



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

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**STATEMENT**

by

**H.E. DR. MICHAEL IMRAN KANU**  
Deputy Permanent Representative

at the 77<sup>th</sup> Session of the United Nations General Assembly

Agenda Item: 81  
**“Status of the Protocols Additional to the Geneva  
Conventions of 1949 and relating to the protection of victims  
of armed conflicts”**

New York, 17<sup>th</sup> October 2021

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**Chair,  
Excellencies,  
Distinguished Delegates,**

1. The delegation of Sierra Leone is pleased to join the debate acknowledging the importance of the agenda item “Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts”.
2. Regrettably, as we grapple with persistent and new armed conflicts globally, the protection of victims of armed conflicts, as well as measures taken to strengthen the existing body of international humanitarian law, (IHL) including with respect to its dissemination and full implementation at the national level, gains additional significance.
3. We thank the Secretary-General for his report **A/77/264**. We commend Member States that made submissions, and the International Committee of the Red Cross (ICRC) for the information submitted as requested by the Secretary-General.
4. We take note with appreciation of the information submitted by the **Republic of Austria** on its continued voluntary financial contributions to institutions such as the Residual Special Court for Sierra Leone (RSCSL). The RSCSL is the successor to the Special Court for Sierra Leone (SCSL), mandated to carry out the continuing legal obligations of the SCSL following the latter’s closure on the 31<sup>st</sup> December 2013.

5. The SCSL was created by a treaty between the United Nations and the Government of Sierra Leone in 2002, on the request of the Government of Sierra Leone and authorized by UN Security Council Resolution 1315 of 14 August 2000, “to prosecute persons who [...bore] the greatest responsibility for serious violations of **international humanitarian law** [...]”, committed in Sierra Leone after 30 November 1996 and during the civil conflict.
6. The continued funding of the RSCSL through voluntary financial contributions and subvention by the United Nations is certainly a valuable measure aimed at strengthening implementation of IHL.

**Chair,**

7. In a previous statement by my delegation on this agenda item, we had informed of the enactment by the Parliament of Sierra Leone of two bills relating to IHL, and the International Red Cross and Red Crescent Movement, and these are:
  - I. the Geneva Conventions Act no. 14 of 2012 (the “Act”); and
  - II. the Sierra Leone Red Cross Society Act no. 15 of 2012, which replaced the 1962 legislation.
8. The enactments followed the establishment of the National Committee for the Implementation of IHL, as approved by the Cabinet of Sierra Leone on 12 October 2011, and officially launched on 30 April 2012. The Committee has representatives from relevant Government Ministries, Departments and Agencies, the Human Rights Commission of Sierra Leone, civil society, academia,

relevant international intergovernmental and non-governmental organizations, and the Sierra Leone Red Cross Society.

9. The Committee is mandated, *inter alia*, to recommend and promote the accession to or ratification of IHL treaties and their implementation; to promote, develop and provide support for the dissemination of IHL in state institutions; and to evaluate domestic implementation of IHL.

**Chair,**

10. The impact of the work of the National Committee was immediate with the enactment of the two afore-mentioned Acts of Parliament, and we wish to highlight the threefold significance of the enactments as they relate to the gravamen of the agenda item:
11. **First**, the Act, which is drafted based on the ICRC Model Law for the implementation of the Geneva Conventions, gives domestic effect to the Geneva Conventions of 1949 and their Additional Protocols of 1977, the main instruments of IHL, which seek to limit the effects of armed conflict and to protect its victims.
12. This signifies, at the time and continues to signify, Sierra Leone's undertaking to fully implement and adhere to IHL rules, in particular by providing the Republic of Sierra Leone Armed Forces (RSLAF) with appropriate training and by setting out procedures for punishing violations.

13. The Act ensures the repression of violations of IHL by creating offences and penalties for grave breaches as defined in the Geneva Conventions, as well as for other violations of the Conventions and their Additional Protocols.
14. **Second**, and with regards to grave breaches, the Act covers not only offences committed by citizens of Sierra Leone or those committed in the territory of Sierra Leone, but also extends, in terms of its application, to persons of 'whatever nationality' committing the said offences 'within or outside [of] Sierra Leone.'
15. As we noted in the debate on "the scope and application of the principle of universal jurisdiction", section 2(5) of the Act further highlights the jurisdiction of the courts in Sierra Leone to prosecute violations of IHL: '[w]here a person commits an offence under this section outside Sierra Leone that person may be tried and punished as if the offence was committed in Sierra Leone'.
16. Further, section 4 of the Act, which largely follows the language of Article 28 of the Rome Statute of the International Criminal Court, provides for the responsibility of military commanders and other superiors for the offences committed by those under their effective command and control.
17. The Act further deals with the legal proceeding with respect to protected persons and prevention of the abuse of the Emblem of the Red Cross and of other signs and signals protected by the Conventions.

- 18.** The **third** point, which is connected to the enactment of the Sierra Leone Red Cross Society Act, relates to other measures of implementation and for the dissemination of IHL. Although the Ministry of Foreign Affairs and International Cooperation serves as the Secretariat of the National Committee, the role of Sierra Leone Red Cross Society has been pivotal as the main driving force behind the promotion and development of IHL in Sierra Leone.
- 19.** In closing, **Mr. Chair**, allow me to circle back to the Special Court for Sierra Leone, and note that its most important legacy is that the Court serves as a constant reminder to would be perpetrators of serious violations of IHL that their actions or failure to act where there is an obligation, will never go unpunished. This is the enduring lesson of accountability that must accompany IHL dissemination and implementation.
- 20.** My delegation therefore calls on States that have not ratified the Additional Protocols to do so. We note with appreciation the universal acceptance of the Geneva Conventions of 1949, and the trend towards a similarly wide acceptance of the two Additional Protocols of 1977. We, however, acknowledge the pressing need to improve compliance with the Protocols and strengthen their implementation. Therefore, all those involved in armed conflicts must comply with the rules of IHL.
- 21.** Finally, my delegation deeply appreciates the dynamic work of humanitarian organizations, including ICRC, to protect persons in armed conflict and promote compliance with IHL.

**22.** I Thank you.