

# SIERRA LEONE

## Political detainees at the Central Prison, Pademba Road, Freetown

### *Introduction*

Amnesty International appealed to the government of Sierra Leone in June 1993 to urgently review the cases of some 270 political detainees held incommunicado at the Central Prison, Pademba Road, in the capital, Freetown. Most had been held for several months, some for as long as two years, and none had been charged or tried for any offence.

Until a visit by Amnesty International representatives to Sierra Leone in May 1993, it was unclear how many political detainees were held at Pademba Road Prison, or at other places of detention either in Freetown or other parts of the country. Since they were held virtually in secret, with no visits from lawyers or family members, and apparently without any proper records being kept about their arrest and imprisonment, the number and identities of these prisoners appeared to be unknown, not only to the outside world, including in many cases to their families, but also to government authorities. Shortly before Amnesty International's representatives arrived in Sierra Leone, the government had apparently asked the prison authorities to compile a complete list of political detainees at Pademba Road Prison.

After an invasion force entered Sierra Leone from neighbouring Liberia in March 1991 a large number of rebels, suspected rebels or other civilians suspected of helping the rebels were known to have been taken to Pademba Road Prison. In 1992 Amnesty International received reports that several hundred of these prisoners had died from torture, starvation or disease. Since April 1992, when the government of President Joseph Saidu Momoh was overthrown, large numbers of people perceived as political opponents or security threats by the new military government, the National Provisional Ruling Council (NPRC), headed by Captain Valentine E.M. Strasser, were also detained in Pademba Road Prison. Some were subsequently released and the detention of others was later acknowledged in official detention orders but it remained impossible to establish how many were detained in Pademba Road Prison.

When Amnesty International's representatives visited Pademba Road Prison in early May 1993, they found 264 political detainees who included nine women. A list of these detainees is included with this document, which describes the cases of some of those detained.

### ***Rebels or suspected rebels detained in 1991***

Armed conflict between rebel forces and the Sierra Leone army began in March 1991 when an invasion force entered Sierra Leone from the part of neighbouring Liberia controlled since 1990 by the National Patriotic Front of Liberia (NPFL), headed by Charles Taylor. The conflict has continued in the Southern and Eastern Provinces of Sierra Leone, although by May 1993 government forces had recaptured many of the areas previously held by rebels.

A large number of rebels or suspected rebels had been captured at the time of or shortly after the invasion in March 1991 and transferred to Pademba Road Prison. Of an original group numbering about 570, only a small number - 22 according to the prison authorities - remained in Pademba Road Prison in May 1993. Twenty-seven Liberian prisoners released and repatriated to Liberia in September 1992 reported that 300 others had died. It appeared, however, that in fact as many as 500 may have been deliberately allowed to die from starvation and disease. Some had apparently been brought to prison suffering from wounds inflicted either in battle or after their detention by soldiers; in particular many were suffering from severe injuries to their arms as a result of being tied tightly for prolonged periods after capture.

The 22 remaining prisoners had been held for more than two years with no review of their cases and no contact with the outside world.

### ***Political detainees arrested since April 1992***

On 29 April 1992 the government of President Joseph Saidu Momoh was overthrown in a military coup led by officers of the Republic of Sierra Leone Military Force (RSLMF). A National Provision Ruling Council (NPRC) headed by Captain Valentine E.M. Strasser was formed. The constitution of October 1991 was suspended and a state of emergency declared. New 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. Immediately after the coup, more than 50 former government ministers and officials were detained, and dozens of other people were detained in the months that followed. Some former government officials had been released by the end of 1992 but were still subjected to restrictions of their movements in May 1993. On 29 April 1993, the first anniversary of the coup which brought the NPRC to power, the government announced the release of a further 24 former government officials. They too, however, were still subjected to restrictions of their freedom of movement, pending decisions on the reports of various Commissions of Inquiry which were set up by the NPRC to investigate corruption by former government officials. None had been charged or tried for any offence.

Detainees arrested since April 1992 and detained in Pademba Road Prison were categorized by the prison authorities either as "protective safe custody - military", "protective safe custody - police/CID" or "NPRC detainees". There appeared to be no legal basis for the detention of those in the first two categories who were in effect being subjected to arbitrary detention at the apparent orders of the army or police. The NPRC sought to justify the detention of those in the third category, often retroactively, by invoking a Proclamation published on 4 May 1992 - the Administration of Sierra Leone (National Provisional Ruling Council) Proclamation 1992 - to issue detention orders against them. Under Section 6 of that Proclamation, the NPRC "may make any order against any person directing that he be detained, where it considers it necessary in the interest of public safety or public order so to do" and that any such order "shall not be questioned in any court whatsoever".

