



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

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**STATEMENT**

**BY**

**GEORGE SHADRACK KAMANDA**

**First Secretary**

**at the 79<sup>th</sup> Session of the United Nations General Assembly**

**Agenda item 85:**

**“The Scope and Application of the Principle of Universal  
Jurisdiction”**

**New York,**

**16-17<sup>th</sup> October 2024**

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**Chair,**

1. The Sierra Leone delegation is **delighted to speak on this agenda item and aligns this** statement with the statement delivered by the Distinguished Representative of **Uganda** on behalf of the **African Group**.
2. We **welcome** the Secretary-General's Report on the Scope and the Application of the Principle of Universal Jurisdiction (**A/79/269**), prepared pursuant to General Assembly resolutions **77/111 and 78/113**. The report significantly aids the progress made in this session by helpfully identifying possible convergences and divergences in the definition, scope, and application of universal jurisdiction.
3. My delegation, unwavering in its commitment, has consistently contributed to the ongoing deliberations on this agenda item through written submissions and expressed views. Despite our steadfast dedication, we share a deep concern that the present agenda item has not progressed substantially in the Sixth Committee after more than a decade of debates.

**Chair,**

4. With the view to propel progress and advance this agenda item, my delegation **wishes to highlight the following four points**.

5. **First**, on the **role and purpose of universal jurisdiction**, Sierra Leone **continues to regard the principle of universal jurisdiction as an important tool for promoting accountability and preventing impunity**, as expressed in our previous interventions on this agenda item A/C.6/73/SR.11, para. 50.
6. Sierra Leone remains proud to have joined efforts by **member states and relevant observers** to curb impunity for grave crimes, whether **through provisions for universal jurisdiction at the national level** or **through prosecuting atrocity crimes in a hybrid court, such as the Special Court for Sierra Leone**.
7. The possibility of universal jurisdiction for **grave breaches of the Geneva Conventions and Additional Protocol I** thereto was recognized under the domestic law of Sierra Leone. We collaborated with the United Nations in setting up the Special Court to prosecute those bearing the greatest responsibility for war crimes, crimes against humanity, and other serious violations of international humanitarian law. **These violations**, committed between November 1996 and January 2002, were gravest, underscoring the need for robust legal measures and action.
8. **Second**, Sierra Leone is pleased with **the ongoing progress in distinguishing universal jurisdiction from other concepts**, such as the jurisdiction of international criminal tribunals and the extraterritorial application of national laws. However, despite the progress in forging a common

understanding of the principle, my delegation maintains the view, the committee is currently at a standstill. (A/C.6/73/SR.11, para. 51).

**Chair,**

9. Sierra Leone would like to **underscore the importance of differentiating between the legal aspects and policy considerations** surrounding this issue to facilitate further progress within the Sixth Committee. We appreciate the International Law Commission's interest in contributing to the technical legal aspects by including the topic "Universal Criminal Jurisdiction" in its Long-Term Programme of Work during its 70th session.
10. **Third**, with respect to the **scope**, Sierra Leone is of the view, supported by several other delegations, that universal jurisdiction is applicable only to "**the most serious crimes**" (A/C.6/77/SR.12, para. 58). In line with the initiative to include **slavery and the slave trade** in the Draft Articles on Prevention and Punishment of Crimes against Humanity brought forward under agenda item 80 in this Committee, Sierra Leone wishes to underline the importance – with reference to the **1926 Slavery Convention and 1956 Supplementary Slavery Convention** - that both the slave trade and slavery form part of "the most serious crimes" for which universal jurisdiction is applicable.
11. Notably, both the **slave trade and slavery are listed under slavery-related** offences among the crimes

mentioned in the comments by Governments concerning which universal jurisdiction (including other bases of jurisdiction) is established under their national legislation. Regrettably, the Secretary-General's Report (A/79/269, para. 24) merely refers **to slavery but not the slave trade** as a clear example of a "most serious crime" while concluding that there is **no international consensus on the scope of application of the principle of universal jurisdiction (A/79/269, para. 24)**.

12. **Fourth, on conditions of application of universal jurisdiction**, my delegation reiterates its serious concern, much like other African States, about the potential for its **abuse or misuse** by the courts of non-African States against African officials. Such abuse could undermine international law and endanger international peace and security (A/C.6/73/SR.11)

13. We believe that **the applicability of immunities** is not unique to the principle of universal jurisdiction as a basis for criminal jurisdiction, and **a distinction must be made between the issue of immunity and the issue of universality**. While my delegation noted the previous clarification regarding the concern involving the **immunity of State officials from foreign criminal jurisdiction** in circumstances where States purported to assert any form of criminal jurisdiction over senior African government officials, both **our concerns and need to distinguish the two concepts remain**.

14. Allow to me to conclude by critically underlining my delegations unwavering support to refer this topic to the International Law Commission (A/C.6/73/SR11, para. 52 and A/C.6/72/SR.14, para. 40), especially since the Commission has already considered topics closely related (A/C.6/73/SR.11, para.52).

15. Sierra Leone, with its **history and legal frameworks**, underscores the paramount importance of accountability in upholding sustainable peace. The concept of universal jurisdiction serves as a pivotal avenue in eroding the barriers of impunity for the gravest offenses. My delegation appeal for **cross-regional support** to chart the most strategic and effective course ahead, which may encompass the consideration of referring this matter to the **International Law Commission**.

16. In closing, Mr. Chair, my delegation is of the view that progress under this agenda item is only appropriate if achieved in a timely manner addressing legal aspects distinctively and effectively. It is our hope these four specific suggestions might help build confidence, among delegations, and encourage more substantive discussions and exchange of views. We look forward to the discussion of these suggestions during the informal consultations.

17. **I thank you.**