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Amnesty International's recommendations to the Commonwealth Heads of Government Meeting, Durban, South Africa, 12-15 November 1999

The peace agreement between the government of Sierra Leone and the armed opposition Revolutionary United Front (RUF) signed on 7 July 1999 in Lomé, Togo, provides a unique opportunity to bring to an end the gross human rights abuses which have characterized the internal armed conflict in Sierra Leone. There have, however, been serious delays in the implementation of the peace agreement and the political and security situation remains fragile. Violence has continued in parts of the country and civilians continue to be killed, tortured and abducted and to face an acute humanitarian situation. Ending human rights abuses depends on the effective implementation of the peace agreement. This cannot be achieved without strong commitments from the international community.

Peace and reconciliation will not be achieved without justice. The total amnesty granted by the peace agreement

Amnesty International's recommendations to member states of the Commonwealth:

Contribute towards the disarmament and demobilization of former child combatants and programs to meet their social, psychological and material needs and reintegration into society

Of an estimated 45,000 former combatants awaiting disarmament, demobilization and reintegration (DDR), 5,400 are children, according to the UN Secretary-General's report on Sierra Leone of 23 September 1999 to the UN Security Council; the real number is, however, likely to be much higher. DDR programs for former child combatants must be given the highest priority.

Those agencies, including UNICEF, which have developed specific programs for former child soldiers must

Support the establishment of an effective international mechanism for investigating human rights abuses in order to establish accountability and bring perpetrators to justice

There can be no genuine reconciliation, and therefore lasting peace, if the truth about human rights abuses is not established and those responsible held accountable. The atrocities committed against civilians in Sierra Leone constitute the gravest violations of international human rights and humanitarian law but the blanket amnesty provided by the peace agreement grants complete immunity to the perpetrators.

The UN, as a signatory to the peace agreement, added a disclaimer that it does not recognize the amnesty as applying to international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law. The UN Secretary-General has acknowledged that the amnesty is difficult to reconcile with ending impunity and has suggested that the international community consider steps to address this question, including the establishment in due course of an international commission of inquiry as recommended by the

to those responsible for killings, mutilation, rape and abduction contradicts fundamental human rights standards and provides no deterrent for further violations of international human rights and humanitarian law.

The Commonwealth, which signed the peace agreement as a moral guarantor, has a continuing responsibility to ensure that the peace process succeeds and that the parties to the agreement respect and protect human rights. Amnesty International is calling on member states of the Commonwealth to ensure that the opportunities offered by political developments during 1999 for the protection and respect of human rights - including the human rights provisions of the peace agreement and the Human Rights Manifesto of Sierra Leone, signed during the visit by the UN High Commissioner for Human Rights to Sierra Leone in June 1999 - receive full political and financial support.

be supported with adequate financial, material and human resources. The UK has already provided significant support for DDR; it has pledged \$10 million to a multi-donor trust fund established by the World Bank to finance DDR and has recognized the need to provide special attention to former child combatants. Canada is also providing assistance, but further support from the international community is needed.

UN High Commissioner for Human Rights shortly after the signing of the peace agreement. Initiatives by the High Commissioner's office to assess how such a commission might be established and function must be pursued without delay.

The blanket amnesty precludes prosecution within Sierra Leone of perpetrators of human rights abuses committed during the conflict. While the Truth and Reconciliation Commission provided by the peace agreement cannot alone establish full accountability for those human rights abuses, it can play a role in revealing the truth and may contribute towards the wider international investigation requested by the UN High Commissioner for Human Rights.

Certain gross human rights abuses committed during the conflict remain crimes under universal jurisdiction and states have an obligation to prosecute alleged perpetrators before their own courts if they travel outside Sierra Leone.

