissons que le Conseil s'apprête à manifester son appui au rôle joué par le Tribunal spécial en Sierra Leone, à travers une déclaration présidentielle que nous soutenons.

Monsieur le Président,

Nous avons pris note avec satisfaction des efforts consentis et des progrès réalisés par le Tribunal spécial pour la mise en œuvre de sa stratégie d'achèvement de ses travaux et préparer une transition fluide et harmonieuse vers à "Tribunal spécial résiduel", immédiatement après l'accomplissement de son mandat annoncé avant le 30 Septembre 2013.

Toute en se félicitant de l'accord conclu à ce sujet entre le gouvernement sierra-léonais et les Nations Unies, il est important de maintenir le même niveau de soutien politique et d'assurer des ressources suffisantes pour faire face aux nombreux défis propres à cette phase critique, particulièrement la protection des témoins, l'exécution des peines, la préservation des archives, la protection de l'héritage physique et juridique et la création et le renforcement des capacités dans le système judiciaire local.

Il est admis par tous que l'une des plus grandes réussites du Tribunal spécial réside dans sa capacité à faire participer tous les acteurs de la société sierra-léonaise et dans son travail d'information et de sensibilisation qui a bénéficié au grand public en Sierra Leone et dans les pays voisins.

Nous nous félicitons que ces activités de sensibilisation et de mémoire se poursuivront à l'avenir avec des programmes impliquant le gouvernement sierra-léonais, les Nations Unies et les acteurs locaux. A cet égard, nous nous réjouissons d'apprendre que le projet du "Musée de la paix" sera bientôt achevé pour contribuer à la préservation de la mémoire collective et à honorer les victimes du conflit passé.

Monsieur Le Président

Les progrès accomplis sur le chemin de la paix, de la justice et de la réconciliation sont tous à l'honneur du peuple sierra-léonais qui s'est approprié sa destinée avec le soutien de la Communauté internationale.

Il est important, donc, pour la Communauté internationale de demeurer aux côtés de la Sierra Léone pour qu'elle puisse surmonter l'ensemble des défis auxquels elle continue de faire face, notamment le renforcement des institutions démocratiques et la consolidation du développement économique.

Mon pays, qui demeure engagé auprès de la Sierra Léone dans de multiples domaines, reste confiant en la capacité des autorités sierra léonaises de tourner définitivement la page des années de conflit et de continuer à progresser avec sérénité dans la phase du développement et de la prospérité.



MISSION PERMANENTE DE LA FRANCE AUPRES DES NATIONS UNIES

Conseil de Sécurité

Rapport du Tribunal Spécial pour la Sierra Leone

**Intervention prononcée par M. Martin BRIENS
Représentant permanent adjoint de la France
auprès des Nations Unies**

(New York, le 9 octobre 2012)

Vérifier au prononcé

Monsieur le Président,

Je remercie tout d'abord Madame le Juge Fisher, Présidente du Tribunal, le Procureur, pour leur présentation et plus généralement toute l'équipe du Tribunal spécial pour la Sierra Leone, du travail accompli. La France soutient pleinement la Déclaration présidentielle qu'a préparée le Royaume Uni pour saluer l'œuvre du Tribunal.

La gravité des crimes commis au cours de la guerre civile exigeait une réponse à la hauteur des violations perpétrées. C'est pourquoi la France a apporté, depuis sa création en 2002, son plein soutien politique à l'action de cette juridiction pénale, établie conjointement par le gouvernement de Sierra Leone et par les Nations Unies.

Vous nous l'avez annoncé : le Tribunal terminera ses travaux en septembre 2013.

Son héritage est immense : l'inculpation d'un chef d'Etat alors qu'il était encore en exercice, et l'arrestation de Charles Taylor à un moment que beaucoup jugeaient "inopportun" ont démontré qu'en réalité les arrestations de ceux qui massacrent les civils pour accéder ou rester au pouvoir sont possibles et utiles ; elles servent la paix et la justice. C'est une leçon à méditer, pour d'autres cas, dont Bosco Ntaganda en RDC, hier pilier du CNDP, aujourd'hui suppôt du M.23.

Parmi les décisions historiques du Tribunal, nous retenons bien sûr le Jugement concernant M. Charles Taylor, le 30 mai 2012, sur lequel le Conseil de sécurité s'était exprimé.

