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STATEMENT

BY

**HIS EXCELLENCY MR. RUPERT S DAVIES
AMBASSADOR/DEPUTY PERMANENT REPRESENTATIVE
AT**

THE GENERAL ASSEMBLY ON ITEM 44 and 107

**FOLLOW-UP ON THE OUTCOME OF THE MILLENNIUM SUMMIT
REPORT OF THE SECRETARY-GENERAL
*IMPLEMENTING OF RESPONSIBILITY TO PROTECT***

NEW YORK, 23RD JULY 2009

CHECKED AGAINST DELIVERY

Mr. President

Let me start by thanking you for convening us to consider the issue of Responsibility to Protect (R2P). The debate on this issue is of paramount importance to my delegation and in this regard, I would also like to express my delegation's gratitude to the Secretary-General for his report contained in document A/63/677. Clearly, this first ever report on the implementation of paragraphs 138 and 139 of the 2005 World Summit Outcome Document (A/60/1) adopted in September 2000, is in the view of my delegation very profound and instructive and thus provides a sound basis for a comprehensive consideration of this very important subject before us.

By the same token, my sincere appreciation goes to the four distinguished panelists whose insights have not only been very helpful but also equally thought provoking. They have certainly set the stage for a constructive scheme for galvanizing our thoughts and perspectives on this issue with a view to clarifying all gray areas and defining a common ground to ensure adherence to and, the universal application of the responsibility of states to, individually and collectively protect populations against mass atrocity crimes such as genocide, ethnic cleansing, war crimes and crimes against humanity.

Indeed, my delegation's position on this issue of Responsibility to Protect is very clear. It is grounded both in our national experience and continental stance on the principle.

As a nation that barely survived the brink of collapse into a failed state as a result of the Revolutionary United Front (RUF) led rebellion that also had an international dimension, we are determined to ensure that the atrocities, devastation and pillage that visited us for almost 11 years should henceforth not be allowed to be a predicament for any member of the international community.

Our survival, Mr. President, could not have materialized without the support, commitment of, and sacrifices by the international community, notably ECOWAS, African Union, the Commonwealth and the United Nations including bilateral partners like the United Kingdom and Nigeria among others to restore sanity and to bring an end to the humanitarian situation caused by the egregious crimes committed against hapless civilians throughout the country.

Mr. President,

Perhaps, one of the telling moments that inspired the foresight of the former Canadian Foreign Minister Lloyd Axworthy to seek to convene an independent International Commission on Intervention and State Sovereignty (ICISS) with a view to developing normative standards around states responsibility to protect civilian populations against genocide, ethnic cleansing, war crimes and crimes against humanity, was his visit to the Amputee Camp at Murray Town in the west end of the capital, Freetown in April of 2000.

I was present during that visit in my capacity then as SCOP and can confirm that he, like everyone joining him on that visit, was visibly shaken by the sight of a young suckling mother of eight children whose both limbs were savagely amputated thigh-high along with both arms.

Mr. President,

The grueling fate of this lady and several thousands more of amputee compatriots and more than half of a generation of the nation's children abducted from schools to become killing machines and sex slaves leave us with no option but to join the campaign of NEVER AGAIN and to fight impunity whenever mass atrocity crimes are being perpetuated.

The on-going trials of the Special Court for Sierra Leone (SCSL) involving the former president of Liberia for his alleged role in perpetuating the carnage as well as those of the commanders of the Civil Defence Militia that supported the return of the democratically-elected government of former President Ahmad Tejan-Kabbah and the rebel RUF for serious violations of International Humanitarian Law were being conducted in this regard.

Mr. President,

In the interest of time, I will save this distinguished august body the boredom, by not reiterating the shift from the OAU's policy of *non-interference* in the internal affairs of other member states to its successor African Union's principle of *non-indifference* with respect to *grave atrocities such as war crimes, genocide and crimes against humanity* captured in Article 4(h) of its Constitutive Act. Needless to emphasize that this development preceded the adoption of the World Summit Outcome Document by five years.

Consequently, the Secretary-General has, in previous reports including the one under review, acknowledged this bold step by the African Union and has constantly called for this effort to be enhanced and supported. Thus the full and speedy implementation of general Assembly resolutions on the cooperation between the African Union and the United Nations will undoubtedly enhance the implementation of the R2P principle at the regional and sub-regional levels. Well established and developed mechanisms as the Peace and Security Council (PSC), to advise on the parameters for intervention as well as the Continental Early Warning Systems, the AU consultative Panel of the Wise, and the building of a 15-20,000 strong African Standby Force (ASF) are the most effective ways of enhancing the continent's capacity to address African problems at the sub-regional level.

Mr. President,

It is in this respect that my delegation warmly salutes your bold decision to introduce and include this item on the agenda and, thereby affording the General Assembly this maiden

opportunity as member states, to engage in intensive debate on this issue since its adoption in 2005. This was long overdue but better late than never.

The Secretary-General's report clearly outlines the three pillars that underlie the principle of Responsibility to Protect namely, the responsibility for protection by the state; international assistance and capacity building and lastly; timely and decisive response.

At the core of this principle is the commitment of states to protect its populations from genocide, war crimes ethnic cleansing and crimes against humanity and from its incitement, including that of the international community to assist through building and enhancing the capacity of those states not meeting their obligations. It further prescribes the collective obligation to ensure timely and decisive response when states are unable or unwilling to provide such protection.

Mr. President, history replete with a promise of commitment to "never again", we believe these occurrences should be addressed by a solid commitment to promoting and advancing preventive measures both at the national and international levels, instead of waiting to apply pillar 3 when the situation gets out of hand. In most cases, non-state actors commit these atrocities and especially where states are saddled with serious social and economic crises. How else could the United Nations question its very *raison d'être* and Charter obligation in addressing itself to those circumstances? Clearly there must have been some unwarranted enthusiasms in fast tracking the process leading to genuine apprehension. Certainly lessons are being learned. The truth however is that there is a *consensus ad idem* in our definition of the four elements.

In conclusion Mr. President, it is the view of my delegation that, the fears and reservations so clearly articulated on the third pillar, justified though they may be, could be resolved by putting proper guidance and modalities in place, buttressed by the institutional reforms of the UN advocated by our world leaders in 2005, which we believe will make it user friendly. Branding SL as one of the friends of R2P is fully explained by the country's experience and for which we are extremely grateful to the International community for their timely intervention.

I thank you for your attention.