

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	122
Land:	Sierra Leone
Kilde:	Amnesty International
Titel:	"Annual Report 2007"
Udgivet:	23. maj 2007
Optaget på baggrundsmaterialet:	30. maj 2007

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SIERRA LEONE

REPUBLIC OF SIERRA LEONE

Head of state and government: Ahmad Tejan Kabbah
Death penalty: retentionist
International Criminal Court: ratified

The police officially took over internal security at the beginning of the year. Several political opponents of the government were arrested and faced trial. Former Liberian President Charles Taylor was transferred to the Special Court for Sierra Leone in March, and three trials before the Special Court continued. Trials of former combatants were concluded. There was little progress in implementing the recommendations of the Truth and Reconciliation Commission, in strengthening the justice system or in reforming laws that discriminate against women.

Background

The UN peacekeeping office in Sierra Leone (UNAMSIL) was replaced with a peace-building office, the UN Integrated Office in Sierra Leone (UNIOSIL), at the start of the year. UNIOSIL made a slow start to its work due to staffing difficulties. The UN Peacebuilding Commission, an intergovernmental advisory body to co-ordinate the resources of the international community in countries emerging from conflict, chose Sierra Leone as a pilot.

The overall security situation was generally stable and the government took further steps towards assuming responsibility for the maintenance of security. There were, however, some security concerns in areas bordering Guinea. Support for the army from the International Military Advisory and Training Team (IMATT), a retraining body from Britain, the USA, Canada, Bermuda, Australia and France, continued throughout the year.

Sierra Leone remained one of the poorest countries in the world with 70 per cent of the population living on less than US\$1 a day and high illiteracy rates. Rates of mortality and disease were at crisis levels due to the inadequacy of the health infrastructure.

Four political parties campaigned ahead of elections scheduled for mid-2007.

Special Court for Sierra Leone

On 29 March Charles Taylor was transferred from Nigeria to Liberia after an official request to the Nigerian government by Liberian President Ellen Johnson-Sirleaf. Upon arriving in Liberia, Charles Taylor was arrested and transferred to the Special Court for Sierra Leone. On 30 March, the Special Court for Sierra Leone made an official request to the Netherlands to host his trial there, citing security issues. There were concerns that political considerations lay behind the move, rather than security.

On 15 June the United Kingdom (UK) agreed to imprison Charles Taylor if he was sentenced to a prison term. On 16 June UN Resolution 1688 was passed, which relocated the trial from Freetown to the premises of the International Criminal Court in The Hague, the Netherlands. On 20 June Charles Taylor was officially transferred to The Hague. The indictment against Charles Taylor was reduced from 17 to 11 counts of war crimes and crimes against humanity. In April Charles Taylor pleaded not guilty. Two pre-trial hearings took place, and the trial was due to start in 2007.

Trials continued before the Special Court for Sierra Leone of those bearing the greatest responsibility for crimes against humanity, war crimes and other serious violations of international law committed in the civil war after 30 November 1996. Charges included murder, mutilation, rape and other forms of sexual violence, sexual slavery, conscription of child soldiers, abductions and forced labour. In December the UN Secretary-General appointed Stephen Rapp, a US national and Chief of Prosecutions at the International Criminal Tribunal for Rwanda, as the new Prosecutor of the Special Court.

Of 11 people indicted, 10 were in custody, but Johnny Paul Koroma, former Chairman of the Armed Forces Revolutionary Council (AFRC), remained at large. Although individually charged, the trials were conducted in three groups. In the Revolutionary United Front (RUF) trial of three men including Issa Sesay, the prosecution closed on 2 August and the defence was due to start in 2007. In the Civil Defence Forces trial of three men including Moinina Fofana, closing arguments began in late November. In the AFRC trial, the defence concluded in December.

Arrests and trials of political opponents

Several suspected political opponents of the government were arrested and tried during the year.

- In January Omrie Golley, former spokesman of the RUF, Mohamed Alpha Bah and David Kai-Tongi were arrested in Freetown. The three were charged with treason, and by the end of the year, after numerous delays, the trial had not been concluded.
- In February Charles Margai, interim leader of the People's Movement for Democratic Change (PMDC), was arrested, prompting peaceful protests by PMDC supporters. His trial was continuing at the end of the year.

Trials of former combatants

The trials of former members of the RUF and AFRC charged with treason, who had been detained in Pademba Road Prison, concluded before the High Court in Freetown. Forty-two were acquitted, three were sentenced to 10 years' imprisonment and 13 received other sentences.

In the trial of 31 members of the West Side Boys, an armed group, 25 were acquitted and six sentenced to life imprisonment.

Press freedom

In February the Minister of Justice announced that he would not pursue charges of manslaughter in the case of Harry Yansaneh, editor of the newspaper For di People, who died after being beaten by a group of men in 2005. Human rights defenders called for the extradition from the UK of three men allegedly involved in the assault, who fled to the UK after his death.

- In March Sarh Musa Yamba, Editor of the Concord Times, was arrested by the Criminal Investigation Department (CID), allegedly on the orders of the Attorney General's office. He was later released without charge.

Reform of the justice sector

There was little progress in the reform of the justice sector. The main challenges included the slow pace of trials and interference with the judiciary by the executive.

After members of civil society lobbied the Law Reform Commission, it announced plans to reform the Constitution to bring it in line with current legislation. It planned to hold a referendum on an amended draft Constitution in July 2007, coinciding with presidential and parliamentary elections.

Violence against women

Women continued to face widespread discrimination and violence, compounded by a lack of access to justice. Little

progress was made in reforming proposed laws on marriage, inheritance and sexual offences. Delays in the Law Officer's Department continued and by the end of 2006 draft laws had not yet been presented to Parliament for approval. Legislation on domestic violence remained in the drafting stage. A draft report on the implementation of the UN Women's Convention was delayed until 2007.

In the informal legal sector, chiefs and local court officials often gave rulings and adjudications in cases outside their jurisdiction. The government did little to curtail the practices of chiefs who illegally imposed fines or imprisoned women based on their interpretation of customary law, under which women's status in society is equal to that of a minor.

National Human Rights Commission

By October the five Commissioners chosen by the President for the National Human Rights Commission were approved by Parliament. They were Jamesina King, Yasmin Jusu Sheriff, Edward Sam, Joseph Stanley and Reverend Kanu. The Commission's mandate was to focus on human rights protection and promotion and to serve as a watchdog body.

Truth and Reconciliation Commission

Implementation of the recommendations of the Truth and Reconciliation Commission (TRC), whose report was published in 2004, was minimal. A code of conduct for judges and magistrates was adopted to reduce political interference in the prosecution of corruption cases. During 2006 a TRC task force developed a comprehensive action plan for the government to implement the TRC recommendations and identified a government agency, the National Commission for Social Action, to assist in the process.

Death penalty

Despite efforts by civil society to achieve abolition of the death penalty, a key recommendation of the TRC, 22 people, including five women, remained under sentence of death. Lawyers for Legal Assistance publicized plans to petition the Supreme Court to order the government to abolish the death penalty.

AI country reports/visits

Reports

- Sierra Leone: Women face human rights abuses in the informal legal sector (AI Index: AFR 51/002/2006)
- Sierra Leone: Special Court for Sierra Leone: Issues for consideration regarding the location of the trial of Charles Taylor (AI Index: AFR 51/005/2006)

Visit

AI delegates visited in May to launch AI's report on abuses of women's rights in the informal legal sector.

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