

Centre for Accountability and Rule of Law (CARL-SL)

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Statement by Centre for Accountability and the Rule of Law on the just-concluded trial of Rtd. Major Palo Conteh, et al.

3rd July, 2020.

Freetown, Sierra Leone: The Centre for Accountability and Rule of Law (CARL) welcomes the conclusion of the trial of Retired Major Palo Conteh and two others, and particularly applauds the expeditious nature of the proceedings. In April, Rtd. Major Conteh was arraigned on a 13-count indictment, including three counts that related to treason. He was also charged with possessing a greater number of small arms than was specified in a license, and of carrying a loaded gun in a public place, contrary to the Arms and Ammunition Regulations 2014. Two others, Retired Colonel Saa Anthony and Prince George Hughes, were charged with abetting and procuring of an offence and making a false statement under oath, contrary to the Arms and Ammunition Regulations 2014 and the Perjury Act of 1911, respectively.

The trial lasted for three months. On 1st July, 2020, a jury of seven men and five women returned a verdict of “not guilty” in respect of all the treason-related charges against Rtd. Major Conteh. He was, however, convicted on the two lesser charges and sentenced to a term of twelve months imprisonment for each count. The sentences will be served consecutively. Messrs Sinnah and Hughes were both acquitted and discharged on all counts. Both parties have a right to appeal, and we sincerely hope that any appeals filed will be disposed of expeditiously in order to bring closure to these cases. We would further welcome a presidential pardon for Rtd. Major Palo Conteh or his release on bail, pending the hearing and determination of his appeal.

CARL applauds all the parties for their individual and collective contributions to ensuring a speedy conclusion of the trials. We were particularly impressed by the collegial spirit demonstrated by both the prosecution and defence teams: it is truly worthy of emulation. We are profoundly proud of the bravery and commitment shown by the jurors. It was an enormous task, but we appreciate their commitment to serve the people of Sierra Leone and, more important, for doing justice by the three accused persons.

The trial reminds us of the crucial role of the jury in the fair and expeditious dispensation of justice, and we truly hope that the lessons learnt from this trial will be used to make the jury trials more effective and efficient. We are fully aware of the significant challenges that characterize jury trials in this country, including inordinate delays caused by jury absenteeism; we believe that there are many opportunities for reforms. Rather than abolish it, the leadership of the judiciary should work cooperatively with the government and the Bar to make it more effective and responsive to the justice needs of the people of Sierra Leone.

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This trial further offers an opportunity to remind the Government of Sierra Leone, and in particular the Ministry of Justice, of its critical role in ensuring justice for all. Access to justice is an important right, which is why the Government must always seek to protect the rights of all, regardless of a person's political, economic or social status. Accordingly, those with responsibility to investigate and prosecute must do so with diligence and integrity. Treason is an extraordinarily serious offence, and we expect State actors to assess the evidence thoroughly and objectively to be certain that it meets the evidentiary threshold of sustaining the allegations. Over the last four months, the family members of Rtd. Major Conteh in particular have endured serious psychological and emotional distress. His wife was also arrested and detained for about 30 days as part of an investigation into the alleged attempted prison break.

We acknowledge and respect the role of the State to enforce the law and ensure accountability for crimes. We also call on those charged with delivering justice on behalf of the State to do so while bearing in mind that their decisions and actions could undermine the administration of rule of law, public confidence in state institutions, and the protection of human rights. We urge state officials to exercise the powers conferred on them in good faith, fairly, reasonably, and for the purpose for which they were conferred.

CARL will release a detailed report on the proceedings shortly.

For more information:

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