Nous saluons sa jurisprudence sur des thèmes sensibles - je pense notamment au recrutement d'enfants soldats, mais aussi aux mariages forcés -

La capacité du Tribunal à transférer ses activités au Mécanisme résiduel, et aux juridictions nationales, aura également valeur d'exemple pour les autres Tribunaux ad hoc. Nous avons noté le souci particulier que vous avez d'assurer dans la durée la protection des témoins. C'est une préoccupation prioritaire pour l'ensemble des juridictions pénales internationales.

Enfin, il faut relever l'évaluation, financée par l'Union européenne, que vous décrivez dans ce rapport, et qui souligne que plus de 75 pour cent des citoyens de Sierra Leone, et du Libéria, pensent que le Tribunal a fait progresser la justice. Ils sont plus nombreux encore à penser que ce Tribunal a servi la paix. Ce sont des chiffres qu'il faudra garder à l'esprit lorsque nous tiendrons, dans quelques jours, notre débat sur la justice internationale : lorsque ce Conseil de sécurité donne ses chances à la justice, en allant jusqu'au bout et en s'assurant du plein respect de ses résolutions, la justice à son tour peut servir la stabilité.

Aujourd'hui, nous avons mis en place un système permanent de justice, avec la Cour Pénale Internationale, qui peut être saisie par ce Conseil, en vertu du Chapitre VII de la Charte à tout moment et sur toute situation. Cela rend obsolète désormais la création de nouvelles juridictions ad hoc dans les domaines de compétence de la CPI, crimes de guerre, crimes contre l'humanité et génocide.

Monsieur le Président,

La naissance et l'activité du Tribunal a aussi illustré l'imbrication parfois tragique de l'histoire de pays voisins, le Libéria et la Sierra Leone, et la façon dont la fragilité des uns affecte les autres. Mais aussi la façon dont les Nations Unies peuvent contribuer, par des stratégies intégrées, à la sortie de crise. Le Conseil de sécurité a notamment mesuré, lors de sa visite en Sierra Leone en mai dernier, les progrès réalisés : organisation des élections en Novembre; contrôle démocratique ; non ingérence de l'armée, succès de la démobilisation, croissance économique. Nul doute que le Tribunal, au delà de ses décisions judiciaires, a aussi contribué à cette évolution.

Je vous remercie.

Rappelons nous que le tribunal spécial était gardé, en Sierra Leone, par un contingent faisant partie de la MINUL.

Je vous remercie.

**Remarks by Ambassador Jeffrey DeLaurentis, U.S.
Alternate Representative of the United States for Special
Political Affairs in the United Nations, at Security
Council Briefing on Sierra Leone, October 9, 2012**

Jeffrey DeLaurentis

United States Ambassador and Alternate Representative for Special Political Affairs

U.S. Mission to the United Nations

New York, NY

October 9, 2012

AS DELIVERED

Thank you, Mr. President. I would like to welcome to the Council today the President of the Special Court for Sierra Leone, Shireen Fisher, and the Prosecutor, Brenda Hollis, as well as the Court's Registrar, Binta Mansaray, and the Head of the Defense Office, Claire Hanciles. Thank you for the briefings and congratulations to you and your staffs for the significant achievements of the Special Court to date. We are grateful for your dedication and commitment to the pursuit of justice. I would also like to thank Guatemala for scheduling this briefing today, and to welcome the Deputy Minister for Foreign Affairs and International Cooperation of Sierra Leone to the Council.

Today's briefings come at a pivotal juncture as the Special Court moves toward the end of the final phase of its mandate: the extensive appeals process in the Charles Taylor case. The Special Court has been instrumental in contributing to peace and stability in Sierra Leone. By creating a transparent and independent judicial process, the Court has brought justice and provided accountability for the people of Sierra Leone and helped them move on from a painful chapter in their history and that of the region. The Special Court, moreover, has broken new ground in the field of international criminal law, including through its jurisprudence on the use of child soldiers and its recognition that sexual slavery can be a war crime and crime against humanity. It has also shown a powerful commitment to gender issues and to combating gender-based violence, which we particularly appreciate as we mark the 12th Anniversary of Security Council Resolution 1325 on women, peace, and security this month.

