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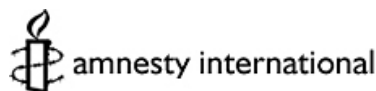
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Amnesty International Annual Report 2011 - Sierra Leone

Head of state and government: **Ernest Bai Koroma**Death penalty: **retentionist**Population: **5.8 million**Life expectancy: **48.2 years**Under-5 mortality (m/f): **160/136 per 1,000**Adult literacy: **39.8 per cent**

The government continued to rebuild institutions and infrastructure in the wake of the civil war, promoting development and providing basic health and education. In an effort to reduce the high rate of maternal mortality, the government introduced a free health care policy for pregnant and lactating women and for children under five. Despite some progress however, the country continued to suffer from widespread poverty-related violations of socio-economic rights; a high incidence of sexual and gender-based violence; violations of children's rights; impunity for past crimes against humanity; justice system weaknesses; non-implementation of crucial Truth and Reconciliation Commission (TRC) recommendations; prevalent corruption; and the looming threat of ethnic violence.

Background

Sierra Leone continued to move beyond the legacy of its 11-year civil war (1991-2002), which resulted in economic devastation, infrastructure collapse, mass displacement, and atrocities including sexual slavery, forced recruitment of child soldiers and amputations. There was progress on the legal front with some implementation of recent legislation such as the Chieftaincy Act, Child Rights Act, Domestic Violence Act and Registration of Customary Marriage and Divorce Act.

In October, Sierra Leone ratified the Convention on the Rights of Persons with Disabilities.

Despite the work of the Anti-Corruption Commission, which obtained a number of successful prosecutions, corruption remained a persistent problem.

Justice system

The justice sector remained beset by major challenges. The law reform process, including a constitutional review, made little progress.

The criminal justice system continued to suffer from an acute shortage of magistrates, lengthy delays in proceedings, overloaded public lawyers, inadequate prosecutorial capacity, delays in the appointment of local court chairs, capacity constraints and corruption, all of which directly impeded Sierra Leoneans' access to justice.

Despite improvements in prison conditions, prisons were overcrowded and had inadequate medical supplies and food. Many detainees were held in prolonged pre-trial detention, and juveniles were detained together with adults. These and other problems combined to make detention in Sierra Leone dangerous and occasionally lethal; conditions were often so harsh

that they constituted cruel, inhuman or degrading treatment or punishment.

Police and security forces

Police brutality, corruption, excessive use of force, poor conditions in police detention cells, and unlawfully prolonged detention without charge were commonplace. Police were also often ineffective in maintaining law and order. There were no effective police investigations into ritual murders and few investigations into sexual and gender-based violence.

- In February, police were sent to quell disturbances by school pupils at the national stadium and injured many children, some as young as six years old.
- No police were held accountable for the unresolved extrajudicial killings by police in Lungi in September 2009, where three people were shot dead and at least 13 others were injured.

Freedom of expression – journalists

Despite improvements in media freedom since the war, the government failed to abolish the provisions of the Public Order Act of 1965 on seditious libel, which placed undue restrictions on freedom of expression. A petition filed by the Sierra Leone Association of Journalists challenging the constitutionality of the Act was quashed by the Supreme Court in November 2009. No reform initiative took place in 2010, although the President had promised in 2009 that the government would review the Act.

Concerns were raised by journalists that some of the provisions of the Sierra Leone Broadcasting Corporation Act passed in 2009 could undermine the independence of the broadcasting corporation.

Children's rights

Children faced serious violations of their rights in many domains. The government failed to uphold and enforce its domestic legislation and to respect its international treaty obligations to protect children and guarantee their rights.

Thousands of children endured the worst forms of child labour in diamond mines and other ultra-hazardous sectors. Sierra Leone's thousands of child miners experienced gross violations of their basic rights. Denied education, health care and basic protections, they endured gruelling and dangerous work. Some died in collapsing pits or mining accidents. Others were scarred for life from the back-breaking work and from exposure to disease.

Few government programmes adequately addressed the continuing special needs of war-affected children and young people – orphans, unaccompanied internally displaced people and former child soldiers. Street children were vulnerable to a wide range of abuses, with little or no protection.

Violence against women and girls

Domestic violence remained widespread. Few cases were reported to the authorities and these were overwhelmingly characterized by inadequate investigation, few prosecutions, out-of-court settlements and interference by traditional leaders. By the end of 2010, only one case had been prosecuted under the Domestic Violence Act 2007. Women's lack of access to the police, exorbitant fees charged by medical officers and pressure to make out-of-court settlements all contributed to impunity and state inaction.

