

SIERRA LEONE

Prisoners of war? Children detained in barracks and prison

Introduction

Children, including babies, have become innocent victims in a rebel war in Sierra Leone. Armed conflict between rebel forces and the Sierra Leone army began in March 1991 when the Revolutionary United Front led by Foday Sankoh invaded Sierra Leone from the part of neighbouring Liberia controlled by the National Patriotic Front of Liberia (NPFL), headed by Charles Taylor. The conflict continued in the Southern and Eastern Provinces of Sierra Leone after the National Provisional Ruling Council (NPRC), headed by Captain Valentine Strasser, came to power following a coup in April 1992, although by August 1993 government forces had recaptured many of the areas previously held by rebels.

As the rebellion spread in 1991, children were orphaned when insurgents murdered their parents and in some cases were themselves the victims of deliberate and arbitrary killings. Others were recruited by the rebels to fight in their ranks. Children have also been enlisted into the Sierra Leone army, the Republic of Sierra Leone Military Force (RSLMF). By 1993 over 1,000 boys under 15 years of age, some as young as seven, were reported to have been enlisted into the army. At the beginning of June 1993 the government announced that they were to be demobilised.

While children are no longer being required to take part in the fighting by the authorities, they nevertheless continue to face many of the consequences of war, in particular because the army's counter-insurgency operations involve the systematic detention of men, women and children found in areas recaptured from rebels. Young people, children and babies have been caught up in the army's efforts to identify rebels and those who may have helped or collaborated with them.

Children have been among those arbitrarily detained by the military in areas where rebel forces have been active. As government forces have retaken towns and villages from the rebels, civilians suspected of helping or collaborating with the rebels have been rounded up by soldiers and taken into custody for questioning or "screening". Often they had fled to the bush as rebel forces advanced. When they emerge after fighting between government and rebel forces has ceased they have been arrested and held for questioning in military barracks. Those not suspected of involvement with rebel forces have subsequently been released. In some cases, people identified as rebels have been summarily executed, without any form of legal proceedings, and often in public. Others suspected of some form of contact with rebel forces have been transferred to prison in the capital, Freetown, where they have

been held indefinitely without charge or trial.

Detentions on the front line

In early May 1993 Amnesty International representatives visited Sierra Leone and witnessed the detention of young children, including a baby, with their mothers, in a military barracks in the eastern part of the country. Their cases appeared to be typical of many others at various other barracks.

Amnesty International representatives visiting the military headquarters at Daru, Kailahun District, in Eastern Province, close to where fighting between government and rebel forces was taking place, were told by the military authorities that 13 people had very recently been brought to the barracks for questioning about rebel activities in the area. It was explained that they had not been "captured", but that they were being held for questioning. Among them were three old people. The other ten were young children, including a baby, and their mothers who had been detained by soldiers near the village of Mobai in Kailahun District. They were named as **Jenneh Koroma**, **Ngala June**, **Amie Senesie**, **Aruna Senesie**, **Bockarie Senesie**, **Hawa Senesie**, **Keama Senesie**, **Wattah Senesie**, **Brima Sesay** and **Massa Sesay**. (See photographs on pages 8 and 9.) It is not clear how long they were held but it is likely that they were subsequently released. Amnesty International is concerned, however, that very young children, including babies, have been detained by soldiers in military barracks which are not proper places of detention and which, therefore, do not have appropriate facilities. Furthermore, there appeared to be no proper procedures for recording the identities or details of people detained in this way or for ensuring that the conditions of their detention were humane.

Although this was just one example of children being caught up in the conflict between government and rebel forces, it is clear that it was not an isolated case and that since the beginning of the conflict in 1991 children have been detained by soldiers and held in military barracks.

Long-term detention in prison

Amnesty International representatives also met young boys, one as young as 14, held at the Central Prison, Pademba Road, in Freetown (commonly known as Pademba Road Prison), who had been detained by soldiers in 1992 and 1993 apparently on suspicion of being rebels or of having assisted rebel forces. Most had been transferred to Freetown after first being held in military headquarters for questioning. In May 1993 16 boys under the age of 18 were known to be held without charge or trial at Pademba Road Prison.

Large groups of civilians - men, women and children - have been detained, apparently indiscriminately, by soldiers after retaking areas previously held by rebel

forces. For example, in August 1992 soldiers called on villagers from Woroma, Kailahun District, in Eastern Province, to come out of the bush after fighting had ceased. The men, who included young boys, were taken to military headquarters, first in Daru, then in Bo, Bo District, in Southern Province, from there to Cockerill Military Headquarters in Freetown where they were held for eight days without receiving any food before being transferred to Pademba Road Prison. Two men from this group were reported to have subsequently died in Pademba Road Prison. Among villagers from Woroma still held in Pademba Road Prison in May 1993 were **Foday Brima** and **Alhaji Sheriff**, both aged 15 and involved in farming, and two 15-year-old schoolboys, **Umaru Kobo** and **Jawarid Ngobeh**. Six other 15-year-old boys were among 264 political detainees seen by Amnesty International representatives at Pademba Road Prison in early May 1993. One of the 15-year-olds, **Mohamed Kallon**, a schoolboy from Kenema District in Eastern Province, was among more than 30 people arrested in December 1992 immediately on their return by boat from Liberia where they had sought refuge from the conflict in Sierra Leone. Another, **Komba Lebie**, a farmer, was arrested by soldiers in Kono District in Eastern Province, in February 1993 shortly after government troops regained control of Koidu in Kono District. **Komba Bockarie**, aged 17, was among some 30 farmers from Kono District who were arrested at Njaiama-Nimikoro in January 1993 when, at the request of soldiers, they returned to their homes with their families after fighting in the area had ceased. The youngest political detainee held at Pademba Road Prison in May 1993 was 14-year-old **Alhaji Kallon**, a schoolboy from Kuiva, Kailahun District, who was detained with his parents by soldiers in August 1992 as they came out of the bush. He did not know what had happened to his parents following their detention.

