



**Observation and Monitoring Report on the Human Rights Violations and  
Human Rights Abuses In Relation to the Incidents of 17<sup>th</sup> & 18<sup>th</sup> July 2020 in  
Makeni, Bombali District, Northern Sierra Leone**



Produced on August, 2020

## INTRODUCTION

The Human Rights Commission of Sierra Leone (HRCSL) is the national institution mandated by Act No. 9 of 2004, to protect and promote human rights in Sierra Leone. Section 7 (2) (a) of its Act gives it the mandate to *‘investigate or inquire into on its own or on complaint by any person any allegations of human rights violations and to report thereon in writing’*.

In line with its mandate, the Commission on 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> July 2020 conducted an observation and fact- finding mission in Makeni in relation to the riot which engulfed the town on 17<sup>th</sup> and 18<sup>th</sup> July 2020 subsequently leading to fatalities.

## THE OBSERVATION AND FACT FINDING TEAM MEMBERS

The Observation Team comprised of the under mentioned commissioners and staff of HRCSL’s Regional Office in Makeni, and two Makeni based human rights activists who intermittently participated in the observation mission with the HRCSL.

- i. The Vice Chair- Victor Idrissa Lansana
- ii. The Oversight Commissioner for Regional Services - Hassan Samba Yarjah
- iii. The Northern Regional Deputy Director (Makeni Base) - Sahr Augustine Musa
- iv. Human Rights Officer – Hassan O.Kamara
- v. Human Rights Officer - Abdul Rahman Sankoh

## BACKGROUND

This report presents an account of the HRCSL’s observation and fact-finding mission conducted in Makeni Town, Bombali District, Northern Sierra Leone, in relation to the incidents that occurred on 17<sup>th</sup> and 18<sup>th</sup> July 2020 over the relocation of a standby 1.65 Megawatts Generator Plant from EDSA Makeni to Lungi International Airport in Port Loko District, North West Region.

Engagements with stakeholders revealed that on 30<sup>th</sup> May 2020, a stakeholders meeting was held in Makeni with representatives from the Ministry of Energy led by the permanent secretary and also some stakeholders in Makeni including Mayor Sunkarie Kamara. The purpose of the meeting was to discuss the relocation of the generator plant to Lungi International Airport which had electricity supply challenges. This was in preparation for the opening of the Airport as earlier announced by the President on 24<sup>th</sup> June 2020

In the meeting, there were discussions around signing of an MOU between Makeni stakeholders and the Ministry of Energy for the generator to be relocated and returned within a period of two months. At this meeting the mayor agreed with Ministry officials based on the justification provided for the relocation of generator but requested for one week to consult further with other stake holders and community people on the subject and then provide feedback to the Ministry within a period of one week.

Unfortunately as stated by the Mayor, information to other stakeholders and community people was not provided as promised by the Mayor neither was a feedback provided to the Ministry of Energy as the Mayor fell ill a day after the meeting and did not recover until after six weeks. The Ministry also did not make a follow up with the Makeni team on the delayed feedback until almost a month after the meeting. Rumors about the relocation of the generator and that Makeni will be left in total darkness following the relocation of the generator filtered into the community on the night of the 17<sup>th</sup> July, reportedly left youth dissatisfied. The planned relocation of the generator plant on 17<sup>th</sup> July subsequently led to confrontation between security forces and an uncountable number of youth who took to the streets of Makeni after the national curfew hours began at 11pm.