Discriminatory customs continued, such as female genital mutilation (FGM) and forced or early marriage. NGOs made some gains in campaigns to stop FGM among girls but the prevalence was still estimated at around 90 per cent. Laws passed in 2007 – the Child Rights Act and the Registration of Customary Marriage and Divorce Act – prohibited marriage before the age of 18 but were widely ignored. Girls as young as 10 were often married.

Rape of girls by close relatives, schoolteachers and security personnel continued, as did teenage pregnancies, child trafficking, sexual exploitation, and gender discrimination in education.

Maternal mortality

President Ernest Koroma launched on 27 April a "Free Health Care Service" for pregnant women, lactating mothers and children under five. The new programme to abolish health care user fees reportedly cost US\$90m and was expected to cover 230,000 pregnant women and around one million children under five in 2010 alone. Mothers and children were supposed to access a package of medical care that included all treatment and medicines at no cost, ensuring minimal essential care for all. This constituted a leap forward for a country with some

of the worst maternal and child mortality rates in the world.

However, the launch of free care was rushed and ill-prepared. Requisition and distribution systems were inadequate, monitoring and accountability mechanisms were largely absent, so many women and children still had to pay for some or all medicines.

Many factors that contribute to maternal mortality remained unaddressed, such as unsafe abortions, female genital mutilation, early marriage and the lack of sexual and reproductive education.

International justice

The trial of former Liberian President Charles Taylor before the Special Court for Sierra Leone (SCSL) in The Hague continued in 2010.

Since 2002 the Court had sentenced eight men to prison terms: Moinina Fofana; Allieu Kondewa; Issa Sesay; Morris Kallon; Augustine Gbao; Alex Brima; Ibrahim Kamara; and Santigie Kanu. Sam Hinga Norman died of natural causes in 2007 as did Foday Sankoh in 2003. Sam Bockarie was killed in Liberia in 2003 and Johnny Paul Koroma remained at large.

The few trials before the Court contributed to partial disclosure of the truth about the serious crimes committed in Sierra Leone's armed conflict since 1996. The convictions of the Revolutionary United Front (RUF) leaders Issa Sesay, Morris Kallon and Augustine Gbao were the first for attacks on UN peacekeepers as a violation of international humanitarian law and for forced marriage as an inhumane act constituting a crime against humanity.

However, fewer than a dozen of those responsible for hundreds of thousands of crimes under international law were held to account by the SCSL, and most perpetrators went unpunished. The Lomé Accord of 1999 contains an amnesty provision for those responsible for crimes under international law committed in Sierra Leone. This is not a bar to prosecution before the SCSL, but prevails under Sierra Leonean law, so no investigations or trials for crimes committed in the civil war took place before national courts in Sierra Leone.

Concerns also remained regarding the SCSL's inaccessibility to the public, its cost management and slowness, selective justice, inadequate legacy programmes (to rebuild the local justice system and strengthen local institutions), and failure to prosecute corporate actors such as diamond dealers. In 2010, as the SCSL was establishing a policy on access to its archives, concerns were raised that the policy could be overly restrictive and might not allow prosecutors to use the archives to pursue war criminals in other jurisdictions such as Liberia.

Political violence

The threat of political and ethnic violence between supporters of the two main political parties, the Sierra Leone People's Party (SLPP) and the All People's Congress (APC), grew ahead of elections in 2012. Violence and human rights abuses that occurred during the previous election in 2007, and after the APC victory in 2007, still had not been prosecuted or punished, although a judicial commission found that abuses did take place. Youth supporting the SLPP, the People's Movement for Democratic Change (PMDC) and the APC clashed throughout 2009 and again in mid-2010.

A 2010 initiative by the government to launch a Commission of Inquiry into the alleged extrajudicial execution of 26 people by the government in 1992 increased divisions along political and ethnic lines, as did the gradual replacement of roughly 200 high-level government professionals from the southern and eastern provinces with primarily northern APC supporters. With some major political parties adopting regional and ethnic opinions in their campaigns, 2010 saw a resurgence in identity politics and the sharpening of ethnic and party divisions along APC and SLPP lines.

Perceived ethnic and political biases in the police and army also increased mistrust and hostility. Doubts were raised about the independence of the army and tensions were reported in the ranks. In addition, the ruling APC co-opted "youth leaders" and recruited a number of ex-militia combatants – some implicated in serious attacks on political opponents – to join the Operational Support Division (OSD) of the police. Fears rose that if this practice continued, the opposition might similarly recruit from among the thousands of resettled former fighters, posing a grave threat to the country's medium and long-term security.

Death penalty

Sierra Leone was reviewing its Constitution, and the latest draft apparently retained the death penalty. A new death sentence was passed in the High Court in Kenema in November. A member of the military convicted in August 2009 after a court martial for a killing was sentenced to death by firing squad but the President had not signed the death sentence by the end of the year. Ten men and three women remained on death row.

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