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Amnesty International Annual Report 2012 - Sierra Leone

Head of state and government: **Ernest Bai Koroma**

Death penalty: **abolitionist in practice**

Population: **6 million**

Life expectancy: **47.8 years**

Under-5 mortality: **192.3 per 1,000**

Adult literacy: **40.9 per cent**

The government confirmed an official moratorium on executions. Women, particularly in rural areas, faced difficulties accessing maternal health care services. There were lengthy delays in the criminal justice system. Prisons were overcrowded and conditions poor. Violence against women and girls was widespread. There was violence between rival political parties ahead of elections in 2012.

Background

In March, the Special Court for Sierra Leone, sitting in The Hague, finished hearing evidence in the trial of former Liberian President Charles Taylor, who is charged for his individual criminal responsibility in crimes against humanity and war crimes committed during the 11-year armed conflict in Sierra Leone, including murder, rape, conscripting or enlisting children under the age of 15 into armed forces and other inhuman acts. The judges were still deliberating at the end of the year.

The peace accord included an amnesty measure, meaning that only 13 people were indicted on charges of gross human rights violations.

The Persons with Disabilities Act was passed on 5 May, with the aim of establishing the National Commission for Persons with Disabilities and prohibiting discrimination against people with disabilities. However, the Commission had not been established by the end of the year.

No progress was made in the constitutional review, which was not expected to resume until after the 2012 national elections.

In May, Sierra Leone's human rights record was considered under the UN Universal Periodic Review. Sierra Leone accepted all of the recommendations except those on the rights of lesbian, gay, bisexual and transgender people.

Death penalty

There were three people on death row at the end of the year. Two men were sentenced to death for murder on 19 and 26 May respectively.

In March, the Court of Appeal overturned the death sentence of a woman who had been convicted of murdering her child in 2005.

In April, the authorities pardoned three death row prisoners, including one woman, and commuted all other death sentences to life imprisonment, except that of Baby Allieu, who remained on death row after being sentenced to death for murder in November 2010.

In December, the conviction of a woman formerly on death row was overturned on appeal by the High Court. She had been on bail since 2010.

In September, the government confirmed an official moratorium on executions.

Justice system

Magistrates were overworked and under-trained. Constant adjournments, missing case files, lack of transport for prisoners to and from court, and a shortage of magistrates created lengthy delays.

A pilot legal aid scheme saw some successes, but was only operational in Freetown. A bill to expand the provision of legal aid had not been introduced to parliament by the end of the year.

Chiefs' courts continued to exceed their jurisdiction, often issuing large fines and arbitrarily imprisoning people. A new Local Courts Act was passed in September; however it had not been implemented by the end of the year.

Corporate accountability

Land use agreements between corporations, the government and communities were characterized by inadequate consultation, lack of information, lack of transparency and intimidation. Some human rights defenders faced intimidation and threats over their work on corporate accountability.

- In October, 40 people were arrested in Sahn Malen Chiefdom, Pujehun district after protests against the agreement for the lease of their land to the oil palm and rubber company, Socfin. Fifteen were charged with "riotous behaviour" and "unlawful assembly" under the 1965 Public Order Act and remanded in prison custody for seven days before being released on bail. The case was ongoing at the end of the year.

Forced evictions

On 11 May, over 100 people – disabled residents, their family members and carers – were forcibly evicted by the police from a home and training centre in Freetown. A seven-day eviction notice was posted on the door before the eviction. Police fired tear gas into the building and threw out their belongings.

Freedom of expression

Journalists faced harassment, threats and assault. The Public Order Act of 1965, whose provisions on seditious libel restrict freedom of expression, was not repealed. The Right to Access Information Bill, introduced to parliament in 2010, had not been passed by the end of the year.

- In September, Mohamed Fajah Barrie, a BBC sports journalist, and three other journalists were beaten up by presidential guards after a football match. Mohamed Fajah Barrie was beaten to a coma. President Koroma publicly stated his commitment to investigate, but by the end of the year no one had been prosecuted.

Maternal health

Pregnant women and girls continued to face serious challenges accessing drugs and medical care crucial to ensuring safe pregnancy and childbirth despite the launch of a major government initiative in April 2010 to provide free care to pregnant women and girls. The quality of care was frequently substandard, and many women continued to pay for essential drugs, despite the free care policy. As a result, many women and girls living in poverty continued to have limited or no access to essential care in pregnancy and childbirth. A critical shortcoming within the health care system was the absence of any effective monitoring and accountability systems. Maternal health services were particularly poor in rural areas.

Police and security forces

Poor conditions in police detention cells and unlawfully prolonged detention without charge were commonplace. Investigations into sexual and gender-based violence were often inadequate.

- In June, nine people, including two aged 15 and 16 and four people with disabilities, were detained in Kissi police station for 17 days following a land dispute in Grafton. They were eventually released without charge.

Prison conditions

There was severe overcrowding in several of Sierra Leone's prisons. Most prisons had extremely poor sanitation and used buckets for toilets.

There were three juvenile detention centres in the country, two in Freetown and one in Bo. Children were routinely detained with adults in police and prison cells in other parts of the country. Police regularly exaggerated the age of children before transferring them to prison.

Only Pademba Road prison had a hospital, but inmates often had to pay to receive treatment.

Violence against women and girls

Domestic violence, rape and other forms of sexual violence remained widespread. Few cases were reported to the authorities and these were often poorly investigated, with few successful prosecutions. Medical facilities routinely charge victims of sexual violence for medical reports, without which successful prosecution is virtually impossible. Social stigma, expensive and intimidating court processes and intervention by family members and traditional leaders meant that out-of-court settlements were

common. Family support units, tasked with investigating sexual and gender-based violence, were understaffed and under-resourced and struggled to cope.

Harmful and discriminatory traditional practices continued, such as female genital mutilation (FGM) and forced or early marriage, although FGM of girls under 18 decreased slightly. Some human rights defenders faced harassment and threats over their work on FGM. National law does not expressly criminalize the practice.

Little progress was made in addressing legislative loopholes in the "Three Gender Acts" and the Child Rights Act 2007, undermining the legislative protection of women and children's rights. Although NGOs raised awareness of these acts, by the end of the year implementation remained poor.

No efforts were made to amend Section 27(4)(d) of the Constitution, which permits discrimination on the basis of adoption, marriage, divorce, burial and inheritance.

Political violence

Political tension 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.

The findings and recommendations of the Shears Moses Independent Review Panel, established in April 2009 to investigate incidents of political violence in March 2009, had not been made public by the end of the year.

- On 9 September, a clash between APC and SLPP supporters left one person dead and 23 injured when the police used tear gas and live ammunition to disperse the crowd. Stones were thrown at SLPP supporters. The APC's Bo headquarters were burnt down and an APC chairperson was stabbed. The President set up an investigative panel, but the recommendations were yet to be implemented at the end of the year.