

URGENT ACTION

SIERRA LEONE JOURNALIST STILL FACING RESTRICTIONS

Sierra Leonean authorities have held the passport of journalist David Tam Baryoh since he was released on bail on 14 November 2014, thus hindering his work and personal life as he is unable to travel. He is a prisoner of conscience, targeted solely for exercising his right to freedom of expression.

Police arrested **David Tam Baryoh** on 3 November 2014 for incitement under an Executive Detention Order signed by President Ernest Bai Koroma. A Government press release issued on 7 November said that he was arrested because his statements were likely to incite public hatred, disaffection and instability. Two days earlier, David Tam Baryoh had interviewed an opposition party spokesman on the independent radio station, Citizen FM. The spokesman criticized the government's handling of the Ebola outbreak and raised concerns about the authorities' management of the Ebola crisis response fund.

David Tam Baryoh was detained at Freetown's maximum security Pademba Road Prison for 11 days without charge and eventually released on bail on 14 November. His passport has been held by the government since then and he has not been able to travel. He wrote to the President in August requesting the return of his passport but has had no response. As his release was conditional, Amnesty International still considers him a prisoner of conscience.

His radio programme, "Monologue" was suspended on 26 August 2015 by the Independent Media Commission (IMC) pending an investigation. A press release by the IMC stated that the broadcasts "have a tendency to infringe upon national peace and security, while inciting violence and public disorder." Recent discussions on the radio programme have been centred on concerns in the recent procurement of buses by the Minister of Transport and Aviation. The Sierra Leone Association of Journalists (SLAJ) has criticized the suspension, stating that the IMC does not have powers under the Independent Media Commission Act 2007 to suspend a radio programme indefinitely before an investigation has been completed.

Please write immediately in English or your own language:

- Urging the authorities to remove any conditions on David Tam Baryoh's release and to return his passport;
- Urging the Independent Media Commission to lift the suspension of the radio programme "Monologue" whilst an investigation is underway and ensure that any investigation and decision is in full compliance with the right to freedom of expression under regional and international human rights law;
- Calling on the authorities to ensure that the right to freedom of expression is not unnecessarily restricted during and after the Ebola crisis, and that everyone is able to enjoy this right in conformity with international and regional human rights law and that journalists can carry out their work freely and without hindrance, intimidation or harassment.

PLEASE SEND APPEALS BEFORE 19 OCTOBER 2015 TO:

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

And copies to:
Minister of Justice
Franklyn Bai Kargbo
Minister of Justice and Attorney General
Ministry of Justice
3rd Floor, Guma Building
Lamina Sankoh Street
Freetown, Sierra Leone
Fax: +232 22 229366 / +232 22 224940

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

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 second update of UA 281/14. Further information:

<https://www.amnesty.org/en/documents/afr51/003/2014/en/>

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ADDITIONAL INFORMATION

David Tam Baryoh was arrested during an unprecedented health crisis in Sierra Leone. On 25 May 2014 the government declared an outbreak of Ebola Virus Disease (EVD) following the laboratory confirmation of a suspected case from Kailahun District. President Ernest Bai Koroma, in an initial broadcast to the nation on 30 July, 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. This was followed by other regulations on 7 August.

In May 2015, Amnesty International raised concerns regarding how Ebola regulations and other laws were being used to disproportionately curtail freedom of expression and peaceful assembly.

David Tam Baryoh was previously arrested in January 2014 for seditious libel and in May 2014 his radio programme "Monologue" was banned for two months under a government directive.

Amnesty International has documented how increased use of criminal defamation laws in Sierra Leone threatens freedom of expression. For example, in October 2013 Leigh and Bai Bai Sesay from the Independent Observer were charged with criminal defamation for publishing an article criticizing the President. The journalists pleaded guilty to conspiracy to publish a seditious article. They were cautioned and discharged by the High Court in Freetown in March 2014.

Name: David Tam Baryoh
Gender m/f: m

Further information on UA: 281/14 Index: AFR 51/2383/2015 Issue Date: 7 September 2015