Human rights abuses, including killings, rape and abductions, which have occurred since the signing of the peace agreement are not covered by the amnesty and any

Ensure that the UN peace-keeping force and remaining ECOMOG forces conform at all times to international human rights and humanitarian law

UN Security Council Resolution 1270 (1999) of 22 October 1999 authorized the deployment of an international peace-keeping force in Sierra Leone of 6,000 troops for an initial period of six months to assist with the implementation of the peace agreement, in particular disarmament and demobilization of former combatants. It is expected that the UN peace-keeping force will include a substantial number of troops from the Economic Community of West African States (ECOWAS). A reduced

Continue to assist in the restructuring and training of the military and police forces and ensure that this includes training in international human rights and humanitarian law

In order to ensure the restoration of good governance, the rule of law and respect for human rights in Sierra Leone, rebuilding and training of a new, accountable national army and police force are essential. The UK is further developing its program to re-establish, train and equip a new army of some 5,000 personnel. While the UK is principally providing training for trainers, Nigeria is undertaking direct

Contribute towards rebuilding and strengthening the judicial and legal system

The conflict in Sierra Leone has all but destroyed the judicial system in Sierra Leone. The Sierra Leone Bar Association in October 1999 reported that since 1995 the administration of justice outside Freetown has been almost non-existent. Courts outside Freetown, other than magistrates courts in the provincial towns of Bo and Kenema, have ceased to function. Court rooms have been burned or destroyed. There is no library available to members of the judiciary.

Ensure that an effective international human rights presence remains for as long as necessary and that it receives strong political support and adequate resources from the international community

The human rights section of the UN Observer Mission in Sierra Leone (UNOMSIL), renamed the UN Mission in Sierra Leone (UNAMSIL) by Security Council Resolution 1270 (1999), has played an crucial role in monitoring and reporting human rights abuses in Sierra Leone and in promoting the respect and protection of human rights. Its presence during implementation of the peace agreement and the period of post-conflict reconstruction remains essential and it must benefit from adequate personnel and funding.

Since the signing of the peace agreement the UNAMSIL human rights section has been actively involved

such abuses must be immediately and fully investigated and those responsible brought to justice.

force of the ECOWAS Cease-fire Monitoring Group (ECOMOG) currently deployed in Sierra Leone will also remain to maintain security. Recent resolutions by the UN Security Council have stressed the need for UN personnel involved in peace-keeping to have appropriate training in both international humanitarian, human rights and refugee law and also in the protection, rights and welfare of children.

training of recruits and has also commenced training in Nigeria for some 500 Sierra Leonean cadet officers. The Commonwealth Police Development Task Force, established in 1998 but forced to abandon its work following the incursion by rebel forces into the capital, Freetown, in January 1999, has been reconstituted, led by the UK, and has now returned to Sierra Leone.

The long-term protection of human rights depends fundamentally on an effective legal system which is enforced by an independent, impartial and accessible judiciary with adequate resources. The international community, including international financial institutions such as the World Bank, should contribute towards the reconstruction of an effective legal and judicial system in Sierra Leone. These initiatives must, however, be coupled with a determined government policy to bring to justice those responsible for human rights abuses.

in obtaining the release of prisoners and captured civilians, working towards the implementation of the human rights provisions of the peace agreement, including the Truth and Reconciliation Commission and a National Human Rights Commission, providing human rights training for police and UN military observers and providing support for the Sierra Leone human rights movement. Although UN Security Council Resolution 1260 (1999) of 20 August 1999 authorized an additional 10 human rights officers, none has yet been appointed.

For further information, see Amnesty International publications *Sierra Leone: 1998 - a year of atrocities against civilians* (AI Index: AFR 51/22/98, November 1998), *Sierra Leone: a peace agreement but no justice* (AI Index: AFR 51/07/99, 9 July 1999), and *Sierra Leone: the Security Council should clarify the United Nations' position on impunity* (AI Index: 51/10/99, 4 August 1999). See also UN Security Council Resolution 1261 (1999) of 25 August 1999, Resolution 1265 (1999) of 17 September 1999 and Resolution 1270 (1999) of 22 October 1999.

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