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Sierra Leone: a peace agreement but no justice

This week's peace agreement which grants total amnesty to the perpetrators of killings, mutilations, rapes and abductions in Sierra Leone is unjust and unacceptable, Amnesty International said today.

The peace agreement reached on 7 July 1999 in Lomé, Togo, between the Government of Sierra Leone and the armed opposition Revolutionary United Front (RUF) grants a sweeping amnesty to rebel forces for all acts committed as combatants during the conflict. It therefore confers complete impunity to those responsible for gross human rights abuses.

"There must be a thorough and independent investigation of war crimes, crimes against humanity and serious human rights abuses in Sierra Leone and those responsible must be brought to justice," Amnesty International added.

Sierra Leone's internal armed conflict, which has lasted more than eight years, has been characterized by appalling human rights abuses on a massive scale. It has been a war against unarmed civilians, including women and children, who have been deliberately killed, mutilated, raped and abducted. The imperative to end the conflict - and the atrocities - has been overwhelming.

The atrocities committed against civilians by rebel forces in Sierra Leone constitute the gravest violations of international law. Even if the peace agreement confers immunity from prosecution within Sierra Leone, certain gross human rights abuses committed during the conflict remain crimes under universal jurisdiction and the perpetrators may be prosecuted if they travel outside Sierra Leone.

The United Nations (UN) Commission on Human Rights on 6 April 1999 reminded all countries of their obligation to seek those alleged to have committed or to have ordered to be committed grave breaches of international humanitarian law in Sierra Leone and to prosecute them before their own courts. If states fail to fulfil that obligation, they are undermining the will of the international community.

After the signing of the peace agreement, the UN explicitly distanced itself from the general amnesty for rebel forces and their collaborators, explaining that amnesties and pardons could not apply to crimes against humanity, war crimes and other serious violations of international humanitarian law.

"By failing to tackle impunity for gross human rights abuses, the peace agreement provides no deterrent to continuing human rights abuses or contempt for international human rights and humanitarian law," Amnesty International said.

Although the peace agreement provides for the establishment of a truth and reconciliation commission, it is not clear that this commission will fully meet the rights of victims and their families to truth, justice and reparation. If these rights are ignored, a question remains over the legitimacy of the agreement for the people of Sierra Leone.

“There can be no true reconciliation - and with it lasting peace - if the truth about the gross human rights abuses which have occurred in Sierra Leone is not established and those responsible held accountable,” Amnesty International stressed.

On 24 and 25 June 1999, during a visit to Freetown, the UN High Commissioner for Human Rights, Mary Robinson, had described the human rights situation in Sierra Leone “as worse than in Kosovo.”

The UN Secretary-General, Kofi Annan, said that one purpose of the visit was to obtain tangible commitments for preventing abuses and holding the perpetrators accountable.

“The peace agreement signed on 7 July 1999, however, by granting sweeping amnesties to perpetrators of gross human rights abuses, fundamentally undermines efforts to prevent further human rights abuses and to bring those responsible to justice,” Amnesty International concluded.

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