



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

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STATEMENT

BY

**H.E. DR. ALIE KABBA
PERMANENT REPRESENTATIVE**

**ON AGENDA ITEM 135: REPORT ON THE USE OF THE COMMITMENT
AUTHORITY AND REQUEST FOR A SUBVENTION TO THE RESIDUAL
SPECIAL COURT FOR SIERRA LEONE AT THE MAIN PART OF THE SEVENTY-
FOURTH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY- FIFTH
COMMITTEE (NEW YORK DECEMBER 11, 2019).**

NEW YORK, 11TH DECEMBER 2019

CHECK AGAINST DELIVERY

**Mr. Chairman,
Distinguish Delegates,**

The delegation Sierra Leone wishes to thank **Mr. Chandru Ramanathan**, Controller, Assistant Secretary-General for Programme Planning, Finance and Budget, and **Mr. Cihan Terzi**, Chair of the Advisory Committee on Administrative and Budgetary Questions (**ACABQ**), for introducing their respective reports. My delegation aligns itself with the statements delivered by the distinguished representatives of the State of Palestine and Botswana on behalf of the Group of 77 & China and the African Group respectively. My delegation further wishes to make the following additional statement in our national capacity.

Mr. Chairman,

As the distinguished representatives of the Fifth Committee may be aware, the Residual Special Court for Sierra Leone (**RSCSL**) was established by an Agreement between the United Nations and the Government of Sierra Leone in August 2010, to carry out essential functions of the Special Court for Sierra Leone (**SCSL**). The Special Court completed its mandate and closed on 31st December, 2013, "after announcing the final judgement in the case of Charles Ghankay Taylor, the ninth and final person prosecuted in the Special Court". The unique jurisprudence of the Special Court, memorializing the Court's valuable contribution to international criminal justice was published by the Judges of the Residual Special Court in October 2019, in a single volume entitled: *'Bearing the Greatest Responsibility: Select Jurisprudence of the Special Court for Sierra Leone'*.

Since 2013, the Residual Special Court has continued to provide critical residual functions that relate to among others: witness protection; supervising the enforcement of sentences; monitoring of conditional early releases; responding to requests for information and evidence from national prosecuting authorities; as well as the management and preservation of archives. In addition to the list of roles performed by the Court, it also conducts *ad hoc* judicial and administrative proceedings from time to time. This mandate is heavily linked to the continuing peace and stability of Sierra Leone and the sub-region.

Mr. Chairman,

Consistent with article 3 of the Agreement between the United Nations and the Government of Sierra Leone on the establishment of a Residual Special Court, the expenses of the Court shall be borne by voluntary contributions from the international community; and the Parties to the Agreement together with Members of the Oversight Committee may explore alternative means of funding the RSCSL. This funding arrangement has witnessed serious

challenges overtime, thereby threatening the effective implementation of its mandate and the sustainability of the work of the Residual Special Court. The Government of Sierra Leone in collaboration with the Secretary-General; the Principal personnel of the Court, and the Oversight Committee have made active efforts to garner support for more voluntary contributions for the activities of the Court. The result of that fundraising drive has not brought about any secured means of sustaining the work of the court. Let me use his opportunity to thank the Netherlands, Rwanda, South Africa and the United Kingdom for the continuing contributions in kind.

My delegation notes with deep appreciation, the effort of the Fifth Committee to approve last year, a subvention to support the programmes of the Court for the financial year 2019. The approval of 2019 subvention was based on among other factors, the ACABQ's cost saving recommendations and the General Assembly's requirement to provide update on how the commitment authority have been utilized. We acknowledge the efforts to already streamline the 2020 budget.

Notwithstanding these measures, **Mr. Chairman**, securing a predictable and sustainable funding mechanism for the Residual Special Court remains a matter of serious concern for the Government of Sierra Leone. As noted, it is a matter of concern because the gains made in the broader pursuit of international criminal justice and consolidating the peace in Sierra Leone stands in peril if for instance the Court lacks the ability to continue to provide critical protection to witnesses. Financing the Court is therefore fundamental to the overall peace consolidation efforts of the Government of Sierra Leone, especially so when Sierra Leone has been withdrawn from the agenda of the Peace Building Commission, noting the progress made overtime. The work of the RSCSL sits at the very core of this progress.

My delegation, therefore, implores the distinguished delegates of the Fifth Committee to endorse the request of the Secretary-General to approve the full amount of the subvention in the sum of \$2,899,500 to enable the Residual Special Court for Sierra Leone to continue to carry out its essential mandate in 2020.

In conclusion, let me seize this opportunity to express thanks and appreciation to Member States for their continued support to the work of the Residual Special Court for Sierra Leone.

I thank you for your attention.