## **METHODOLOGY**

- The team conducted personal interviews with appropriate authorities
- Conducted accidental engagements
- Conducted visits to the hospital and the mortuary to ascertain allegations of bodily harm and death respectively resulting from the riot
- Visited structures destroyed during the riot
- Visited the market place
- Visited deceased families
- Conducted a tour of the town to make general observations

## **STAKEHOLDERS AND OTHER PERSONS CONTACTED**

- The Mayor of Makeni, Sunkarie Kamara
- The Local Unit Commander (LUC)
- The Medical Doctor – Makeni Government Hospital/Two Injured victims
- Lansana Koroma (CSP)
- The Inspector General of Police IGP SOVULA (Telephone discussions)
- Security Guards at the Sierra Leone People’s Party Office (SLPP) and the Sierra Leone Commercial Bank
- Families of the Deceased
- Security Guards at EDSA Office visited on the 18<sup>th</sup> July 2020

### **HRCSL Monitoring on the Night of 17<sup>th</sup> July 2020 and day of 18<sup>th</sup> July**

HRCSLs Northern Regional Office located at Magburuka Road, Makeni became aware of the disturbance in Makeni, on the night of 17<sup>th</sup> July at around 23:00 hours. They heard the voices of youth with a megaphone, moving around the city of Makeni, inviting their peers to come out and resist any attempt to remove the generator stationed at the EDSA Office Off Magburuka Road. At the same time, they heard sound from gun shots. The regional team then contacted the Office of National Security (ONS) on the said observations. The team heard gunshot sounds on the night of 17<sup>th</sup> July.

On 18<sup>th</sup> July, HRCSL in its monitoring activity around Makeni Town observed a peaceful atmosphere in the early hours of the morning. The HRCSL followed up on rumors of an unofficial curfew imposed at the market place by Law Enforcement Officers. They found the market busy as shops were opening and traders taking out their wares. HRCSL observed Law Enforcement Officers entering the market and telling traders and other persons to leave the market place as curfew had been declared. Resistance by innocent citizens i.e. young, old and children resulted in the unleashing of teargas at the market place. People were put in a state of fear and fled in different directions looking for safer locations and leaving their wares unattended.

During this period, the official vehicle of the Human Right Commission had its back glass damaged through the pelting of stones by youth coming from other directions. Burning of tyres was glaring all over Makeni town. HRCSL observed road blocks mounted by youth on major streets in the Makeni City which prevented other rights holders and vehicles from using the roads. The team also observed that youth pelted stones at the police station at Rogbaneh Road, carried sticks and burnt tyres on the streets. HRCSL also observed that public and private facilities such as the Sierra Leone Commercial Bank and the Sierra Leone Peoples Party (SLPP) office were destroyed. The police were assisted by military personnel and also OSD as many youth clusters had then been formed in different locations of the town. During clashes between the youth and the Law Enforcement Officers, there were sporadic gunshots.

HRCSL's visit to the hospital and the mortuary confirmed that deaths occurred and five persons had reportedly died from bullets wounds as revealed during the doctor's engagement. Injured victims visited at the hospital were seen to have wounds resulting from bullets.

## **ENGAGEMENTS HELD**

### **Mayor of Makeni City Council**

On 18<sup>th</sup> July, the Commission engaged Her Worship the Mayor, Sunkarie Kamara at her residence in Makeni. The discussions centered on the transfer of the generator which led to the riot in Makeni. She informed the Commission that on the 29<sup>th</sup> May 2020, she received the EGCT engineer in Makeni who told her that on the 30<sup>th</sup> May, officials from the Ministry of Energy will be holding a stake holders meeting in Makeni to discuss the relocation of the generator from Makeni to the Lungi International Airport in Port Loko District, North Western Region. The EGCT representative informed her of the electricity challenges at the airport which is expected to commence operations. She further informed the team that on 30<sup>th</sup> May, a delegation from the Ministry of Energy led by the Permanent Secretary visited her at her office. A stakeholder meeting was held where issues on the relocation of the generator were extensively discussed in the presence of Ministry of Energy representative and some community stakeholders.

She informed the Commission that she accepted the proposal to relocate the generator to Lungi as the reason put forward for its relocation was justified. She however stated that she requested

time to consult other stakeholders in the community and get back to the ministry with a feedback on their decision within a week. Discussions on signing an MOU between the Ministry of Energy and the Council/stake holders of Makeni before the relocation of the generator were held.

