

**STATEMENT DELIVERED ON BEHALF OF THE PGA  
NATIONAL GROUP AT THE REGIONAL ROUND-TABLE  
CONFERENCE ON THE IMPLEMENTATION OF THE ROME  
STATUTE OF THE INTERNATIONAL CRIMINAL COURT  
(ICC) ON WEDNESDAY 9<sup>TH</sup> FEBRUARY, 2011 IN MOROVIA,  
LIBERIA**

**HON. SHIAKA MUSA SAMA**

Mr Chairman,  
President Protempore of the Senate of Liberia,  
Minister of Justice and Attorney General of Liberia,  
Members of Parliamentarians for Global Action,  
Representatives of non-governmental organisations,  
Head of Delegation of European Union to Liberia,  
Distinguished delegates,  
Ladies and gentlemen,

I am greatly honoured and privileged to make a statement on behalf of the Chairman, PGA Sierra Leone, who is unavoidably absent and would have loved to be with us at this regional roundtable discussion on the implementation of the Rome Statute of the International Criminal Court (ICC).

Mr Chairman, the sheer scale of the horror committed during the rebel war in Sierra Leone made Sierra Leoneans brutally aware of the evils of war and the need to call on leaders to account for planning and creating atrocities. Our unstable and violent past has built in us a strong commitment to play a leading role in the advancement of global peace through an internationally administered justice system. Sierra Leone

signed the Rome Statute on 17<sup>th</sup> October, 1998 and ratified it on 15<sup>th</sup> September, 2000, becoming the 20<sup>th</sup> state party. In 2002 the Special Court of Sierra Leone (SCSL) was established through a bilateral treaty between the Republic of Sierra Leone and the United Nations Organisation to try those bearing the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30<sup>th</sup> November, 1996.

Our cooperation with the ICC and the establishment of the SCSL are clear indications of our genuine commitment to the development of the rule of law and the application of international law. The SCSL was a remarkable step forward in the fight against impunity and provided the opportunity for people affected to see justice being done in their presence. Sierra Leone has also signed a number of other multilateral human rights and rule of law conventions or statutes including the protocol creating the Community Court of Justice for members of the Economic Community of West African States (ECOWAS), the International Covenant on Civil and Political Rights, the Convention on the Elimination of all Forms of Discrimination Against Women and the African Charter on Human and Peoples Rights.

Mr Chairman, distinguished delegates, Sierra Leone as a country recognises the crucial role of national jurisdiction in the prosecution of the perpetrators of the most serious crimes, including genocides, crimes against humanity, war crimes and the crime of aggression, which continue to happen around the world. The domestication of the Rome Statute into our respective national laws is crucial since the statute relies on the Principle of Complementarity which means that the ICC is only authorised to act when states are unable or unwilling to intervene when

crimes of an international nature are committed. States parties are therefore obligated to investigate and prosecute serious crimes over which the court has jurisdiction.

After ratification, the domestication of the Rome Statute was faced with a number of challenges. The Constitution of Sierra Leone (1991) requires that International treaties or commitments such as the Rome Statute need the enactment of implementing legislation. As a country emerging from a devastating conflict we were confronted with competing priorities and was therefore not immediately able to prioritise implementing legislation after ratifying the Rome Statute. I am glad to report that the draft bill on the Rome Statute is before the newly appointed Attorney General and Minister of Justice, who coincidentally was the former Chairman of Manifesto 99 and championed the drafting of the implementing legislation. It is expected that the draft bill will be open to civil society scrutiny and input once it is approved by cabinet, prior to it being tabled in Parliament. The PGA National Group is closely collaborating with a Coalition of Civil Society on the International Criminal Court (CCSICC) to fast track the domestication of the Rome Statute. A Committee has already been set up to draft a Memorandum of Understanding between the PGA National Group and the Coalition. The MOU is expected to be signed soon.

The dissemination of information to stakeholders including lawyers, judges, the police and civil society as a whole also poses a major challenge. Stakeholders need to be informed particularly on the nature and element of the crimes of genocide, crimes against humanity and war crimes and the crime of aggression when it would have been defined. The stakeholders should be given adequate information on such important

legislative move as they would be eventually affected as victims, indictees, investigators, witnesses, prosecutors, defence lawyers etc. Hence there is an urgent need for mass sensitization or seminars throughout Sierra Leone to disseminate information to stakeholders. This would require closer technical, financial and moral collaboration between the PGA National Group, PGA International, the Government of Sierra Leone and non-governmental organisations involved in efforts to domesticate the Rome Statute in Sierra Leone.

In concluding, I would like to re-affirm our commitment to always contribute our fair share in building a sustainable global peace.

Thank you for your kind attention.