



Institute for Legal Research and Advocacy for Justice (ILRAJ)

PRESS STATEMENT

ARBITRARY ARREST BY THE SIERRA LEONE POLICE MUST DESIST

On April 26, 2022, the Institute for Legal Research and Advocacy for Justice (ILRAJ) learnt about the arrest of Mohamed Khan, Interim Chair of Teacher's Solidarity, by the Sierra Leone Police. He was arrested just after being interviewed on AYV's Wake Up Sierra Leone program. The arrest was made just outside the AYV premises.

AYV Media issues a statement asking the security forces not to make its premise a target for arbitrary arrest that will hinder their operations and infringe on the right to free speech. The Sierra Leone Bar Association (SLBA) noted 'with serious concern the arrest of some Teachers by the Sierra Leone Police to wit: Mr. Mohamed Khan, Lahai Jah and Joseph C. Kailie. Mohamed Khan aforesaid was arrested after serving as a guest of the AYV Television program- "Wake up Sierra Leone," whilst the other two were arrested and detained at the Bo West Police Station after allegedly requesting a clearance to convey a meeting of "The Teachers Solidarity Movement." It further noted that it 'believes the above actions of the Sierra Leone Police are high-handed unwarranted and at stark variance with section 17 (1) of the Constitution of Sierra Leone Act, No.6 of 1991.' The Sierra Leone Association of Journalists (SLAJ) also condemned the arrest.

These arrests were not isolated. They are part of a pattern of arbitrary arrest and detention perpetrated by the Sierra Leone Police in recent times. Amongst those arrested were Dr. Dennis Bright, Chair and Leader of the Opposition National Grand Coalition party, Osman Foday Yansaneh, the then Secretary-General of the All People's Congress (APC), Diana Konomanyi of the APC, and Dr. Femi Claudius-Cole, an opposition leader for Unity Party.

Civil Society activist Thomas Moore Conteh, Executive Director of Citizens Advocacy Network (CAN), a civil society organization, was arrested and detained on March 5, 2020, during a peaceful protest by some Limkokwing students. Mohamed Mansaray, aka "Blacker," and a businesswoman, Kadiatu Yankaday, were arrested and charged with allegations of insulting the President. It is a well-known fact that 'Blacker' suffers from mental challenges, but this did not deter the Police from arresting and charging him.

ILRAJ urges the Police to desist from arbitrarily arresting and detaining people because of critical statements against the government. It is the function of the stakeholders in our democratic process to be critical and in a democracy, individuals should be allowed to exercise their right to free expression in breach of section 25 of the Constitution of Sierra Leone, Act No.6 of 1991. The Truth and Reconciliation Commission 'found that a factor that contributed to causing the conflict was the suppression of political expression and dissent. The Commission in its recommendations



emphasizes that freedom of expression is the lifeblood of a democracy. A culture of public debate and tolerance of dissenting ideas is the sign of a vibrant and healthy democracy.'

The Police does not have absolute powers. This was made clear in the recent Supreme Court decision of *Augustine Marrah vs. The Inspector-General of Police*. The Police must act in accordance with the Constitution and the laws of Sierra Leone. These acts of arbitrary arrests violate the fundamental human rights enshrined in section 17(1) of the 1991 Constitution of Sierra Leone, which states that "no person shall be deprived of his personal liberty except as may be authorized by law..." The same right is also protected under Article 9 of the Universal Declaration of Human Rights and reaffirmed in article 9 of the International Covenant on Civil and Political Rights (ICCPR), which states thus "everyone has the right to liberty and security of person. No one shall be subject to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

The recent State Department report states that 'Impunity remained a significant problem in the security forces, notably in the SLP.' It notes that there were reports of individuals held for questioning without being promptly informed of the reason for the arrest. The SLP held suspects in detention cells without explanation for up to three days for suspected misdemeanors and up to 10 days for suspected felonies.

The Government of Sierra Leone, of which the Sierra Leone Police is an integral part, must take urgent steps to address this problem and ensure that the rights of individuals guaranteed by the Constitution of Sierra Leone and the international obligations we have signed up to are fully respected.

Dated April 30, 2022.