

STATEMENT ON BEHALF OF THE AFRICAN GROUP BY MR. MOHAMED TRAORE, SECOND COUNSELOR AT THE PERMANENT MISSION OF THE REPUBLIC OF MALI ON AGENDA ITEM 141: PROPOSED PROGRAMME BUDGET FOR 2021: REQUEST FOR A SUBVENTION TO THE RESIDUAL SPECIAL COURT FOR SIERRA LEONE, AT THE MAIN PART OF FIFTH COMMITTEE DURING THE SEVENTY- FIFTH SESSION OF UNITED NATIONS GENERAL ASSEMBLY

(NEW YORK, 08 DECEMBER 2020)

Mr. Chair,

1. I have the honour to speak on behalf of the African Group on agenda item 141: programme budget for 2021: request for a subvention to the Residual Special Court for Sierra Leone.
2. The Group would like to thank Mr. Chandramouli Ramanathan, Controller and Assistant Secretary-General and Mr. Abdallah Bachar Bong, Chair of the Advisory Committee on Administrative and Budgetary Questions for introducing their related reports.
3. The African Group aligns itself with the statement delivered by the distinguished representative of Guyana on behalf of the G77 and China and would like to make few additional remarks.

Mr. Chair,

4. At the outset, the African Group wishes to reiterate its strong support to the work of the Residual Special Court for Sierra Leone.

5. The African Group commends the in-kind support provided by the Government of Sierra Leone to the Residual Special Court, including the provision of rent-free office space and other services to the sub-office of the Court in Freetown at no cost to the Court.
6. We commend also the in-kind contributions provided by other Members States, such as the annual audit of the Residual Special Court performed on a pro bono basis by the Auditor General of South Africa; the costs of the enforcement of sentences of the prisoners in Rwanda covered by the Government of Rwanda; the enforcement of Mr Taylor's sentence and the relocation of some of the witnesses by the United Kingdom, at no cost to the Court; the housing of the archives by the Government of Netherlands; the diplomatic fundraising activities hosted by Canada; and the donation provided by the United States.
7. The Group acknowledges the agreement between the United Nations and the Government of Sierra Leone on the establishment of a Residual Special Court for Sierra Leone, whereby the expenses of the Court are to be borne by voluntary contributions from the international community.
8. The African Group welcomes the warm support of Member States and the fundraising endeavors of the Secretary-General. However, we note with deep concern that the level of voluntary contributions received in 2020 amounted to \$11,527, which is a significant regression from the \$75,293 received in 2019. We note with deeper concern that, **as at 09 November 2020, there are no pledges for voluntary contribution for 2021** and, quoting the Secretary General's report "**minimal prospects that such pledges will be made**".
9. This situation brings up the importance of planning and agreeing on a long-term financing of the Residual court, as the unpredictable nature of subvention funds and voluntary contributions prevents from precise planning of the work of the

Court and hampers the efforts undertaken by the stakeholders. The current funding arrangements is posing serious challenges to the continued sustainability of the court, threatening the effective implementation of its mandate.

10. The Group stresses that proper funding and financing of the Special Court in Sierra Leone is an important aspect for adjudication, and elevating efforts should be intensified not only to seek voluntary contributions, but, more importantly, to provide sustainable funding mechanism for the Court, including through.

11. In that regard, the African Group appreciates the different options presented by the Secretary General, which include a combination of assessed contributions from Member States and the provision of logistical and administrative support to the Court by the International Residual Mechanism for Criminal Tribunals.

Mr. Chair,

12. Central to RSCSL's mandate is the prosecution of perpetrators of war crimes, crimes against humanity, violations of international humanitarian law, and other crimes under relevant Sierra Leonean law. Furthermore, the Court is tasked with witness and victim protection and support, supervising the enforcement of sentences and monitoring of conditional early release, responding to requests for information and evidence from national prosecuting authorities, and managing and preserving archives.

13. The Residual Special Court for Sierra Leone continues to monitor and provide support to over 100 former witnesses of the Special Court located in various regions of Sierra Leone and other countries. The presence of the Special Court in Sierra Leone will continue to be an important pillar of resolving disputes and promoting criminal justice.

14. Officials of the Residual court are at present responsible for supervision and enforcement of sentences of nine detainees, serving terms that range from 15 to 52 years in Rwanda and the United Kingdom. Further, in accordance with Article 18 of the statute of the Residual Special Court, the Court carries out routine activities towards the support and protection of 72 active witnesses. Finally, yet not exhaustive of the Court's full roster of duties, RSCSL oversees the significant efforts that have been made and are in progress on the management of archives.

Mr. Chair,

15. The Group appreciates the inauguration of the refurbished Sierra Leone Peace Museum in Freetown on 10 December, 2019; a legacy project that was implemented by the Special Court and partners, with the political support of the Government of Sierra Leone.

16. The Special Court records and public archives are now easily available and accessible in Sierra Leone. The Peace Museum will serve as a tool to advance the peace, justice and accountability agenda.

Mr. Chair,

17. Before closing, the African Group welcomes the request of the Secretary General to provide a subvention of **\$2,856,300.00** in order to cover the anticipated budget for the Residual Special Court in Sierra Leone for January to December 2021.

18. The African Group pledges to engage constructively in the deliberation of this important agenda item and bring it to a feasible conclusion.

I thank you Mr. Chair