



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

### **STATEMENT**

BY

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AT THE 78<sup>TH</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

at the Sixth Committee

### **Agenda Item 80: “Crimes Against Humanity” Seventy-eight Session**

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**Chair,**

**Distinguished Delegates,**

1. The delegation of Sierra Leone is pleased to take the floor on this important agenda item – “Crimes against humanity”. We align our statement to the statements delivered by the Distinguished Representative of **Uganda** on behalf of the **African Group** and **The Gambia** on behalf of a cross-regional group of States.
2. At the outset, Sierra Leone is deeply concerned that we continue to debate this agenda item amidst the regrettable and unacceptable continuing perpetration of crimes against humanity, and with impunity.
3. During this debate, Sierra Leone wishes to highlight the four (4) points:
4. **First**, the delegation of Sierra Leone wishes to confirm our commitment to engage actively and constructively in the resume session scheduled from 1 to 5 April and 11 April 2024 to exchange substantive views, including in an interactive

format, on all aspects of the draft articles, and to consider further the recommendation of the Commission of the ILC “to elaborate “a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles”.

5. We welcome the exchange of substantive views by member States during the resumed 77th session of the United Nations General Assembly. We see the constructive engagement as the collective will of member States to make progress in the consideration of the substance of the draft articles and the recommendation of the ILC. We therefore wish to put on record our deep appreciate of the Bureau of the Sixth Committee for the 77<sup>th</sup> session for the skillful manner in which it led our work during the resumed session.

6. **Second**, the delegation of Sierra Leone wishes to highlight the critical opportunity to address gaps and to broaden the scope of the prohibitive acts that will constitute a crime against humanity. Sierra Leone had previously indicated that the Rome Statute of the International Criminal Court is

our point of departure for a future crime against humanity treaty.

7. We have also noted that any proposal towards that end must fully respect the integrity of the Rome Statute of the International Criminal Court, which was a necessary negotiated compromise amongst States. This in our view is important given that the future treaty would apply at the horizontal level.
8. It is true that the Statute definition of crimes against humanity is considered to largely reflect customary international law, but we have seen proposals to engage in progressive development in appropriate circumstance, particularly to expand definitions. In this regard, the delegation of Sierra Leone will reiterate the important point of the necessity to extend the list of prohibited acts to include, for instance, economic, land and mineral exploitation, and environmental degradation. These would be progressive development, but one that may be necessary in contemporary times.

9. Our next two points relates to two substantive proposals we put forward in the resumed session with the purpose to highlight them and urge for the support of other member States. Our **third** point therefore relates to the identified legal gaps that result in manifest impunity for **slavery and slave trade crimes** under the Rome Statute, which the ILC transplanted in the draft articles on crimes against humanity.

10. The Rome Statute includes provisions for enslavement and sexual slavery as crimes against humanity and transplanted in Article 2 of the Commission's articles on prevention and punishment of crimes against humanity. Regrettably and critically, the Rome Statute does not contain provisions for the slave trade, which governs the intent to bring a person into – or maintain them in – a situation of slavery.

11. As we previously noted, given Sierra Leone's experience, particularly on the prohibitive act of forced marriages and the notion of the so- called “bush wife” which in our view are acts of slavery and slave trade in the repeated

distribution to fighters, we have put forward a proposal to amend the Rome Statute to enumerate provisions for “slavery and the slave trade as a crime against humanity”, which *ipso facto* should be the case for the draft articles adopted by the ILC, given the Rome Statute transplantation. Much like the African Group, any future convention on crimes against humanity we urge must include “slave trade” as crimes against humanity.

12. **Fourth** and finally, the delegation of Sierra Leone wishes to highlight the significance for a **monitoring body or mechanism** be included in a future crime against humanity convention for effective implementation. We are of the view that States should give serious consideration to include a monitoring mechanism, which could be based on available precedents, including the Human Rights Committee and the Committee against Torture.

13. A monitoring body or mechanism should reflect the lessons learned and best practices developed by such bodies to lessen reporting burdens on States. It may be a State-driven mechanism, but of course, could be

comprised of independent experts serving in their personal capacities. This may best assist with the proper monitoring and implementation of a future crimes against humanity treaty, particularly if such a mechanism is also given a capacity building and technical assistance mandate.

14. Let me conclude, **Chair**, by reiterating that on this important topic of crimes against humanity, Sierra Leone is compelled to reflect our experience with the realities of crimes against humanity in all our engagements, comments, and observations, hopeful always that it will take us a step further to concluding a complementary, universal, and implementable treaty.

15. I thank you.