Though the trial proceedings in the Charles Taylor case have finished, the work of the Court is not yet done. And so we welcome finalization of the Agreement between the United Nations and the Government of Sierra Leone on the

establishment of a residual court that will come into existence after the conclusion of the appeals process. Its important responsibilities will include witness protection, investigations and trials for contempt, oversight of prisoners, and handling of archives.

The United States was instrumental in the establishment of the Special Court for Sierra Leone. We have appreciated the opportunity to serve on the Special Court's Management Committee and commend the work of the Committee's Canadian chair and UK co-chair. And we are proud to have been the Court's largest financial supporter, contributing over \$83 million since its inception, including a recent \$2 million disbursement for fiscal year 2012.

Given these contributions, we especially appreciate the efforts of President Fisher and Registrar Mansaray to reduce costs and improve efficiency in the Special Court's operations and to lay the groundwork for an efficient and successful Residual Special Court. The United States welcomes the broad financial support that the Court has enjoyed so far. This must continue for the Court to complete its critical mandate. President Fisher has reported a projected budget shortfall of \$15 million dollars to conclude the Court's work. The United States will endeavor to contribute towards closing that gap and urges continued support from the international community to both the Court and the Residual Special Court so that justice is served, impunity is not tolerated, and Sierra Leone and the region can move forward in peace and security.

The Government of Sierra Leone has been a strong and committed partner of the Court, and we fully support the Court's efforts to transfer its institutional knowledge to Sierra Leone authorities. It is important to the country's ongoing democratic development that all lessons of the past be fully absorbed. The Special Court has much to offer in this regard. After the Court completes its mandate, the international community will of course continue its support for peacebuilding and long-term socio-economic development in Sierra Leone.

Mr. President, the Special Court has built a powerful legacy of fighting against impunity and working to bring justice to the people of Sierra Leone. The United States looks forward to the successful completion of the Court's work and the smooth transition to the Residual Special Court.

Thank you.

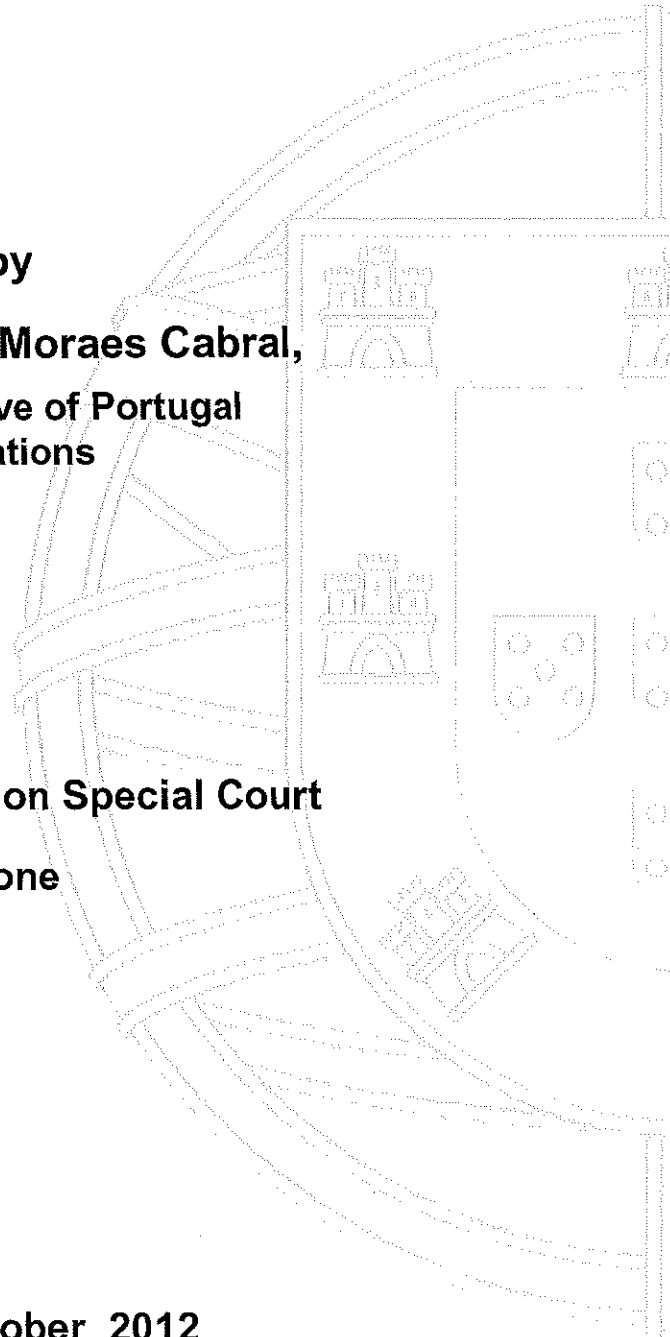
###

PORTUGAL

Statement by
Ambassador José Filipe Moraes Cabral,
Permanent Representative of Portugal
To the United Nations

