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## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Marie Anne Isler Béguin, Hélène Flautre, Mikel Irujo Amezaga

on behalf of the Verts/ALE Group

on the financing of the Special Court for Sierra Leone

**European Parliament resolution on the financing of the Special Court for Sierra Leone**

*The European Parliament,*

–having regard to the Special Court for Sierra Leone, established in 2000 by the United Nations and the government of Sierra Leone pursuant to UN Security Council Resolution 1315 to bring to justice those who have committed serious violations of international humanitarian law, notably war crimes and crimes against humanity,

– having regard to the Completion Budget of the Special Court for Sierra Leone approved by the Management Committee for the Special Court on 15 May 2007,

– having regard to international law, in particular the Geneva Conventions and the Additional Protocol II thereto on war crimes, and the UN Charter,

– having regard to its previous resolutions, in particular those of 16 March 2006 on impunity in Africa and in particular the case of Hissène Habré and of 24 February 2005 on the Special Court for Sierra Leone and the case of Charles Taylor,

– having regard to Rule 115(5) of its Rules of Procedure,

- A. Whereas the fight against impunity is one of the cornerstones of the Union's human rights policy and the international community has the responsibility to maintain its support in order to promote accountability mechanisms in Sierra Leone,
- B. Whereas the Special Court for Sierra Leone plays an important role for peace and promoting justice in particular through its archiving and translating programmes which help to communicate with the population on the work of the Special Court,
- C. Whereas the Special Court plays an important role in fighting impunity and building the capacity of the justice sector as victim protection is one of its important activities,
- D. Whereas the Special Court for Sierra Leone is a precedent-setting development in international law, as it is the first tribunal to indict a sitting African head of state for war crimes and crimes against humanity and the judgment handed down on 20 June 2007 on three former rebel leaders of the Armed Forces Revolutionary Council (AFRC) was the first judgment to rule on the recruitment and use of child soldiers and forced marriage,

- E. Whereas, on 7 March 2003, former Liberian President Charles Taylor was indicted by the Prosecutor of the Special Court for Sierra Leone on 17 counts of crimes against humanity and war crimes, including murder, mutilation, rape, sexual slavery and the recruitment of child soldiers; whereas the trial of Charles Taylor opened on 4 June 2007,
- F. Whereas unlike other international criminal tribunals, the Special Court for Sierra Leone is funded by voluntary contributions from interested states; whereas many countries, including EU Member States, and the European Commission have underlined their commitment to international humanitarian law by funding the Special Court's activities,
- G. Whereas a Management Committee was established to assist the Secretary-General of the United Nations to obtain adequate funding for the Court, approve the budget and advise on all non-judicial functions of the Court,
- H. Whereas despite contributions by governments and a UN grant, the court continues to lack funds to complete its work and carry out activities such as long-term protection of witnesses,
- I. Whereas the Management Committee found in the completion budget approved on 15 May 2007 that the Special Court for Sierra Leone needs 89 million USD to conclude its operations (36 million USD for 2007; 33 million USD for 2008; and 20 million USD for 2009); whereas according to current estimates, available funding will be exhausted by October 2007,
1. Expresses its concern at the shortage of funds available to the Special Court, which will impede the fight against impunity, undermine the process of reconciliation and establishment of a lasting peace in Sierra, based on respect for human rights and rule of law,
  2. Notes that the Special Court for Sierra Leone receives financial support from the EU through the EIDHR, and that EU Member States, especially the United Kingdom and the Netherlands, have contributed highly and consistently to the activities of the Court,
  3. Urges all States, including EU Member States, to contribute further to the operations of the Special Court for Sierra Leone to ensure that the Special Court can successfully take its work to a conclusion, including improving the independence of the judiciary in Sierra Leone,
  4. Calls on the Commission to remain attentive and ensure continuing funding of the Special Court in the forthcoming national programmes with Sierra Leone,
  5. Welcomes the opening of the trial of Charles Taylor and believes that it will send a clear message to leaders around the world that egregious human rights abuses will no longer be tolerated with impunity,

6. Encourages the Special Court and the Sierra Leonean authorities and jurisdictions to cooperate ever more closely; underlines the need for victims to be able without delay to seek remedy before national courts,
7. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States, the Special Court for Sierra Leone, the government of Sierra Leone, the UN Security Council and all Member States of the UN and the African Union.