

# URGENT ACTION

## TWO WOMEN RELEASED, ELEVEN MEN CHARGED

**Two women arbitrarily detained under an Executive Detention Order since October 2014 for their alleged participation in a riot, were released on 12 April. Six men, detained on the same grounds and detention order were charged. They were charged alongside five other men that were arrested between February and March 2015 under the same order.**

The two women and six men were detained for their alleged participation in a riot in Kono District, in relation to a contested suspected Ebola patient in October 2014. Their detention was carried out under an Executive Detention Order signed by the President using his powers under the State of Emergency as a measure to fight the Ebola epidemic. At least two people were shot dead during the riot, with witnesses alleging that police used live rounds to disperse the crowd. The eight were detained in the capital's maximum security prisons. According to information received, there were no files or documentation that supported their detention. In addition, the police declined to investigate the lawfulness of the detentions as they had been carried out under a Presidential Executive Detention Order. Five more men were arrested under the same order between February and March 2015 and held in detention without charge until April.

On 12 April 2015, the President of Sierra Leone, Ernest Bai Koroma, ordered the release of the two women following much civil society advocacy. According to a presidential press release, "they [the two women] were part of a group that defied regulations laid down as part of measures to control the Ebola virus. This led to a spike in the number of Ebola cases in the district... Now that Kono has had more than 45 days without new cases, the President has graciously decided to order the release of the women".

Despite the fact that the arguments given for the release of the two women refer to the whole district of Kono, the same argument was not applied to the 11 men also detained. Constitutional safeguards and fair trial guarantees, such as the review of their detention by an independent tribunal, were not followed. The 11 men were finally charged on 21 April 2015 under the Public Order Act 1965 and the Public Emergency Regulations 2014, after a habeas corpus application to challenge the legality of their detention was filed. They are currently on trial.

### **Please write immediately in English or your own language:**

- Urging the authorities to ensure the right of the 11 men to receive a fair trial in accordance to international standards;
- Urging them to ensure a prompt, thorough and impartial investigation of the alleged killings by police officers, and ensure that any officers found responsible for such killings are brought to trial in proceedings which meet international fair trial standards;
- Calling on them to urgently review State of Emergency provisions, taking into account the improvement of the Ebola epidemic and to ensure that any restrictions are in accordance with international human rights law and standards.

### **PLEASE SEND APPEALS BEFORE 18 JUNE 2015 TO:**

President of the Republic  
Ernest Bai Koroma  
The President  
State House  
Freetown, Sierra Leone  
Email: [jkawusu-konte@statehouse.gov.sl](mailto:jkawusu-konte@statehouse.gov.sl)  
and [jaramenajara@yahoo.com](mailto:jaramenajara@yahoo.com)  
**Salutation: Your Excellency**

Attorney General and Minister of Justice  
Franklyn Bai Kargbo  
Attorney General's Office and Ministry of  
Justice  
3rd Floor, Guma Building Lamina  
Sankoh Street  
Freetown, Sierra Leone  
Fax: +232 22 22 93 66 / 22 49 40  
**Salutation: Dear Attorney General**

**Also send copies to diplomatic representatives accredited to your country.**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 18/15. Further information:

<https://www.amnesty.org/en/documents/afr51/0001/2015/en/>

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### ADDITIONAL INFORMATION

These detentions took place during an unprecedented health crisis in Sierra Leone. On 25 May 2014, the government declared an outbreak of the Ebola Virus Disease (EVD) following a laboratory confirmation of a suspected case from Kailahun District. President Ernest Bai Koroma, in an initial broadcast to the nation on 30 July 2014, proclaimed a state of public health emergency. This was aimed at enabling the government and its partners to take a more robust approach to dealing with the Ebola outbreak. He established a Presidential task force to champion the implementation of various measures to fight the disease. This was followed by additional regulations on 7 August. The government's response to the Ebola outbreak has led to unnecessary restrictions on human rights, including on freedom of expression and peaceful assembly through bylaws for the prevention of Ebola and other diseases and the public Emergency Regulations Act.

Following those arrest and detentions, civil society organizations AdvocAid, Amnesty International Sierra Leone, Centre for Accountability and Rule of Law and Prison Watch Sierra Leone issued a joint press release against these detentions calling on the President to revisit and revoke his Executive Detention Order.

On 3 November 2014, journalist David Tam Baryoh was arrested on charges of incitement under an Executive Detention Order signed by President Koroma. Two days earlier, David Tam Baryoh had interviewed an opposition party spokesman who criticized the government's handling of the Ebola outbreak and raised concerns about the authorities' management of the Ebola crisis response fund on the independent radio station Citizen FM. During the interview, David Tam Baryoh also criticized President Koroma's presumed intention to run for a third term in office. David Tam Baryoh was detained without charge for 11 days at the maximum-security prison on Padema Road in Freetown, and later released on bail. Amnesty International considered him a prisoner of conscience.

According to Article 4 of the International Covenant on Civil and Political Rights, to which Sierra Leone is a party, a state can never derogate from certain human rights whatever the emergency they are facing, including the prohibition of arbitrary deprivation of life, torture or other ill-treatment, the arbitrary deprivation of liberty and the right to challenge the lawfulness of a detention.

Name: Unknown

Gender m/f: Both

Further Information UA: 18/15 Index: AFR 51/1603/2015 Issue Date: 7 May 2015