In the vast majority of cases, no substantive investigation by the authorities into grounds for detention appeared to have taken place. While some were interrogated for a period of time by soldiers or police before being transferred to Pademba Road Prison, others were not questioned at all. It appeared that, whatever investigation did take place following arrest, it ceased on arrival at Pademba Road Prison.

Many of those detained since April 1992 appeared to be held as suspected rebels or alleged opponents of the NPRC, but there appeared to be no way in which the basis for such detentions could be ascertained or challenged. Some of those detained appeared to have committed no criminal offence and to be prisoners of conscience. In many cases, detainees were unaware of why they had been detained; they had not been informed of any accusations against them, there had been no investigation into their cases and they were unable to challenge their detention in a court. Even in cases where detention orders had been issued by the NPRC, many detainees had not been informed of this. Among those named in detention orders were **Alusine Bangura**, **Saio Kamara**, **Adeline Koroma**, **Harry T.T. Williams** and **Brigadier General Arma Youlo**.

Many of those detained in Pademba Road Prison had been arrested in groups at the same time. For example, several had been in a group of men from the village of Woroma, Kailahun District in Eastern Province, who were arrested in August 1992 when they, their wives and children emerged from the bush following fighting in the area between rebels and government forces. Soldiers had called on them to come out when fighting ceased. The men were taken to military headquarters, first in Daru, Kailahun District in Eastern Province, then in Bo, Bo District in Southern Province, and from there to Cockerill Military Headquarters in Freetown where they were held for eight days without food before being

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<sup>1</sup> Criminal Investigation Department

transferred to Pademba Road Prison. Two men from this group were reported to have since died in Pademba Road Prison. Among those from this group who were still detained in May 1993 were **Bockarie Babay**, **Umaru Kobo** and **Jawarid Ngobeh**. Similarly, 27 farmers from Kono District in Eastern Province were held in Pademba Road Prison in May 1993. They had been arrested in Njaiama-Nimikoro, Kono District, on or around 18 January 1993 when, at the request of the military, they returned to their homes with their families after fighting in the area had ceased. They were first taken to military headquarters in Koidu, Kono District, before being transferred to Cockerill Military Headquarters in Freetown. From there they were taken to Pademba Road Prison. The only apparent grounds for their detention appeared to be the general suspicion that men of fighting age may have fought with the rebels.

In October 1992 several traditional rulers from Kono District were arrested after rebel forces attacked the area. One, **Paramount Chief Sahr Songu-Mbriwa**, died after being transferred first to police headquarters in Masingbi, Tonkolili District, and then to military headquarters in Makeni, Bombali District, both in Northern Province. He had been tied up, severely beaten and denied food and water. His widow, **Finda Mbriwa**, was among nine women political detainees held in the women's section of Pademba Road Prison in May 1993. **Sahr G.N. Fania**, **Sahr Manyie Gborie** and **Sahr Mohamed Thorlie** were also still held.

More than 30 others were arrested in December 1992 immediately on their return by boat from Liberia where they had sought refuge from the conflict in Sierra Leone. It appeared that some had been recognized as refugees by the office of the United Nations High Commissioner for Refugees (UNHCR). They were held briefly at the Criminal Investigation Department (CID) headquarters in Freetown and transferred the same day to Pademba Road Prison. Among this group were **Nyuma Fomba**, **Patrick Foday Kawa**, **Alpha Tarawallie** and **Andrew Vandi**.

Several of those held in Pademba Road Prison were arrested in connection with alleged attempts to overthrow the military government. Some were arrested in November 1992 around Lumpa and Waterloo, Western Area, apparently in connection with an alleged coup attempt. Three of those in Pademba Road Prison, **Lieutenant M.A. Jalloh**, **Corporal S.S. Koroma** and **Sahid Mohamed Sesay** were among a larger group of people arrested in December 1992, also accused of plotting to overthrow the government, at least 26 of whom were subsequently summarily executed at the end of December 1992. Eight prison officers - **J.B. Amara**, **Abubakar Kamara**, **Santigie Kanu**, **Lewallie King**, **Salifu Koroma**, **John Menjor**, **Kefadu Sesay** and **Ransford Williams** - who were also arrested in connection with the alleged plot, have been detained without charge or trial since December 1992 at CID headquarters in Freetown; J.B. Amara was subsequently transferred to hospital.

