

Sierra Leone: Renewed commitment needed to end impunity

The international community must honour its commitments to the people of Sierra Leone to bring to justice the perpetrators of some of the worst crimes under international law, Amnesty International said.

In a report published today - *Sierra Leone: Renewed commitment needed to end impunity* - the human rights organization urged that "the Special Court for Sierra Leone, established by UN Security Council Resolution 1315 of 14 August 2000, must receive sufficient and sustained funding to initiate and complete trials of those most responsible for the gravest human rights abuses committed since the conflict began in 1991."

"Addressing impunity - the failure to bring the perpetrators of human rights abuses to justice - is crucial to achieving reconciliation and durable peace, ending human rights abuses and providing justice to the victims of those crimes", Amnesty International added.

The report focuses on the plans for the Special Court for Sierra Leone, the Truth and Reconciliation Commission (TRC), reform of the national judicial system, and the situation of political detainees in Sierra Leone. It makes detailed recommendations on these issues and highlights the need for action at both national and international levels.

Regarding funding for the Special Court, Amnesty International is concerned that a further US\$1 million is still needed in contributions towards the first year of the court's operation. There are also major budget shortfalls for the remaining second and third years, with less than half of the contributions needed pledged so far. The UN Security Council initially estimated that \$114 million, raised through voluntary contributions, was needed. However, lack of contributions by UN member states led to a revision and reduction of the budget to \$57 million for the first three years of the court's operation.

"Without adequate resources, only a small number of alleged perpetrators of human rights abuses will be brought before the court", the organization said. "This may threaten the independence and impartiality of the court and ultimately undermine its role in ending impunity, as well as its contribution to reconciliation and lasting peace."

The report also points to the urgent need to clarify the relationship between the Special Court and the TRC: "For the establishment of the TRC to proceed within a climate of mutual trust and understanding, for its purpose and functioning to be fully understood, and for those who may be expected to appear before the TRC to cooperate fully, some clarity has to be established. Lack of understanding of how the two institutions will relate to each other may jeopardize the effectiveness of both, as well as progress towards peace and reconciliation", Amnesty International said.

Furthermore, the report stresses that "although the TRC may be able to make an important contribution to establishing the truth about human rights abuses and understanding the nature of the conflict in Sierra Leone, it is not a substitute for justice. Those suspected of committing human rights abuses should be brought to justice in trials that meet international standards of fairness." Amnesty International has repeatedly emphasized its opposition to the amnesty provided in the Lomé peace agreement of July 1999 for all activities undertaken in pursuit of the conflict which would include gross violations of basic human rights.

"The international community should also give priority to providing resources for the re-establishment of Sierra Leone's own legal and judicial systems so that all those responsible for serious human rights crimes under international and domestic law can be prosecuted, while respecting fair trial provisions and without recourse to the death penalty", the organization said.

Amnesty International is further concerned about the prolonged detention without charge or trial of approximately 200 political detainees. Of these, more than 100 are believed to be members of the armed opposition Revolutionary United Front (RUF), including Foday Sankoh and other leading members of the RUF. They have been denied basic legal rights and their conditions of detention have been reported as being poor.

"The human rights of all detainees should be respected in accordance with international standards, including provisions for fair trial, humane conditions of detention, as well as access to legal counsel, relatives and prompt and adequate medical care", Amnesty International urged.

The report also reiterates Amnesty International's key recommendations made in relation to the draft Statute of the Special Court, which are yet to be addressed. The organization is specifically concerned that the temporal jurisdiction of the Special Court will undermine its ability to fight impunity. "The start date for the Special Court's temporal jurisdiction should be changed from the current 30 November 1996 to much earlier, 23 March 1991, so that those most responsible for crimes under international law throughout the period of the entire armed conflict, not just since the peace agreement between the parties to the conflict, can be prosecuted", Amnesty International said.

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