

# EUROPEAN PARLIAMENT

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B6-0125/2005 }  
B6-0127/2005 }  
B6-0129/2005 }  
B6-0136/2005 }  
B6-0139/2005 }  
B6-0142/2005 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

- Nirj Deva, Charles Tannock and Bernd Posselt, on behalf of the PPE-DE Group
- Pasqualina Napoletano, Margrietus van den Berg, Miguel Angel Martínez Martínez and Marie-Arlette Carlotti, on behalf of the PSE Group
- Jules Maaten and Johan Van Hecke, on behalf of the ALDE Group
- Frithjof Schmidt and Marie-Hélène Aubert, on behalf of the Verts/ALE Group
- Luisa Morgantini and Vittorio Emanuele Agnoletto, on behalf of the GUE/NGL Group
- Brian Crowley, on behalf of the UEN Group

replacing the motions by the following groups:

- UEN (B6-0125/2005)
- GUE/NGL (B6-0127/2005)
- PPE-DE (B6-0129/2005)
- Verts/ALE (B6-0136/2005)
- ALDE (B6-0139/2005)
- PSE (B6-0142/2005)

on the Special Court for Sierra Leone: the case of Charles Taylor

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PE 356.276v01-00}  
PE 356.278v01-00}  
PE 356.280v01-00}  
PE 356.287v01-00}  
PE 356.290v01-00}  
PE 356.293v01-00} RC1

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## **European Parliament resolution on the Special Court for Sierra Leone: the case of Charles Taylor**

*The European Parliament,*

- having regard to the Special Court for Sierra Leone, established by UN Security Council Resolution 1315 of 14 August 2000, with the aim of bringing to trial those accused of crimes against humanity and violations of international law committed in Sierra Leone,
  - having regard to international law, particularly the Geneva Conventions and Additional Protocol II thereto on war crimes,
  - having regard to the Comprehensive Peace Agreement which was concluded in Accra, Ghana, on 18 August 2003, with the aim of ending more than 14 years of internal armed conflict in Liberia,
  - having regard to the Cotonou Agreement between the EU and ACP countries, which include Nigeria and Liberia, and the commitment by parties to the Agreement to peace, security and stability, respect for human rights, democratic principles and the rule of law,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas Charles Taylor, former President of Liberia, ran an authoritarian regime in Liberia from 1997 until civil war broke out,
- B. whereas 14 years of violence and misrule in Liberia have resulted in immense human suffering, particularly among civilians, as well as gross human rights violations, massive displacement of populations, and a breakdown of social and economic structures,
- C. whereas the conflict in Liberia has also contributed to severely destabilising the whole West Africa sub-region, creating a humanitarian crisis of tragic proportions,
- D. whereas, on 7 March 2003, 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,
- E. whereas Taylor continues to reside in Nigeria, citing head-of-state immunity from prosecution, despite the fact that, on 31 May 2004, the Appeals Chamber of the Special Court for Sierra Leone rejected Charles Taylor's claim to immunity from prosecution,
- F. whereas the Government of Nigeria was crucial in helping to bring about the end of civil war in Liberia; whereas Charles Taylor accepted the Nigerian Government's offer of asylum on 6 July 2003,
- G. whereas in October 2003 the United Nations Security Council expressed its concern about

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Charles Taylor's ongoing efforts from exile to destabilise Liberia and West Africa, thus breaking the previous agreement with Nigeria granting him asylum, under which he committed himself to abstaining from any involvement in Liberian politics,

- H. whereas, in August 2004, the United Nations Security Council imposed a travel ban upon current Liberian officials for their alleged roles in acting as couriers for Charles Taylor in Nigeria,
- I. whereas, in September 2004, the Special Representative of the Secretary-General of the United Nations testified before the United Nations Security Council that: 'Charles Ghankay Taylor's shadow still looms over Liberia; unless he is brought before the Special Court for Sierra Leone, many ordinary Liberians will not be persuaded that the peace process is sustainable',
- J. whereas, in addition to voluntary contributions in excess of USD 30 million from EU Member States to the creation and working of the Special Court for Sierra Leone, the European Union has itself supported the Special Court for Sierra Leone to the tune of EUR 800 000,
- K. whereas elections are currently scheduled for October 2005 in Liberia and the outcome might be determined on the basis of fear of Charles Taylor's return rather than hope for the future,
- L. whereas peace and stability in the Mano River Union countries of Liberia, Sierra Leone and Guinea have proved indivisible, with a threat to one country damaging the chances of positive development in all,
- M. whereas Charles Taylor remains a threat to international peace and security and undermines European efforts to support sustainable peace and development in West Africa,
- N. whereas impunity for Taylor would defy international law, be an affront to Taylor's innumerable victims and undermine the establishment of a lasting peace in the region based on the rule of law,
- O. whereas the people of Sierra Leone are entitled to see justice done in the case of Charles Taylor by a fair trial before the Special Court for Sierra Leone,
- P. whereas international law clearly states that war criminals must be tried at all times and that states are obliged to extradite people suspected of having committed war crimes,
- Q. whereas the UNHCR's Executive Committee Note on the Exclusion Clauses of the Geneva Conventions has clearly stated that 'if the protection provided by refugee law were permitted to afford protection to perpetrators of grave offences, the practice of international protection would be in direct conflict with national and international law, and would contradict the humanitarian and peaceful nature of the concept of asylum',

- R. whereas Nigeria has ratified the Geneva Convention which states that those that have committed war crimes may not be granted refugee status,
1. Calls on the Government of Nigeria to act in the continued interests of the Liberian peace process and in support of the rule of law by surrendering Charles Ghankay Taylor forthwith to the jurisdiction of the Special Court for Sierra Leone;
  2. Calls on the United Nations Security Council to consider this issue as a matter of urgency;
  3. Calls on the UN, the EU and Member States to build international pressure in order to bring about Charles Taylor's extradition;
  4. Welcomes the Liberian transitional government's decision to freeze the assets of former president Charles Taylor and his associates;
  5. Calls on the EU to keep supporting the 2003 peace agreement between Liberia's three warring factions and the upcoming presidential and parliamentary elections scheduled for October 2005;
  6. Demands that all states in the region refrain from any action that might contribute to instability in neighbouring countries;
  7. Instructs its President to forward this resolution to the Council, the Commission, the governments of the EU Member States, the Chief Prosecutor of the Special Court for Sierra Leone, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, the African Union, the UN Secretary-General, the Secretary-General of ECOWAS and the Governments of Liberia and Nigeria.