In March 1993 the government said that it had uncovered a conspiracy to purchase arms and missiles from Ukraine and accused former President Momoh, in exile in neighbouring Guinea, of plotting to return to power by force. Seven people were arrested and held at CID headquarters in Freetown until 1 April 1993 when six were released. The other, **Ernest Allen**, former Acting Permanent Secretary at the Ministry of Defence, was transferred to Pademba Road Prison.

Several of the detainees were very young, the youngest a 14-year-old schoolboy, **Alhaji Kallon**, from Kuiva, Kailahun District in Eastern Province, who had been held since August 1992. Several 15-year-old boys were also held.

A number of detainees in Pademba Road Prison did not appear to have been accused either of being suspected rebels or opponents of the government, although they had been included by the prison authorities in one of the categories of political detainees. For example, a number of young male detainees had apparently been detained in Freetown for "idling"; others had apparently been accused of common-law crimes but never charged.

### ***Prison conditions***

Amnesty International's concern about political detainees held at Pademba Road Prison is heightened by the high incidence of deaths and serious illness at the prison since 1991. Although the number of deaths is no longer as high as in 1991 and 1992, deaths as a result of inadequate diet and medical care were still occurring in the first half of 1993. At least seven prisoners were reported to have died in the first week of May 1993. Many of those seen by Amnesty International's representatives in May 1993 were in ill-health; some had swollen legs and stomachs; others had open wounds or severe scarring on their arms caused by being tied tightly with their arms behind their backs for prolonged periods and bayonet wounds inflicted by the soldiers who had initially detained them. Some of those who had been tied had lost the use of their hands. A number appeared to suffer from mental disorders.

There is considerable overcrowding at Pademba Road Prison. Built to house 324 inmates, there were believed to be about 800 prisoners at the prison in May 1993.

### ***Political detainees held in other places of detention***

Although the largest number of political detainees were detained at Pademba Road Prison, a number of others were believed to be held elsewhere, either in Freetown or in the provinces. Many of those in Pademba Road Prison had first been held for varying lengths of time at military and police headquarters in Freetown and in the provinces before being transferred to the prison.

As with Pademba Road Prison, the numbers and identities of those held in other places of detention were unclear, particularly as there appeared to be no effective system for recording details of arrest and detention. In early May 1993 13 people - infants, children, their mothers and three elderly people - were being held at military headquarters in Daru, Kailahun District in Eastern Province, apparently to determine whether they had been in contact with rebel forces. They were named as **Jenneh Koroma, Mama Koutu, Ngala June, Amie Senesie, Aruna Senesie, Bockarie Senesie, Hawa Senesie, Keama Senesie, Wattah Senesie, Brima Sesay, Massa Sesay, Senesie Siaffa** and **Brima Yboku**.

Amnesty International also learned in May 1993 that a woman, **Sia Baryoh**, had been taken by soldiers from Masingbi displaced peoples' camp in Tonkolili District in Northern Province, to military headquarters in Koidu, Kono District in Eastern Province. She was apparently accused of being a rebel or rebel sympathizer.

Amnesty International's concerns about the legal situation and physical well-being of political detainees held in Pademba Road Prison applied equally to those held in other places of detention.

### ***Recommendations***

In June 1993 Amnesty International sent a letter to the Chairman of the NPRC, Captain Valentine E.M. Strasser, calling on the government of Sierra Leone to take specific measures to deal with the large number of political detainees held without charge or trial at Pademba Road Prison, as well as in other places of detention. In particular, it recommended:

- an immediate review of all cases of political detention in Pademba Road Prison and the release of prisoners of conscience and others who have not been accused of a criminal offence. Those who are to be charged and tried should be granted a prompt and fair trial.
- clear legal provisions preventing the possibility of arbitrary detention without recourse to the independent scrutiny of a court and ensuring that all detainees can have their detention reviewed by a court.
- an end to incommunicado detention in Pademba Road Prison. Those detained should be allowed prompt and regular access to their lawyers and families.
- clear guidelines for the police and armed forces, establishing minimum acceptable standards for detentions, including the designation of specified detention centres.

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*Sierra Leone: Political detainees at the Central Prison, Pademba Road, Freetown*

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- urgent improvements to the conditions at Pademba Road Prison in order to prevent further deaths from malnutrition and disease.

In addition, Amnesty International called for action to end extrajudicial executions by the army and the practice of tying prisoners in military custody so tightly that they suffer open wounds and sometimes paralysis. Amnesty International also condemned cases of mutilations and killings by rebel forces in Sierra Leone of prisoners and unarmed civilians which, because they are deliberate and arbitrary killings, are a grave abuse of internationally recognized humanitarian principles.