



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

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STATEMENT

by

His Excellency Mr. Amadu Koroma
Deputy Permanent Representative

at the

Meeting of the Sixth Committee

69th United Nations General Assembly

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Mr. Chairman,

I wish first of all to associate with the statements delivered by the distinguished representatives of Iran on behalf of the Non Aligned Movement (NAM) as well as that of South Africa delivered on behalf of the African Union Group. I now wish to make a statement on behalf of my country.

My delegation is very excited to participate in the debate of this very important agenda item of the 6th Committee on the topic: "The Applicability of the Rule of Law at the National and International level". Today, the strict adherence to the global concept of the Rule of Law is one of the barometers that is used to determine whether a state is socially, economically and politically progressive. It is a concept of international good practice.

The Rule of Law envisages a situation where the law and not the individual is supreme. In the Report of the Secretary-General under the rubric: "Rule of Law and Transitional Justice in Conflict and Post- conflict Societies" S/2004/616, the Rule of Law is defined as "a principle of governance in which all persons, institutions and entities, public and private, including the state itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires as well measures to ensure adherence to the principles of supremacy of the law, equality before the law, fairness in the application of the law, separation of powers, participation in decision making, legal certainty, avoidance of arbitrariness and procedural and legal transparency." This encompassing definition of the Rule of Law lay the foundation of best practices for states and it further, elaborate the core principles upon which the Charter of the United Nations is based.

The applicability of the Rule of Law is very relevant at the national and international level.

My country Sierra Leone, religiously endeavor to implement the principles of the Rule of Law at the national and international levels. As a nation, we already have firsthand experience of the tremendous benefits that will come to a nation that has respect for the Rule of Law, democracy and human rights and good governance. It is these core values and principles that often times set apart and classify nations in terms of degree of development. Daron Acemoglu and James Robinson in their book "Why Nations Fail" conclusively show that it is man-made political and economic institutions that underlie economic success. According to them, underdevelopment has nothing to do with cultures, weather or the geography of a country.

The transformation of our country from a fragile state to a more stable and resilient state within a short period of time after a devastating 11 years of civil war is phenomenal. We were able to move in the Human Development Index ladder from the bottom to 10 digits up. We are described by international financial institutions as one of the fastest growing economies of the world. We are able to hold successive general elections that were acclaimed as free fair and credible by international observers, which paved the way for a smooth and peaceful transition of power. There is growing peace and security in the country and investment opportunities are numerous and varied. A few months ago, the United Nations and member states, joined us to celebrate our transformation from fragility to stability and resilience. We were taken out of the agenda of the Security Council and we were acclaimed by all as a success story of the UN. However, the present

Ebola outbreak in our region has slowed us down and threaten to reverse the gains made so but we believe that with your continuous support we shall overcome this deadly disease.

Mr. Chairman,

In the quest of my country to sustain the momentum of the applicability of the Rule of Law, several bold steps have been taken. One such hold step is the setting up of the Constitutional Review Committee which is presently reviewing our present constitution that has been around for over 20 years. It is a committee that is broad based and encompasses every sector of the society including opposition parties, civil society, traditional leaders women, youth, and so on. The findings of this Committee will be presented to Parliament which will culminate into a referendum. One of the key issues that are hotly debated at the Committee is the question of the Death Penalty. At present, Sierra Leone has placed a Moratorium on the Death penalty. It is an entrenched clause in our constitution which can only be amended by a referendum. The constitutional review process is an important provision of the Lome Peace Agreement of 7th July 1991 and also a key recommendation of the Truth and Reconciliation Commission. It is hoped that the Constitutional Review Committee will tackle what President Ernest Bai Koroma referred to as "constitutional ambiguities". At this stage, I will like to thank the United Nations Secretary General of the unwavering financial support towards the constitutional review process as well as other development partners including the United Kingdom Department for International Cooperation and the European Union.

Mr. Chairman,

Very bold steps have also being initiated to reform the police and other law enforcement agencies as well as the judiciary. There is now greater access to justice at all levels of the judicial system. Civil society organizations have been very proactive in pushing for a legal Aid system in the country for individuals to have legal representation in both civil and criminal maters. A number of flagship programs have been established with the support of international partners and UN agencies which are geared towards increasing the scale of the applicability of the Rule of Law. Programs such as :Improving the Rule of Law and Access to Justice Program, Support to Public Sector Reform Program, Support to the Electoral Cycle in Sierra Leone Program, the Support to Sierra Leone Parliament Program, to name but a few.

Mr. Chairman,

The Rule of Law will always be endangered where there is extreme poverty and little accountability and transparency of public and even private officials. In the fight to eradicate extreme poverty and sustain socio-economic development, the present government caused Parliament to enact the Anti-Corruption Act of 2008 which repealed and replaced the Anti-Corruption Act of 2000. The new Act now gives prosecutorial powers to the ACC against any Government Minister or any senior public official without recourse to the Attorney General and Minister of Justice which used to be the case.

The President himself and all senior Government officials have to declare their assets while in office on a regular basis.

Key legislations have also been enacted that address the sensitivities of vulnerable groups in society. The Persons with Disability Act of 2011 has been enacted, being an Act to prohibit discrimination against persons with disability and achieve equal opportunities. There is also the Childs Rights Act and the Sexual Offences Act of 2012 an Act that has consolidated all the laws relating to sexual offences and violence against women.

However, we must admit that we still have challenges that we agree we need to address. There is room for improvement in our judicial indicial system and the administration of justice as a whole. We need to continue to sustain the fight against Corruption.

At the international level, my country is deeply committed to the implementation of its international obligations. We are mindful of the fact that we cannot survive as a people and as a nation unless we link our aims, our objectives and development aspirations to the overall development of the people of the world in which we live.

We shall continue to support and work together with the United Nations, regional and sub-regional organizations to promote world peace and security. We strive to see a world where the territorial integrity and sovereignty of all states big or small are respected. We strive to see a world where the fundamental rights of people irrespective of race, sex, color, religion or political beliefs are respected by other nations. We also strive to see the end of colonialism of the 16 remaining non self-governing territories on the list of the United Nations on a case by case basis as we enter nearly half into the Third International Decade for the Eradication of Colonialism. As Chair of the African Group Committee of 10 on the reform of the United Nations Security Council we shall continue to strive to promote the African Common Position on the reform process of the United Nations by reaching out and engaging with other interest groups in a bid to reach a common understanding towards an acceptable solution for a long, inclusive, united, transparent and accountable United Nations Security Council. My country will continue to support and strengthen the International Criminal Court to fight against impunity. We will also continue to support all United Nations initiatives that are geared towards the responsibility of states to protect their people. We shall remain faithful to the African Union Constitutive Act and all other processes of the African Union that seek to promote democratic principles and institutions and human rights. We shall also continue to adhere to the ECOWAS protocols for peace, democracy and stability.

Mr. Chairman in conclusion, my delegation will like to reiterate that a nexus exist between the applicability of the Rule of Law at the national and international level and national and global development. The Rule of Law is a credible catalyst for a state to attain peace, stability, sustainable development and resilience. As Chair of the g7+ Group of countries, Sierra Leone, reaffirms the call of this group of fragile and post conflict states for the support of goal 16 of the outcome document of the Open Working Group on the need for Peaceful and Capable Institutions as a stand-alone goal in the final list of priorities under the Post 2015 Development Agenda.

I thank you Mr. Chairman.