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[International Justice.](#)
[Displaced People.](#)
[Stop Violence Against Women.](#)
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Africa : Sierra Leone

REPUBLIC OF SIERRA LEONE

Head of state and government: Ahmad Tejan Kabbah

Death penalty: retentionist

International Criminal Court: ratified

UN Women's Convention: ratified

Optional Protocol to UN Women's Convention: signed

Overview - Covering events from January - December 2005

[Background](#) : [The Special Court for Sierra Leone](#) : [High Court treason trials](#) : [Truth and Reconciliation Commission](#) : [Protracted justice reforms](#) : [Press freedom under attack](#) : [AI country visits](#)

Trials continued before the Special Court for Sierra Leone. The Nigerian government refused to surrender former Liberian President Charles Taylor to the Special Court for Sierra Leone to be tried on charges of crimes against humanity and war crimes committed during the armed conflict in Sierra Leone. The trials before national courts of former combatants charged with murder and other offences in 2002 continued. Weaknesses, such as staff shortages, remained in the judicial sector. The acting editor of the leading newspaper *For Di People* died after a severe beating, amid fears that a member of parliament had been involved in his death. The Truth and Reconciliation Commission's 2004 report was distributed as part of a nationwide programme to raise awareness of human rights, including of women and children. However, a recommendation by the Commission to abolish the death penalty was not implemented.

Background

The security situation remained generally stable. The government assumed further responsibilities for maintaining security and consolidating the peace, and extended its authority. Some 9,500 police officers were deployed throughout the country, and international



Sierra Leone

Archive information

[Special Court for Sierra Leone National Victims Commission](#)
 Freetown, 1 and 2 March 2006
 (AI Index: AFR 51/002)

[Sierra Leone: No one of access to justice in](#)
 (AI Index: AFR 51/011)

[All documents on Sierra Leone](#)

military advisers supported strengthening of the army.

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. There was little progress in addressing other factors contributing to human rights violations, particularly widespread poverty, severe youth unemployment and the lack of basic services.

The UN High Commissioner for Human Rights visited Sierra Leone in July, primarily to support the establishment of the National Human Rights Commission. Later in July Parliament approved the law setting up the National Human Rights Commission, which was to start functioning from early 2006.

An August UN Security Council resolution replaced the UN peacekeeping office in Sierra Leone (UNAMSIL) with a peace building office, the UN Integrated Office in Sierra Leone (UNIOSIL), to focus on human rights and the rule of law from January 2006. The human rights section of UNAMSIL held a national conference in December to formulate a human rights action plan for the new mission.

The Special Court for Sierra Leone

Former Liberian President Charles Taylor continued to enjoy impunity despite international pressure, including from the European Parliament and the US Congress, for Nigeria to surrender him to the Special Court for Sierra Leone to face charges of crimes against humanity, war crimes and other serious violations of international law. The Campaign Against Impunity, a coalition of international human rights organizations, was formed to press the Nigerian government and other African Union member states for Charles Taylor's surrender to the Special Court.

President Olusegun Obasanjo of Nigeria maintained his refusal to surrender Charles Taylor, on the grounds that it would disrupt Liberia's transition. In July member states of the Mano River Union – Guinea, Liberia and Sierra Leone – called for Nigeria to review the terms under which Charles Taylor had been granted asylum in 2003, as he was allegedly breaking a commitment not to interfere in Liberian politics. In November the federal High Court in Nigeria ruled that two Nigerian victims of torture had legal standing to challenge the asylum given to Charles Taylor.

The Special Court established a second trial chamber in January, enabling a third trial to start in March. Three trials involving nine suspects indicted in 2003 continued throughout the year. In April the second trial chamber ordered the prosecution of a defence lawyer for allegedly revealing the identity of, and threatening, a protected witness. In July the prosecution closed its case in the trial of three members of pro-government Civil Defence Force (CDF) militias, and in October the first trial chamber unanimously dismissed a motion for acquittal. In November the trial began of three members of the former armed opposition Revolutionary United Front (RUF). The trial of three members of the Armed Forces Revolutionary Council (AFRC) had not concluded by the end of 2005. Reports of the death of Johnny Paul Koroma, the former AFRC Chairman, were not confirmed, and he remained at large.

