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Sierra Leone: Situation of people suspected of prior Revolutionary United Front (RUF) membership or collaboration; treatment by authorities (2005 - 2007)

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Background

Between 1991 and 2002, Sierra Leone experienced a civil war which cost over 50,000 lives (AI 2003; UN 6 July 2006; *ibid.* Feb. 2007; BBC 5 July 2004). The Revolutionary United Front (RUF) was one of several "rebel groups" involved in the fighting (UN Feb. 2007) and was blamed for numerous killings, rapes, and abductions which occurred during the conflict (BBC 5 July 2004).

In 1999, the Lome Peace Accord was signed (UN Feb. 2007); it provided for the inclusion of RUF members into government, and granted amnesty to all combatants of the civil war as of that date (*ibid.*; *Concord Times* 1 Feb. 2007; Sierra Leone 7 July 1999). However, fighting did not cease until 2002 (UN Feb. 2007; AI 2003). The reintegration of former combatants began at the war's end, and according to the United Nations (UN) Office for the Coordination of Humanitarian Affairs, as of February 2007, more than 70,000 former civil war participants have been disarmed and placed in educational or vocational programs (UN Feb. 2007; also see *Scottish Daily Record* 22 Feb. 2005; UN 22 Dec. 2005; *ibid.* 26 Apr. 2007). Various reports suggest reintegration is not yet complete, particularly due to large-scale unemployment (UN 22 Dec. 2005; *ibid.* 26 Apr. 2007). Moreover, the UN reports that victims of the armed conflict are angry because of the benefits which ex-combatants have received (*ibid.* 6 July 2006).

The Special Court

Despite the provision of general amnesty in the Lome Accord, the Special Court for Sierra Leone was created by the United Nations and the Sierra Leone government to bring to justice "those most responsible" for serious crimes committed during Sierra Leone's civil war, after 30 November 1996 (UN 6 July 2006; *ibid.* July 2006; HRW 31 May 2007; AI 2007). As of July 2007, the Special Court has indicted thirteen people, although two of the accused died in 2003, leaving eleven to stand trial (Special Court n.d.a; *ibid.* n.d.b). Persons belonging to three groups were brought to trial: the Civil Defense Forces (CDR), the Armed Forces Revolutionary Council (AFRC), and the RUF (AI 2007; UN July 2006).

On 5 July 2004, the trial of three alleged RUF leaders, Issa Hassan Sesay, Morris Kallon and Augustine Gbao, began (Special Court n.d.a; BBC 7 Aug. 2006). The prosecution's case ended on 2 August 2006 after hearing 86 witnesses, and the defence's case began on 2 May 2007 (Special Court n.d.a; BBC 7 Aug. 2006; *Concord Times* 3 May 2007). The accused have been charged with 18 counts of war crimes, crimes against humanity, and other serious violations of international humanitarian law (Special Court n.d.a; BBC 7 Aug. 2006). As of June 2007, the RUF trial was still ongoing (Special Court n.d.a; *Concord Times* 3 May 2007).

In 2006, Nigeria agreed that the former president of Liberia, Charles Taylor, who is accused of funding the RUF in Sierra Leone, should stand trial before the Special Court (AI 2007; CNN 2007). In March 2006,

Taylor fled from Nigeria where he had been in exile since 2003 (ibid.; AI 2007; *Inquirer* 4 July 2007). On 29 March 2006 Taylor was brought to the Special Court in Freetown, Sierra Leone where he faces several counts of war crimes, crimes against humanity, and other serious violations of international law in relation to the war (UN July 2006; HRW 31 May 2007; AI 2007; *Inquirer* 4 July 2007). On 4 June 2007, Taylor's trial began at the International Criminal Court in The Hague, due to stability concerns in West Africa (HRW 31 May 2007; *Inquirer* 4 July 2007; AI 2007). As of July 2007, the trial was still ongoing (*Inquirer* 4 July 2007).

High Court Trials

Whereas the Special Court deals with the worst perpetrators of the conflict (Special Court n.d.b), the High Court of Justice is a regular component of Sierra Leone's judiciary (Sierra Leone n.d.). The High Court continues to conduct trials against former RUF members for crimes committed after the signing of the Lome Peace Accord (AI 2005; ibid. 2003). Numerous sources note that from 2003 to 2007, former-RUF fighters were arrested, charged, and detained; however, their trials have proceeded slowly (AI 2005; ibid. 2003; *Awareness Times* 30 Sept. 2005). Amnesty International's 2007 Annual Report states that in 2006, the trials of some former RUF and AFRC members were concluded: forty-two were acquitted, three received 10 years' imprisonment, and thirteen received other sentences. Further information on the fate and number of these former RUF and AFRC members could not be found by the Research Directorate.

In January 2006, former RUF spokesman, Omrie Golley, was arrested with other former RUF combatants for allegedly plotting the assassination of Sierra Leone's vice president, Solomon Berewa, and attempting to destabilise the Sierra Leone government (Global Insight 26 Jan. 2006; *Concord Times* 24 Jan. 2006; BBC 24 Jan. 2006). The High Court trial for the accused began on 13 February 2006 (Global Insight 14 Feb. 2006). According to Amnesty International, the trial was still ongoing as of December 2006 (2007). No further information could be found among the sources consulted within the time constraints of this Response.

Treatment in Prison

According to *Awareness Times*, on 2 February 2006, thirty-three imprisoned former RUF combatants rioted to protest poor treatment, as well as the lack of progress that has been made in their case during their six years in custody (3 Feb. 2006). The article reports that a spokesman for the prisoners complains that the former RUF combatants are held in solitary confinement and deprived of nutritious meals and proper medical care (*Awareness Times* 3 Feb. 2006). Furthermore, the spokesman states that thirty of his co-accused have died during their imprisonment (ibid.). Amnesty International (AI) partially corroborates this statement; it reports that three prisoners died in 2003 due to medical neglect, and that one died in 2005 (AI 2005; ibid. 2006).

With regard to the trial of Omrie Golley, representatives from the United Nations have expressed concerns about the frequent delays and adjournments of the trial, and the conditions of Golley's imprisonment (UN 29 Aug. 2006; *Concord Times* 20 Sept. 2006). Golley reportedly told Agence France-Presse (AFP) that his basic human rights were being denied (AFP 7 Mar. 2006).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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