

EXTERNAL

AI Index: AFR 51/10/95

EXTRA 128/95

Death penalty / Legal concern

30 October 1995

SIERRA LEONE

Three soldiers sentenced to death

Amnesty International is concerned that three soldiers sentenced to death by a military court could be executed in the near future. They have no right of appeal to a higher court.

Three border guards, whose names Amnesty International does not yet know, were sentenced to death by firing squad on 26 October 1995 after being convicted by a court-martial of murder, conspiracy and robbery. They were accused of shooting three civilians during a raid on a village in the north of the country in March 1995 and looting rice and other food.

Trials before courts-martial allow no right of appeal to a higher court. Courts-martial are composed of a panel of senior military officers chaired by a High Court judge who advises the panel on points of law. Sentences have to be confirmed by the head of state.

BACKGROUND INFORMATION

Conflict in Sierra Leone between an insurgent force and government soldiers continued after the National Provisional Ruling Council (NPRC) came to power following a coup in April 1992. By 1994 the identity and motives of those involved in the conflict were no longer clear. The conflict had developed into a campaign of terror by both government soldiers and rebel forces directed primarily at unarmed and defenceless civilians.

Following persistent claims during 1994 that current and former soldiers were responsible for attacks on civilians, as well as looting, robbery and extortion both within and outside areas affected by the conflict, the NPRC admitted publicly that there were serious problems of indiscipline in the army. In an attempt to address defection and unlawful activities by soldiers, the NPRC resorted to the use of executions after legal proceedings which do not conform to international standards for a fair trial.

Twelve soldiers, including a 77-year-old warrant officer, were executed on 11 and 12 November 1994 after being convicted by courts-martial in the capital, Freetown, of charges which included collaborating with rebel forces, armed robbery and murder. On 11 January 1995 a senior military officer, Lieutenant-Colonel Chernor M. Deen, was sentenced to death after being convicted of aiding and communicating with rebel forces; his sentence has not been carried out. None had the right to appeal against conviction and sentence to a higher court.

Amnesty International unconditionally opposes the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment. The use of the death penalty is contrary to the trend in Africa and countries around the world towards its abolition. Nineteen states in Africa and a majority of states in the world have abolished the death penalty in law or in practice.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern about reports that three soldiers were sentenced to death by a court-martial on 26 October 1995;

- explaining that, while it does not condone or question the gravity of the offences reported to have been committed, Amnesty International opposes the death penalty in all cases on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment;
- expressing concern that the trial did not conform to international standards of fairness, in particular, that the defendants have no right to appeal to a higher court against their conviction and sentence;
- urging that these death sentences be commuted.

APPEALS TO:

Captain Valentine E.M. Strasser
Chairman
National Provisional Ruling Council
State House
Independence Avenue
Freetown, Sierra Leone

Telegrams: Captain Strasser, NPRC, Freetown, Sierra Leone

Telexes: 3230

Salutation: Dear Captain Strasser

Brigadier Julius Maada Bio
Deputy Chairman
National Provisional Ruling Council
State House
Independence Avenue
Freetown, Sierra Leone

Telegrams: Brigadier Maada Bio, NPRC, Freetown, Sierra Leone

Telexes: 3230

Salutation: Dear Brigadier Maada Bio

COPIES TO:

Mr Claude V. Campbell
Attorney General and Secretary of State for Justice
Department of Justice and Office of the Attorney General
Guma Building
Lamina Sankoh Street
Freetown, Sierra Leone

Brigadier (retd) J.O.Y. Turay
Chief of Staff
Republic of Sierra Leone Military Force (RSLMF)
RSLMF Headquarters
New Office
Wilkinson Road
Freetown, Sierra Leone

and to the editors of following newspapers:

The New Citizen, 5 Hannah Benka-Coker Street, Brookfields, Freetown, Sierra Leone

Daily Mail, 29-31 Rawdon Street, PO Box 53, Freetown, Sierra Leone

and to diplomatic representatives of Sierra Leone accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 5 December 1995.