



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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04 November 2003

### SLE42113.E

Sierra Leone: Treatment of Revolutionary United Front (RUF) prisoners upon the signing of the Lome Accord and the subsequent ceasefire agreement; details of the amnesty granted to members of the RUF  
Research Directorate, Immigration and Refugee Board, Ottawa

The signing of the Lome Peace Accord on 7 July 1999, in Lome, Togo, by the Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL or RUF) was an effort to end Sierra Leone's 10-year civil war (Sierra Leone 7 July 1999; Article 19, n.d.; IPS 19 Dec. 2002). Part 3, Article IX of the Accord made the following provisions regarding pardons and amnesties:

In order to bring lasting peace to Sierra Leone, the Government of Sierra Leone shall take appropriate legal steps to grant Corporal Foday Sankoh absolute and free pardon.

After the signing of the present Agreement, the Government of Sierra Leone shall also grant absolute and free pardon and reprieve to all combatants and collaborators in respect of anything done by them in pursuit of their objectives, up to the time of the signing of the present Agreement.

To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL, ex-AFRC [Armed Forces Revolutionary Council], ex-SLA [Sierra Leonean Army] or CDF [Civil Defence Force] in respect of anything done by them in pursuit of their objectives as members of those organisations, since March 1991, up to the time of the signing of the present Agreement. In addition, legislative and other measures necessary to guarantee immunity to former combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality (Sierra Leone 7 July 1999; Article 19 n.d.).

However, hostilities erupted between the Lome Accord signatories soon after the Accord was signed when former SLA soldiers took of United Nations (UN) officials, journalists and the Economic Community of West African States Monitoring Group (ECOMOG) troops hostage in August 1999, and again in May 2000 when the RUF abducted 500 UN (IRIN 29 Dec. 2000; see also AI 15 June 2000). On 10 November 2000 in Abuja, Nigeria, the RUF and the Sierra Leone government signed a ceasefire agreement that reaffirmed their commitment to the Lome Peace Accord but did not include additional amnesty provisions (IRIN 29 Dec. 2000; Sierra Leone 10 Nov. 2000; Editor 1 Nov. 2003).

The editor of Sierra Leone Web-a Website containing current and archived news summaries based on reports from Western news wire services, the United Nations and the Sierra Leone government-provided the following information about the Lome Accord and the subsequent ceasefire agreement:

The Lome Accord was the peace accord. Subsequent to that was only a ceasefire agreement which became de facto a further peace agreement that did not include a further amnesty provision.

All combatants benefited from the amnesty and were released. Some combatants were re-arrested after the interruption of the peace process in May 2000 when the RUF abducted over 500 UN peacekeepers and tried to advance on Freetown. Some of them are still in prison now. More ex-combatants (and others) were arrested earlier this year in connection with an alleged coup attempt in January.

The ex-combatants were not required to go through DDR [Disarmament, Demobilization and Reintegration]. The incentives for DDR included money and offers of vocational training or other education in the future (1 Nov. 2003).

In their annual report for 1999, the International Committee of the Red Cross (ICRC) claims that the release of detainees was not accomplished as planned since, although some prisoners had been informally released, most remained in captivity (31 Aug. 2000). The ICRC report includes the following account of events:

Under the terms of the Lome peace accord, the parties undertook to make arrangements for the immediate and unconditional release of all prisoners and civilians abducted during the conflict. A "committee for the release of prisoners of war and non-combatants" was set up, with the ICRC acting in an advisory capacity. ... Despite this, the handful of releases that took place before the end of the year were carried out randomly and without ICRC involvement.

During the attack on Freetown, some prisoners escaped. The ICRC provided assistance to former detainees it had previously visited and registered and who presented themselves at the delegation (31 Aug. 2000).

By 2001, however, Amnesty International (AI) was reporting that, with the exception of Foday Sankoh, the majority of senior RUF detainees were released in accordance with the peace process (2002).

Despite the Lome Accord, sources reported that the RUF, CDF and other rebel forces including the West Side Boys, continued to kill, torture and abduct civilians (AI 2002; HRW Jan. 2000; IRIN 29 Dec. 2000). However, those committing crimes subsequent to the signing of the Lome Accord do not qualify for amnesty (HRW Jan. 2000), and Amnesty International reports that between 80 and 100 RUF detainees remained in prison without charge or trial since the renewal of hostilities in May 2000 (AI 2002; see also UN 23 June 2003, 10).

In January 2003, a Special Court for Sierra Leone was established "to try 'those who bear the greatest responsibility' for the worst offences committed since the Abidjan Peace Accord of 30 November 1996" (ICG 4 Aug. 2003, 2).

Its jurisdiction comprises crimes against humanity, war crimes, other serious violations of international law such as attacks against peacekeepers and conscription of children under the age of fifteen, as well as certain crimes under Sierra Leonean law like abuse of girls younger than fourteen and wanton destruction of property. It has primacy over Sierra Leone national courts, is independent from any government and cannot impose the death penalty (ibid. 2-3).

Additional information on the Special Court for Sierra Leone, which has a mandate to try a maximum of 30 individuals, can be found in the International Crisis Group (ICG) report entitled "The Special Court for Sierra Leone: Promises and Pitfalls of a 'New Model'" (ICG 4 Aug. 2003).

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 to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

#### References

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<<http://web.amnesty.org/web/ar2002.nsf/afr/sierra+leone?Open#bottom>> [Accessed 3 Nov. 2003]

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Sierra Leone. 10 November 2000. Ceasefire Agreement Between Government and RUF. (Sierra Leone Web) <<http://www.sierra-leone.org/ceasefire1100.html>> [Accessed 14 Oct. 2003]

\_\_\_\_\_. 7 July 1999. Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone. Part Three, Article IX. (Sierra Leone Web) <<http://www.sierra-leone.org/lomeaccord.html>> [Accessed 14 Oct. 2003]

United Nations (UN) Security Council. 23 June 2003. "Eighteenth Report of the Secretary-General on the United Nations Mission in Sierra Leone." (S/2003/663). <<http://daccess-ods.un.org/TMP/8833799.html>> [Accessed 14 Oct. 2003]

#### Additional Sources Consulted

*Africa Research Bulletin*

Dialog

IRB Databases

Unsuccessful attempts to contact the Conciliation Resources office in Freetown.

#### **Internet sites, including:**

*Africa Confidential*

Africa Online

AllAfrica.com

BBC News

Global IDP

Integrated Regional Information Networks (IRIN)

International Christian Concern (ICC)

Partnership Africa Canada

Relief Web

Sierra Leone News

United Nations High Commissioner for Refugees and the Austrian Centre for Country of Origin and Asylum

Research and Documentation (UNHCR/ACCORD). 13-14 November 2000. "Final Report - Sierra Leone." Based on a presentation by Philip Bona of the UNHCR on 14 November 2000 at the 6th European Country of Origin Information Seminar, 13-14 November 2000, Vienna.

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