



**Education, Empowerment and Access to Justice for Women and Girls**

## **PRESS RELEASE: AdvocAid announces it will represent two women on death row**

While globally people commemorated the World Day Against the Death Penalty on 10 October, two women accused of murder were sentenced to death in Magburaka and Kabala, Sierra Leone.

Sierra Leone retains a mandatory death penalty for murder and as an applicable punishment for treason, mutiny and aggravated robbery – although a *de facto* moratorium on executions is in place, with the last executions taking place in October 1998.

The abolition of the death penalty was recommended by the Truth and Reconciliation Commission in 2004 and by the Constitutional Review Committee in 2017. Yet, in November 2017 a Government white paper rejected the Constitutional Review Commission's recommendation to abolish the death penalty.

While the Government has on several occasions publicly committed to take steps towards the complete eradication of the death penalty,<sup>[1]</sup> there are currently 80 people, 78 men and 2 women, on death row. This is an increase of over 50% from August 2019.

The death penalty is discriminatory and disproportionately applied against the most vulnerable in society, including the poor, illiterate and people with mental disabilities. The majority of women who are in prison for violent offences in Sierra Leone have acted in response to domestic abuse.<sup>[2]</sup>

Yet, there are no statutory defences in the Offences Against the Person Act that would reduce murder to manslaughter. The only defences to murder available are in the country's (unwritten) common law. If a person is found guilty of murder, therefore, mitigating factors may not be considered at sentencing because of the automatic death penalty for murder. This means that if a woman is found guilty of murder, a history of abuse or mental health issues may not be taken into account at sentencing. This practice goes against international legal standards.<sup>[3]</sup>

AdvocAid therefore renews its call on the Government to put an end to automatic death sentences and, in line with the recommendations it has accepted during the last Universal Periodic Review, sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

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The two women on death row will be represented by AdvocAid in an appeal. Since yesterday pictures of one of the two women were published on the front page of a popular newspaper, but the pictures of the men who were also sentenced to death were not, AdvocAid would kindly ask both the media and the public to refrain from creating sensationalistic coverage around these cases because both women still have a right to appeal to the highest appellate court and to ensure any coverage is balanced, sensitive and takes into account the rights of these women to privacy and to a fair trial.

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[1] During the Universal Period Review in 2016 the Sierra Leone accepted 13 recommendations on the abolishment of the death penalty; the Universal Period Review is a unique process through which the UN Human Rights Council reviews the human rights records of all 193 UN Member States

[2] Cyrus R. Vance Center for International Justice and AdvocAid, 2020. *Woman Wahala na Prison – Causes and Consequences of Women's Imprisonment in Sierra Leone*

[3] Updated Model Strategies and Practical Measures on the Elimination of Violence against Women and Girls in the Field of Crime Prevention and Criminal Justice, 15(k). General Assembly resolution 65/228, annex, adopted on 21 December