



REPUBLIC OF LIBERIA
MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA

AUGUST 17, 2004

NTGL/MFA/3031/2-5/'04

The Ministry of Foreign Affairs of the Republic of Liberia, presents its compliments to the Embassy of the United States of America and has the honor to inform the latter that a Judicial Action or PETITION FOR A DECLARATION JUDGEMENT was filed on the 13th day of July, A.D. 2004 against the Government of Liberia, in the Sixth Judicial Circuit, Civil Law Court, Montserrado County, Republic of Liberia. The action was filed by and through Counselor Francis Y.S. Garlawolu, Lawyer for and on behalf of Dr. Malachi Z. York, alias Dr. Dwight York a naturalized citizen of Liberia who is also an Honorary Counsel General of Liberia in Atlanta. The petitioner requested the Sixth Judicial Circuit Court to order the Republic of Liberia to take such measures deem necessary and proper, to intervene and request the Government of the United States of America to have Dr. York declared a persona non grata and repatriated or deported to Liberia, instead of being prosecuted and held in detention in the United States of America, in contravention or contrary to International Norm and Convention regarding the immunity of Foreign Diplomats.

It is reported by the Petitioner to the Court, that Dr. York was arrested and prosecuted in the State of Atlanta Georgia for an alleged sexual molestation which has been proven to be untrue base on the admission of the principle witness that she was persuaded under duress to commit perjury against her self in her testimony against Dr. York.

The Court, in its judgment, inter alia, confirmed that Dr. York is a Diplomatic Personnel of the Government of the Republic of Liberian, with the rank of Consul General, accredited to Atlanta Georgia, which immunes him form being subject to arrest or prosecution as provided under the doctrine of Diplomatic immunity that a Diplomat, accused of a criminal offense should be declared, a PERSONA NON GRATA and subsequently

deported to his country of origin; but should not be arrested and detained in the host country, as it is in the current case involving Dr. York.

Therefore, based upon the judgment of the Court; and in obedience thereto, or in reliance upon and in accordance with said declaratory judgment of the Sixth Judicial Circuit Court of Montserrado County, Republic of Liberia, ordering the Government of Liberia to intervene and defend and protect the rights of Mr. York, a citizen and a diplomatic personnel of Liberia, the Ministry of Foreign Affairs hereby appeals to the Embassy of the United States of America, to kindly request the appropriate Authority of the United States of America to have Dr. Malachi Z. York released from detention and repatriated or deported to Liberia.

The Ministry of Foreign Affairs of the Republic of Liberia shall be very grateful were you to confer with the appropriate Authority of the United States Government to effect the release and subsequent repatriation of Dr. York, a naturalized citizen and diplomatic personnel of Liberia, accredited near Atlanta, Georgia; In view of the above facts and circumstances and consistent with the International Norms and Conventions on the inviolability of the immunities of Diplomatic Officers.

The Ministry of Foreign affairs of the Republic of Liberia avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest esteem, consideration and support of the Republic of Liberia.

MONROVIA-AUGUST 17

The Embassy of the United States of America
Mamba Point, Monrovia Liberia

