Resolution on the financing of the Special Court for Sierra Leone

2007/2621(RSP) - 06/09/2007 - Text adopted by Parliament, topical subjects

Following the debate which took place during the sitting of 6 September 2007, the European Parliament adopted a joint resolution by 69 votes to 0 with 1 abstention on the financing of the Special Court in Sierra Leone. Parliament welcomed the progress made by the Special Court for Sierra Leone in prosecuting those responsible for atrocities committed in Sierra Leone, and the verdicts by the Special Court against three senior members of the AFRC, convicting them of crimes against humanity and war crimes. It also welcomed, in particular, the opening of the trial of Charles Taylor on 4 June 2007 , and believed that it would send a clear message to leaders around the world that egregious human rights abuses will no longer be tolerated with impunity.

Parliament pointed out that the inability to bring the trial of Charles Taylor to a conclusion or to provide the best and fairest conditions for his trial would not only undermine the establishment of a lasting peace in the Mano River region of West Africa but would also be detrimental to the fight against impunity and prejudice the development of international criminal justice, already in jeopardy after the failed attempt to try Slobodan Milosevic and the controversial condemnation of Saddam Hussein.

Unlike other international criminal tribunals, the Special Court for Sierra Leone is funded by voluntary contributions from interested States. Members noted that the Special Court for Sierra Leone receives financial support from the EU through the European Instrument for Democracy and Human Rights, and that the Member States, especially the United Kingdom and the Netherlands, have contributed consistently to a high degree to the activities of the Court. The Court's management committee found in the completion budget approved on 15 May 2007 that the Special Court for Sierra Leone needs USD 89 million to conclude its operations (USD 36 million for 2007, USD 33 million for 2008 and USD 20 million for 2009). However, according to current estimates, available funding will be exhausted by October 2007.

Parliament remained concerned that the funds made available are failing to provide a decent environment for the Special Court. It was deeply concerned that this would impede both the fight against impunity and, in particular, prejudice the trial of Charles Taylor, which constituted a test case for the development of international criminal justice, the process of reconciliation and the establishment of lasting peace in Sierra Leone and the West African region as a whole. It warned that the failure to provide the Special Court for Sierra Leone with the necessary financial assistance would result in the efforts of the international community to contribute to peace-building in Sierra Leone and to addressing the crimes committed during the war being seriously discredited.

Parliament urged all states, including the Member States, to contribute further to the operations of the Special Court for Sierra Leone in order to ensure that the Special Court could take its work to a successful conclusion. It invited the Commission to ensure a continuing funding of both core and non-core activities of the Special Court in the forthcoming national programmes with Sierra Leone. The UN Secretary-General, in consultation with the UN Security Council, was asked to explore all the possible financial ways to enable the Special Court to complete its crucial functions.

Lastly, Parliament encouraged an ever-closer cooperation between the Special Court and the Sierra Leonean authorities and courts. It underlined the need for victims to be able to seek remedy before

national courts without delay and the need to emulate the Special Court in putting aside amnesties, notably those included in the Lomé Agreement on the creation of the Tribunal, and in incorporating in domestic law all crimes defined at international level.