The Special Court remained without sufficient guarantees of international funding to enable it to continue operating effectively until the end of 2006.

High Court treason trials

At the beginning of 2005, 57 former RUF and AFRC members and 31 former West Side boys, renegade soldiers, were on trial before the High Court in the capital, Freetown. They were charged with treason for allegedly overthrowing or seeking to overthrow an elected government by force. One of the accused, the daughter of former RUF leader Foday Sankoh, died in prison in 2005. There were repeated adjournments of the trials.

Nine former members of the RUF and AFRC and one civilian, sentenced to death for treason in December 2004, planned to lodge an appeal but did not have access to lawyers. The charges related to an armed attack in January 2003 on a military armoury in Freetown in an apparent attempt to overthrow the government.

Other former combatants were held in safe custody for periods mid-year, reportedly because they were testifying for the prosecution in the trials. Three former RUF members spent a month in July and August in the custody of the criminal investigation police.

Truth and Reconciliation Commission

The Truth and Reconciliation Commission distributed its report, published in 2004, which contributed to raising awareness of human rights concerns it highlighted. Key recommendations included the abolition of the death penalty, a moratorium on executions

pending abolition, and commutation of pending death sentences.

Inspired by the example set by the Special Court for Sierra Leone, where the maximum sentence was a term of life imprisonment, civil society groups organized events throughout the year to raise concern about the death penalty.

The government's response to the report, published mid-year, made no commitment to abolish the death penalty, however. In November, a non-governmental follow-up committee presented a draft law to Parliament to adopt the Commission's recommendations as law.

Protracted justice reforms

Reform of the justice sector was slow. There were improvements to infrastructure with the building of court houses and prisons. Shortage of legal staff resulted in delays in the finalization of draft laws to protect women's human rights, including laws on marriage, succession, inheritance and sexual offences drafted by the Law Reform Commission. The Law Reform Commission carried out consultations on domestic violence legislation, for a draft bill to be presented to Parliament in 2006.

In the formal legal system, court adjournments and long delays in trials remained common. There was little opportunity for convicted prisoners to lodge appeals. Some legal aid was available in district towns but not in Freetown. Local courts, in which lay judges administered customary law, were functioning. However, chiefs and local court officials often gave rulings and adjudications in cases outside their jurisdiction, contributing to the denial of justice to a large proportion of the population. The Attorney General's Office provided training to local court officials during the year.

Press freedom under attack

Journalists and editors were targeted, giving rise to fears of a concerted attack on press freedoms.

- Paul Kamara, former editor of *For Di People*, was released from prison on appeal in November after serving 13 months of two concurrent two-year prison terms in the Central Prison, Freetown. He was convicted of seditious libel in 2004, after the paper claimed that a 1967 commission of inquiry had "convicted" President Kabbah, then a ministerial official, of fraud.
- In May, Sidney Pratt and Dennis Jones, journalists for the *Trumpet* newspaper, were arrested by police and accused of seditious libel. They were subsequently released without charge.
- On 10 May, Harry Yansaneh, acting editor of *For Di People*, was assaulted on the newspaper's premises by a group of men. He was hospitalized but died from his injuries in July. The coroner's inquest found that the death was caused by the assault. Eight people, including a senior government official, were arrested and charged with involuntary manslaughter. They were released on bail to await trial, which had not started by the end of 2005. There were concerns about government interference in the case after the Attorney General had the initial charges withdrawn because of a procedural error by the coroner.

AI country visits

AI delegates visited Sierra Leone for research in October and for lobbying in December.

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