There appeared to have been no proper investigation into any of the cases of these detainees. Although held in military barracks for questioning before being transferred to Pademba Road Prison, in most cases there was no proper investigation into whether or not they had been involved in rebel activities. All investigation stopped once they arrived at Pademba Road Prison. Often, the only grounds for detention appeared to be a general suspicion that men and boys of fighting age may have fought with the rebels.

Amnesty International is concerned that young boys under the age of 18 are being held indefinitely without charge or trial in Pademba Road Prison. There appears to be no legal basis for their detention and there is no opportunity for their cases to be independently reviewed by a court. International standards such as the United Nations International Covenant on Civil and Political Rights (ICCPR) require that juvenile prisoners be brought "as speedily as possible for adjudication". The United Nations Convention on the Rights of the Child, which was ratified by Sierra Leone in 1990, specifies that "no child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used as a measure of last resort and for the shortest appropriate period of time". The African Charter on the Rights and Welfare of the Child, adopted by the Organization of African Unity in July 1990, also

includes safeguards against arbitrary detention of children under the age of 18. The Charter specifies that a child accused of infringing the penal law "shall be presumed innocent until duly recognised guilty" and "shall have the matter determined as speedily as possible by an impartial tribunal and if found guilty, be entitled to an appeal by a higher tribunal...".

Apart from Amnesty International's concern about their indefinite detention without charge or trial, there are a number of other aspects about the imprisonment of these young boys which give cause for disquiet. There is serious overcrowding, insufficient food and inadequate medical care at Pademba Road Prison. Many of the detainees seen by Amnesty International representatives in May 1993 suffered ill-health; some had swollen legs and stomachs caused by malnutrition.

In addition, the ICCPR stresses the importance of juvenile prisoners being held separately from adults. Similarly, the Convention on the Rights of the Child states that "... every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so...". The African Charter on the Rights and Welfare of the Child also states that children should be "separated from adults in their place of detention or imprisonment". There appeared to be no facilities at Pademba Road Prison for holding boys under the age of 18 separately from adults.

Political detainees in Pademba Road Prison are held virtually in secret, with no visits from lawyers or family members. In some cases it appeared that their families did not know if or where they were detained. The Convention on the Rights of the Child states that a child "shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances".

In June 1993 Amnesty International called on the Sierra Leone Government to review the cases of all political detainees in order to establish why each detainee was being held. It called for the release of prisoners of conscience and others who had not been accused of a criminal offence and for a prompt and fair trial for those who were to be charged.¹

Eighty-six detainees were released from Pademba Road Prison on 9 July 1993. Amnesty International welcomed the speedy review of cases undertaken by the government and the subsequent releases. However, many of those arrested in connection with the conflict between government and rebel forces, including the eight boys named above, are believed to be among more than 150 political detainees who remain in Pademba Road Prison without charge or trial. The Acting Secretary of State for Foreign Affairs, Lieutenant Karefa Kargbo, is reported to have said at the time of the releases that rebels or those who collaborated with the rebels would remain in detention while the conflict between government and rebel forces continued. It was implied that those held at Pademba Road Prison who had been

¹For further information about political detainees held in Sierra Leone, see: Sierra Leone: Political detainees at the Central Prison, Pademba Road, Freetown, AI Index: AFR 51/04/93, published on 21 June 1993.

arrested in the context of the conflict since 1992 were prisoners of war, not political detainees. However, none of those held in Pademba Road Prison since 1992 appeared to have been captured during fighting. (Rebels captured by soldiers have been summarily executed on the battlefield.)

There is concern that, without any proper investigation into their cases, some of those detained in connection with the rebel war may be held arbitrarily without any substantial evidence that they were involved in rebel activities. The only grounds for their detention seemed to be a general suspicion that they might have supported or collaborated with rebel forces. Amnesty International is therefore continuing to urge that the cases of the remaining detainees be reviewed in order to establish whether there are in fact legitimate grounds for their detention. This is all the more urgent in the cases of those aged under 18.

The effects of war on children

Children have of course also suffered in many other ways as a result of the rebel war. They have been the victims of mutilation and killings by the Revolutionary United Front. Since the beginning of the conflict in 1991 rebel forces have entered towns and villages and indiscriminately killed unarmed civilians - men, women and children. Amnesty International unreservedly condemns such abuses and appeals to those in armed opposition to the government to respect basic humanitarian standards. Many children have lost their parents and other members of their families. Thousands have been displaced from their homes in the south and east of the country and are now living in displaced people's camps. They have witnessed atrocities committed both by rebel and by government forces. On 20 November 1992 and again on 26 December 1992, schoolboys at the Christ the King College in Bo, Bo District, in Southern Province, witnessed the beheading of captured rebels by soldiers near their school.

In a positive move at the beginning of June 1993, the government announced the immediate demobilization of all soldiers under 15 years of age. This conforms to the Convention on the Rights of the Child. Over a thousand boys under 15, some as young as seven, were reported to have been enlisted into the army in order to fight rebel forces.

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