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Sierra Leone: Amnesty International expresses dismay at 10 death sentences for treason

Amnesty International is dismayed at the death sentences passed by Freetown's High Court yesterday against 10 men convicted of treason.

These death sentences come only weeks after Sierra Leone's Truth and Reconciliation Commission recommended the complete abolition of the death penalty.

The Truth and Reconciliation Commission (TRC) was established by the government in 2000 to create an impartial historical record of human rights abuses committed during the armed conflict and to provide a forum for victims and perpetrators to recount their experiences. One of the key recommendations in its report, published in October, was enshrining the right to human dignity and abolishing the death penalty.

"The TRC's report explicitly calls for the immediate repeal of laws authorizing the death penalty, for a moratorium on all executions pending abolition, and for President Ahmad Tejan Kabbah to commute all pending death sentences," said Tessa Kordeczka, Amnesty International's researcher on Sierra Leone. "President Kabbah should respond immediately to the spirit and letter of the TRC's report and commute all death sentences."

In addition to defying the public mood captured by the TRC, these death sentences go against a growing momentum within West Africa to abolish the death penalty.

On 10 December the Senegalese Parliament adopted legislation abolishing the death penalty, becoming the fourth member state of the Economic Community of West African States to outlaw recourse to capital punishment. In October, the National Study Group on the Death Penalty in Nigeria also called on the Nigerian government to impose a moratorium on executions and commute all pending death sentences where appeals had been exhausted.

"Sentencing these 10 people to death is an extremely retrogressive step which runs counter to the recent positive developments in West Africa," Tessa Kordeczka said.

In addition, there should be an end to the discrepancy between national courts and the Special Court for Sierra Leone, which is trying those accused of crimes against humanity, war crimes and other serious violations of international law during Sierra Leone's conflict. The maximum sentence which can be imposed by the Special Court is life imprisonment, whereas the national courts may impose the death

penalty.

"In practice, this means that a person convicted of the most serious crimes would face a prison sentence, whereas those convicted before national courts of offences which may be less serious could face the death penalty," Tessa Kordeczka said. "Many, including Sierra Leonean civil society groups and the UN High Commissioner for Human Rights, have expressed deep disquiet about this discrepancy."

"The government must follow the practice of the Special Court for Sierra Leone which reflects the international trend towards abolition of the death penalty," Tessa Kordeczka concluded.

Background

The charges against the 10 men sentenced to death - members of the former armed opposition groups, the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF), and one civilian - related to an armed attack in January 2003 on the armoury at Wellington barracks, on the outskirts of Freetown, in an apparent attempt to overthrow the government of President Kabbah. Johnny Paul Koroma, former leader of the AFRC and an elected member of parliament, was said to be implicated but evaded arrest. In March 2003, Johnny Paul Koroma was indicted by the Special Court for Sierra Leone, which is trying those alleged to bear the greatest responsibility for crimes against humanity, war crimes and other serious violations of international law committed after November 1996. His whereabouts remain unknown; rumours of his death have yet to be confirmed.

Those sentenced to death yesterday have the right to appeal against their conviction and sentence within 21 days. Of five other defendants in the same trial, one was sentenced to 10 years' imprisonment and four were acquitted. Another suspect had been transferred to the jurisdiction of the Special Court in September 2003.

Some 15 other people are reported to be under sentence of death in Sierra Leone. There have been no judicial executions since October 1998 when 24 AFRC members convicted of treason were publicly executed after an unfair trial before a military court.

Amnesty International believes that the death penalty is the ultimate cruel, inhuman and degrading punishment. It violates the right to life. It is irrevocable and can be inflicted on the innocent. It has never been shown to deter crime more effectively than other punishments.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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