Her Worship the Mayor informed the team that she did not get back to the Ministry after that meeting on 30<sup>th</sup> May as she fell ill and was admitted in Freetown for approximately six weeks and returned to Makeni on 16<sup>th</sup> July. She informed the team that during her time spent at the hospital, the process got stalled. She admitted not expressly delegating the responsibility to any council personnel or community stakeholder to make a follow up on the relocation of the generator but however expected that in her absence her deputy and other personnel should have acted accordingly to complete the process of consultation

On the incident of 17<sup>th</sup> - 18<sup>th</sup> July, the Mayor informed the team that around 11 p.m. she woke up to several missed phone calls. She responded to one and was informed about heavy gunshots in the town and that youth had gone to the EDSA office around the Rogbaneh Police station to resist the relocation of the generator. According to her, Law Enforcement Officers had already come from Freetown to effect the relocation. All efforts made by her to get other stakeholders on the night of 17<sup>th</sup> July to arrest the confrontation between the police and youth proved futile. She condemned the action of the youth.

Reacting to the reasons for the riot, the Mayor informed the Commission that she had setup an investigation committee to look into the issue and the report was yet to be presented and therefore could not give details on the reason for the actions of the youth.

### **The Local Unit Commander (LUC)**

The Commission engaged the Local Unit Commander (LUC) of the Makeni Division, Chief Superintendent of Police (CSP) Francis Joe Songu at the Rogbaneh Police Station which was the Response Command Centre.

During the engagement, the LUC informed the Commission of the under mentioned; That on the late night of 17<sup>th</sup> July youth clustered around the Rogbaneh Police Station sending messages that they will resist the transfer of the generator from Makeni to Lungi. As the number of youth increased, he called on key stake holders in Makeni to inform them about the plans of the youth who were in the streets after curfew hours. By then, another group of youth had clustered themselves around the EDSA Office. He reported that he fortunately got hold of the Deputy Mayor Santigie Brima Mansaray who came to the station and to the EDSA Office to pacify the youth to go home as it was curfew hours. He stated that the endeavors of the Deputy Mayor proved futile and he left.

He informed the team that as the security situation deteriorated following rumors about the relocation of the generator he was also informed that youth are of the opinion that the transfer of the plant will lead to a total power shortage in Makeni.

He highlighted attacks by youth on the Sierra Leone Commercial Bank (SLCB), the office of the Sierra Leone People's Party (SLPP) leading to smashing of windows on both structures and looting and attempts of arson on the SLPP Office. He added that major roads were barricaded and several tyres burnt around the town by youth. Vehicles could not enter the town and the trailer which was supposed to relocate the generator to Lungi slept in a village called Rupert and arrived in the morning. He further informed the Commission that the youth had sticks, stones and machetes while they confronted the police. Some exhibits were shown to the HRCSL observation team at the Rogbaneh Police Station. He informed the team that 51 arrests were made.

### **Medical Officials at the Medical Referral Hospital**

On the 18<sup>th</sup> July, the Commission visited the Makeni Regional Referral Hospital where victims of the riot were taken for medical attention. The visit was to ascertain allegations of death and injuries occurring as a result of the riot. The team engaged Dr. Sesay and the Community Health Officer (CHO). During the engagement, both medical personnel at the hospital confirmed that they had five corpses in their possession who were brought in as a result of the riot.

The HRCSL Team inspected the mortuary, counted and confirmed five male corpses. The team also engaged two patients with injuries. The victims informed the the HRCSL team that their injuries resulted from gun shots during the riot. Responding to the questions on the causes of death and injuries, the medical authorities said they observed indications of bullet infractions on the corpses and they must have died as a result of the gun shots.

Dr. Sesay further informed the Commission that the ten persons who sustained injuries were provided with immediate medical care. However due to the threatening health conditions of some, 04 of them were transferred to the Emergency Hospital in Freetown, 04 to the Connaught Hospital with one of them dying at Connaught and remaining 02 were treated at the Out Patient Department (OPD) at the Makeni Hospital. There were six deaths in all, four passed away in the Community as a result of the riot.