Security Council Briefing on Special Court
for Sierra Leone

New York, 9th of October 2012



Special Court Sierra Leone – briefing SC

Allow me to thank the President and Prosecutor of the Special Court for Sierra Leone for their comprehensive briefings today.

Also, I wish to convey our appreciation for the role the Special Court has played in providing justice and fighting impunity: a role with crucial relevance for Sierra Leone, for the stability of the country and the whole region.

The Court, that is preparing now the conclusion of its work, leaves behind an important legacy of interpretation and application of international law on issues related to crimes against humanity and other serious violations of international humanitarian law. Its contribution to the establishment of jurisprudence and understanding of that legal framework, as well as its work in the areas of women peace and security and children in armed conflict, are truly remarkable and innovative, having informed the work of other international courts and the Council itself.

We fully support the efforts necessary to conclude the activities of the Special Court, while we stress, on the other side, the need to make sure that the residual functions are duly addressed. We know the difficulties involved. The activity of courts does not end with their final decisions. There are matters that need continue to be addressed, as well as rights to be safeguarded, well beyond the date such decisions are taken. We are confident that the leading team at the Special Court will bring the issue of the residual Special Court to a successful outcome in due time.

The Special Court has set an example which, together with other international tribunals, was of fundamental importance for the establishment and development of the International Criminal Court. They paved the way for the ICC to become a solid institution which is a permanent international Court for the most serious crimes.

Now we see the Special Court, like other International Tribunals (such as the ITCY and ITCR), “passing the baton” to the ICC in leading this process of international justice and global action to counter impunity for genocide, war crimes and crimes against humanity. As they conclude their functions, the eyes are now turned to the ICC, in its increasing accepted global role of delivering justice. We look forward to the debate that we will be having on this matter later this month, on the initiative of the Guatemalan presidency, where surely these and other issues will be detailed further.

In concluding, I wish to thank the President and Prosecutor of the Special Court for their efforts, as well as of all those that work or have worked with the Court, in ensuring that the mission entrusted to it will come to a successful end.

Thank you

**STATEMENT BY H.E. AMBASSADOR GERT ROSENTHAL
SPECIAL COURT FOR SIERRA LEONE BRIEFING
(9 October 2012)**

1. We thank the information provided by the President of the Special Court for Sierra Leone, Honorable Justice Shireen Avis Fischer, as well as the information provided by the Special Court Prosecutor, Brenda Hollis. Furthermore, we appreciate today's presence of H.E. Mrs. Ebun Jusu, Deputy Foreign Minister of Foreign Affairs and International Cooperation, and we thank her for her statement.

2. We are pleased to learn of the progress achieved throughout the years by the Special Court for Sierra Leone and congratulate its members for their outstanding work and performance. Guatemala recognizes the important and indispensable role of a court of this nature in the fight against impunity and the enforcement of justice in the country.

3. We recognize the important contribution by the Special Court for Sierra Leone in national and international criminal justice, legally proceeding against those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leone's national law committed since November 30 1996. Furthermore, we highlight the contribution of the Court in Sierra Leone's national reconciliation and restoration and maintenance of peace in the country and its region. We applaud its historic contribution to the understanding of the impact of armed conflict on women and girls reflected in its jurisprudence and its treatment of the survivors as participants in post-conflict justice.

4. We look forward to the final outcome of the Charles Taylor case, a paradigm case in the international criminal justice sphere, expected to conclude by September 30, 2013.

5. We recognize the complex work that the Court has been conducting since it was established in 2002 and we look forward to the successful completion of its duties in September 2013. In this sense, we urge that the transition process is orderly and effective and that the Residual Special Court for Sierra Leone perform its duties in a timely and efficient manner.

Thank you.