



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

The Special Court for Sierra Leone

Legacy Conference

Opening remarks

by

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Excellencies, Ladies and Gentlemen,

I am sorry that I cannot be there with you in person today to take part in this conference, commemorating the twentieth anniversary of the signing of the historic agreement establishing the Special Court for Sierra Leone and the end of the 11-year armed conflict in Sierra Leone. Today is both a solemn day of commemoration with the completion and opening of the Memorial Garden for the victims of the war, but also a chance to recall the achievements of the Special Court and its place in history.

While the Special Court was one of a series of international criminal courts established by the international community to fight impunity and ensure justice for victims of some of the most horrific crimes imaginable, it was also the “first” in many ways.

The Special Court was the first time that the United Nations worked hand in hand with a Member State to create an international criminal tribunal that would assist



the State in achieving post-conflict justice, when the State did not have capacity to do so on its own. The Special Court represented a new model of international criminal justice, the first time there was an international hybrid court comprised of judges of the country, and international judges. The Special Court was also the first court to have its seat in the country where the crimes took place, ensuring that survivors of the conflict could witness the justice process first-hand.

The Special Court was a pioneer in specifically addressing and prosecuting sexual and gender-based crimes, allowing victims of such crimes to achieve justice and accountability through its legal processes and ensuring a victim-centered approach to ensure the comfort, safety and dignity of sexual violence victims who had come forward to testify before the Special Court. In the RUF case, the Special Court issued the first judgment of an internationalized tribunal recognizing forced marriage as a crime against humanity. Both the ECCC and the ICC have cited to the jurisprudence of the Special Court in their own cases concerning forced marriage. The Special Court has been foundational in ensuring prosecution for these types of crimes.

The Special Court also was the first to convict individuals for the recruitment and use of child soldiers, which was subsequently acknowledged and developed by the International Criminal Court in the Lubanga case and in subsequent cases.

Importantly for the United Nations, the RUF case was also the first time in which attacks against United Nations peacekeepers were prosecuted.

Beyond Sierra Leone, the Special Court will be often remembered as the tribunal which convicted and sentenced Charles Taylor, the former president of Liberia. As is often noted, this marked the first conviction of a former head of State since Nuremburg. The conviction of Mr. Taylor was a historic moment, embodying the foundational principle that no individual is above the law and impunity will not be tolerated.





Representing another first, the Special Court is the first of the UN tribunals to complete the mandate assigned to it and to fully hand over its ongoing rights and responsibilities to its successor residual institution, which is a lean and efficient institution that continues to carry out the important work of preserving the archives of the Court for future generations as well as to ensure that the brave victims and witnesses who came forward continue to be protected. I take this opportunity to pay tribute to the courage of these individuals who made their voices heard at the Special Court, recounting in detail their experiences of the most horrific crimes known to humanity. It is only because of their fortitude and determination that justice could be done for those whom we seek to remember with the commemoration of the Memorial Garden.

Excellencies, Ladies and Gentlemen,

Today, looking back over the twenty years since the establishment of the Special Court, it is clear that the Special Court is a model for international criminal accountability in many ways, which goes beyond its important jurisprudential milestones. The advantage of being located in the country where the alleged crimes were committed not only allowed for access by the affected population, but the presence of domestic judges added legitimacy and credibility to the judicial proceedings in the eyes of the local population. Representatives of civil society organizations present today were instrumental in making the Special Court proceedings available to the masses and facilitating discussions about the proceedings in communities across Sierra Leone. The Special Court model had the additional advantage of building capacity of national judges, prosecution and defense staff and court administrators and assisting Sierra Leone in building a State grounded in the rule of law.

On behalf of the United Nations, I'd like to acknowledge the role and commitment of the Government of Sierra Leone, without whom the achievements of the Special Court would not have been possible as well as the contributions from all those who worked at the Court over the years, from the judges, to the prosecutors' and defense teams, registrars and the staff of the Court. I'd also like to acknowledge the individuals working at the Residual Special Court, which continues the





important work of its predecessor and continues to promote the legacy of the Special Court.

The Special Court has already taken its place in history through the justice it has provided for the people of Sierra Leone, its groundbreaking jurisprudence, and its contribution to the rule of law in Sierra Leone. The

successes of the Special Court that we commemorate today leave behind a powerful legacy, and the Special Court will continue to be considered as a standard-bearer for international criminal justice for the United Nations.

In closing, I regret that I will not be able to walk through the Memorial Garden with all of you to remember those for whom the Special Court was established, but I sincerely hope that I will be able to do so in the near future.

Thank you.