### **The Deputy to the AIG Mr. Lansana Koroma (CSP) & IGP Sovula/Engagement on the Official Curfew**

On 18<sup>th</sup> July, the Commission engaged the Chief Superintendent of Police who is deputy to the Assistant Inspector General (AIG) Northeast Region CSP Lansana Koroma, to discuss issues around a review of the curfew which was declared in the early afternoon. He informed commissioners that the decision to declare the curfew was done in consultation with the Mayor and the lifting would be based on the assessment of the security situation which according to him was still under threat.

A request for the duration of the curfew to be reviewed so that residents of Makeni would have access to food and water was put forward by the HRCSL. The HRCSL also engaged the Inspector General of Police in Freetown for a review of the curfew and presented a case on the

human rights implications stating that people had been forcefully removed from the market place to their homes that morning by security forces and had missed the opportunity to purchase food and other items. The IGP assured the Commission of further consideration on the matter to address concerns it has raised. On the 20th July, at 7:00 a.m., the curfew was lifted by the police and residents were allowed to go about their normal businesses.



*Commissioners Victor Lansana and Hassan Samba Yarjah in engagement with Deputy Assistant Inspector General (AIG) Northeast Region CSP Lansana Koroma in Makeni*

### **Visits To Deceased Families**

The Commission visited the homes of four family members whose relatives had reportedly died of gunshot wounds during the riot. The purpose was to make a follow up on allegations of death and also to express condolences over the loss of their loved one. The victims were a student/bike rider, a petty trader, a bike rider and a teacher of Benevolent Primary School, Robuya Village all aged between 20 to 35 years respectively. Two of the victims reportedly died in locations far away from the heat of the disturbance. One of them had gone out to purchase some credits for his phone and was caught up with a stray bullet at Field Road.

### **Security Guards at the Sierra Leone People's Party Office (SLPP) and the Sierra Leone Commercial Bank (SLCB)**

On 18<sup>th</sup> July, the Commission visited and held accidental interviews with security guards at the SLPP Office located off Vincent Kanu Road and also at the SLCB Building around Clock Tower Area. Both structures were observed to be vandalized as broken windows were glaring. The Commission observed the ransacked state of the office of the SLPP and also observed smoke

stains on the veranda roof which was reported by security forces deployed at the office as an attempted arson on the structure. Security Guards further informed the Commission that youth who were pushed away by Law Enforcement Officers targeted the party's office on the night of 17<sup>th</sup> July. They reportedly pelted stones and carted away with some tables and chairs.

At the Sierra Leone Commercial Bank guards informed the Commission that a group of youth, pelted stones on the structure and had some windows broken. Attempts to access the building proved futile as the youth met stiff resistance from the bank's daily security guards.

## **FINDINGS/OBSERVATIONS**

The Commission during its monitoring of the situation on 17<sup>th</sup> and 18<sup>th</sup> July made the following findings;

- The stakeholders meeting on 30<sup>th</sup> May 2020 between the Makeni City Council and the Ministry of Energy held in Makeni to discuss issues around the relocation of the 1.65 Megawatts Generator to Lungi International Airport in Port Loko District.
- Due to the Mayor's impromptu illness, other stakeholders and the community people had no idea on action points taken as no key authority in the council engaged them. Furthermore, a feedback as promised by the Mayor to the Ministry of Energy was not made. Additionally, officials of the Ministry of Energy in Freetown did not also make a follow up on the action point taken at the meeting of 30<sup>th</sup> May and as a result discussions on the relocation of the generator got stalled.. Both institutions faulted in making a follow up.
- On the night of 17<sup>th</sup> July, HRCSL regional staff observed that some youth on motorbikes around Magburuka Road where the Commission's office is located were heard sending messages to others in the following words '*Come Out and resist the transfer of the generator*'.
- The Commission's regional officers observed that youth groups grew in number and formed clusters around the EDSA Office, Rogbaneh Police Station and in different parts of the town with sticks, machetes, and pelting stones at the police.
- Rioters also went on the rampage and started destroying building i.e. the Sierra Leone Commercial Bank and the Sierra Leone People's Party Office.
- The Sierra Leone Police were assisted by the OSD and the standby MACP in Makeni was invoked to restore law and order.
- Law Enforcement Officials used teargas to disperse cluster of youth around the town.
- The 1.65 Megawatts generator was transferred from EDSA Makeni in the morning hours of 18<sup>th</sup> July to Lungi International Airport as the trailer had no access to the town and not on the night of 17<sup>th</sup> July when youth had anticipated its relocation.

