

EXTERNAL (for general distribution)

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UA 416/92 Death Penalty / Legal Concern / Fear of further executions

31 December 1992

SIERRA LEONE: 26 people executed, including James Bambay Kamara, former  
Minister of State and Inspector General of Police and  
Lieutenant Colonel James Yaya Kanu

At least 26 people suspected of involvement in two separate coup attempts are feared to have been executed in Freetown, Sierra Leone following unfair trials before a special military tribunal on 29 and 30 December 1992. According to reports, the defendants were executed on 30 December 1992, within hours of the tribunal's verdict being confirmed by representatives of the Supreme Council of State, Sierra Leone's ruling body. Amnesty International is deeply concerned that the defendants were unfairly tried and had no right of appeal against their convictions and sentences. Amnesty International is also concerned by reports that other prisoners may shortly be tried and sentenced to death by the same tribunal.

According to reports, 17 people arrested on 21 November 1992 in connection with an alleged coup attempt were tried and sentenced to death by the special military tribunal on 29 December 1992. Sierra Leone's military government subsequently announced that it had ordered the immediate execution of a further nine people arrested in connection with an alleged coup attempt on 28 December 1992. The nine are said to include James Bambay Kamara, former Minister of State and Inspector General of Police, and Lieutenant Colonel James Yaya Kanu, both of whom had been detained at Pademba Road Prison since April 1992. No explanation has been given as to how they could have been involved in a coup attempt on 28 December 1992. According to reports all 26 defendants were tried, found guilty and sentenced to death by the special military tribunal on 29 and 30 December 1992. Their sentences were confirmed by representatives of the Supreme Council of State (SCS), the military government, including Captain Valentine E. Strasser, Chairman of the SCS, and are believed to have been carried out immediately.

The new military tribunal, set up by decree less than two weeks ago, has five members, all of whom are army officers who may not be legally trained, and has the power to impose the death penalty. It appears to have been created to displace the jurisdiction belonging to the ordinary courts. Amnesty International opposes the death penalty in all circumstances on the grounds that it is the ultimate cruel, inhuman and degrading form of punishment with no special deterrent effect. In 1984 the United Nations urged that defendants charged with a capital offence should be granted all possible safeguards to ensure a fair trial and allowed an opportunity to contest their convictions and sentences before a higher court.

#### **BACKGROUND INFORMATION**

On 29 April 1992 the government of Major-General Joseph Saidu Momoh was overthrown in a military coup. The new military government, led by Captain Valentine E. Strasser, suspended the October 1991 Constitution and declared a state of emergency. Emergency

legislation was introduced, giving the security forces unlimited powers of administrative detention without charge or trial, and specifically preventing challenges against such detentions in the courts. After the 29 April 1992 coup more than 50 former government ministers and officials were arrested. Most are still detained without charge or trial in Pademba Road Prison, Freetown.

**RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters**

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either in English or in your own language:

- expressing dismay at the reported execution of 26 people in Freetown, Sierra Leone on 30 December 1992 and urging that no further executions be carried out;
- expressing concern that they were sentenced to death after trials before a military tribunal which cannot be considered to have guaranteed a fair trial and that they had no right of appeal to a higher, independent jurisdiction;
- urging the government to ensure that in future anyone charged in connection with criminal acts is brought to trial before an open court in which they are accorded full rights of defence and appeal, in conformity with international standards;
- calling for any death sentences passed by the courts to be commuted.

**APPEALS TO**

1) Captain Valentine E. Strasser      **Salutation: Dear Captain Strasser**  
Chairman

Supreme Council of State  
State House  
Independence Avenue  
Freetown, Sierra Leone

**Telegrams: Captain Strasser, Chairman NPRC, Freetown, Sierra Leone**  
**Telexes: 3230**

2) Lieutenant Solomon A.J. Musa      **Salutation: Dear Lieutenant Musa**  
Vice-Chairman

National Provisional Ruling Council  
State House  
Independence Avenue  
Freetown, Sierra Leone

**Telegrams: Lieutenant Musa, Vice-Chairman NPRC, Freetown, Sierra Leone**  
**Telexes: 3230**

3) Mr John Benjamin      **Salutation: Dear Minister of State**  
Minister of State

Office of the Chairman  
National Provisional Ruling Council  
State House  
Independence Avenue  
Freetown, Sierra Leone

**Telegrams: Mr Benjamin, Minister of State, Freetown, Sierra Leone**  
**Telexes: 3230**

**COPIES OF YOUR APPEALS TO:**

Mr Arnold Bishop-Gooding  
Attorney General and Minister of Justice  
Ministry of Justice  
Guma Building  
Lamina Sankoh Street  
Freetown, Sierra Leone

Captain Julius Maada Bio  
Liaison officer for Finance,  
Foreign Affairs and Information  
Supreme Council of State  
State House  
Independence Avenue  
Freetown, Sierra Leone

and the following newspapers:

Daily Mail, PO Box 53, Freetown, Sierra Leone

The Chronicle, 42B Waterloo Street, Freetown, Sierra Leone

For Di People, 1 Short Street, Freetown, Sierra Leone

The Globe, 14a Lightfoot Boston Street, Freetown, Sierra Leone

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

The Vision, 60 Old Railway Line, Brookfields, Freetown, Sierra Leone

and to diplomatic representatives of Sierra Leone in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 11 February 1993.