- The early morning hours of 18<sup>th</sup> July was relatively peaceful and people were seen going about their normal businesses until late morning when security forces raided the big market and released teargas canisters at protesters.
- In the late morning hours of 18<sup>th</sup> Law Enforcement Officials at the market place, threw teargas amongst traders, other persons including children. This angered the youths who became very violent and the riot took a negative turn. In the end five people lost their lives and were each at a time taken to the Makeni hospital . Ten (10) sustained injuries out of which 4 were taken to the Emergency Hospital where it was confirmed that one died bringing the total number of deaths to 6 (Six)
- An official curfew was imposed in the late afternoon by the Sierra Leone Police and other stake holders to restore law and order in the town.
- From the findings it was discovered that approval for the curfew came much later from the appropriate authorities than earlier announced by Law Enforcement Officials at the market place.
- Road blocks continued to be mounted by the youth in all major road and tyres burnt, preventing people and vehicles from moving freely. Youth formed several clusters all over the town and were chased by the joint Law Enforcement Officials
- The LUC confirmed that Fifty One (51) persons were arrested. Some had sticks, stones and machetes which they had used to confront the police.
- Structures such as the Sierra Leone Commercial Bank (SLCB) and the Sierra Leone

## HUMAN RIGHTS VIOLATIONS AND HUMAN RIGHTS ABUSES

### ▪ **Right to Life**

The Constitution of Sierra Leone 1991 and also regional and international human rights instruments to which Sierra Leone is a state party provides for the preservation of life.

Section 16 (1) of the Constitution provides that *‘No person shall be deprived of his life intentionally except in execution of the sentence of a court in respect of a criminal offence under the laws of Sierra Leone, of which he has been convicted’*. Article 4 of the African Charter on Human and Peoples Rights (ACHPR), provides that *“Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.* Article 6 of the International Covenant on Civil and Political Rights (ICCPR) provides that *‘Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life’*.

To restore law and order, the Commission noted the use of live bullets by the joint security forces against youth who continuously regrouped in different parts of the town with sticks, stones and machetes. Engagements with injured victims at the hospital and the Medical Superintendent revealed that the six deaths resulted from the confrontation between the youth and security forces. The victims the medical superintendent reported had apparently died from bullet wounds in the community between the nights of 17<sup>th</sup> -18<sup>th</sup> July.

Although the Commission has not been able to establish which Law Enforcement Official did the killings considering it was a joint mission, the action by the joint forces during the confrontations violated the enjoyment of the right to life. The Commission in its entirety condemns the deaths that occurred during the riot and continues to reiterate that the right to life is a non derogable right and should be preserved at all times.

- **Unnecessary Use Of Force Within The Market Community**

Further to the confrontations between the Law Enforcement Officials (LEO) and youth on the night of 17<sup>th</sup> July, on the 18<sup>th</sup> July, some LEO went to the Rogbaneh Market area in the mid-morning of 18<sup>th</sup> July and discharged teargas canisters at unsuspecting traders, children and other persons who were busy settling down with business. They insisted that they should go home and immediately leave the market area.

The unexpected use of teargas by LEO against harmless and peaceful citizens within the market community contravenes Principle 9 of the UN Basic Principles 1990 on the Use of Force by Law Enforcement Officials which stipulates that 'Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, or to prevent the perpetration of a particularly serious crime involving grave threat to life, or to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape ....'

The HRCSL further notes that Article 2 of the Code of Conduct for LEO adopted by the General Assembly Resolution 34/169 (1979) stipulates that 'in the performance of their duty, LEO shall respect and protect human dignity and maintain and uphold the human rights of all persons. Article 3 further notes that 'LEO may use force only when strictly necessary and to the extent required for the performance of their duty'. HRCSL views the use of fire arms at the market place on innocent citizens as an extreme inappropriate measure and which poses a threat to the enjoyment of the right to life of the mentioned group of people.

- **Right to Freedom of Movement**

The confrontations led to the imposition of an indefinite curfew by the police in the early afternoon of Saturday 18<sup>th</sup> to 20<sup>th</sup> July. The curfew indefinite curfew led to a denial on the rights to freedom of movement of persons resident in the municipality. This restriction also affected the rights to as people cannot access the market.

## **HUMAN RIGHTS ABUSES**

- **Restriction on the Right to Freedom of Movement**

The HRCSL observed that major roads were blocked by youth who subsequently burnt tyres by the road blocks. Although this action does not constitute a violation of the rights to freedom of movement by state actors, *it however constitutes a human rights abuse as the action by youth restricted free movement of persons and vehicular flow of other citizens.*

## **Destruction of Property**

Structures of the Sierra Leone Commercial Bank (SLCB) located around the Clock Tower Area and the Sierra Leone People Party Office (SLPP) Off Vincent Kanu Drive were destroyed by youths. Section 13 (c) of the Constitution of Sierra Leone 1991 provides that citizens should *“protect and preserve public property and prevent the misappropriation and squandering of funds belonging to the Government, local authorities or public corporations”*. additionally, Section 13 (f) and 13 (g) respectively stipulates that citizens should ‘make positive and useful contributions to the advancement, progress, and well-being of the community, wherever he resides and 13(g) ‘work conscientiously in a lawful and chosen occupation and abstain from any activity detrimental to the general welfare of others’. The action of the youth on 17<sup>th</sup> and 18<sup>th</sup> July contravenes the constitutional provisions on citizen’s responsibilities.

## **RECOMMENDATIONS**

- I. Going forward, the police should stop taking fire arms containing live rounds at scenes of protests/demonstrations except where it is extreme necessary; they should instead use rubber bullets and other lawful devices and means to dispersing protesters or quelling down protests.
- II. The Government of Sierra Leone (GoSL) should make provision that will better equip the police with riot safety gears and devices that will enable them to professionally respond to riots and protests without the loss of lives from both sides- the protesters and the police themselves
- III. The Law Enforcement Officials should speedily conclude investigations into the incident and identify those personnel who may have killed citizens, dismiss them from the force (s), prosecute them in a court of law or in the court martial as the case may be. Take appropriate actions.
- IV. The police should swiftly investigate and prosecute individuals who caused damage to property during the riot and other forms of violent conduct.
- V. The police should cease co-opting the military at every given opportunity during protests unless and until the circumstance truly demands military aid to civil power
- VI. Youth should endeavour at all times to engage their representatives and other community leaders in a bid to channel their grievances rather than resort to lawlessness.
- VII. That the Central Government should support the Municipality to conduct an Institutional Capacity Audit in order to address the striking administrative challenges

- VIII. The Independent Police Partnership Board (IPCB) should timeously investigate the discharge of fire arms which may have led to the death of civilians.
- IX. GoSL should bear the medical cost for the injured victims.
- X. Both central government and the local government should do more to open up the communication lines by frequently engaging each other so that issues could be easily addressed and progress made.
- XI. Similarly, both central government and local councils should frequently engage their beneficiaries/residents informing them about how governance works and how they themselves as the beneficiaries should contribute to the process. The National Council for Civic Education and Development should take the lead in this. \
- XII.
- XIII. The Law Enforcement Officials should recruit citizens of good moral standing and temperament and engage the forces on standard human rights trainings especially in dealing with riots.