



Residual Special Court for Sierra Leone
Public Information

PRESS RELEASE

Freetown, Sierra Leone, 18 March 2016

Moinina Fofana Admits Violating Terms of His Conditional Early Release Agreement

Moinina Fofana today admitted to allegations that he violated the terms of his Conditional Early Release Agreement, which allowed him to serve the remainder of his 15-year sentence for war crimes and crimes against humanity in his home community of Bo. He appeared at an administrative hearing held before RSCSL Designated Judge Vivian Solomon in Freetown.

Amongst the conditions Fofana was alleged to have violated are that he report in person to the Monitoring Authority, comprised of the Police in the city of Bo, at least twice each month, that he obtain permission from the Monitoring Authority for travel outside of Bo including purpose of travel and date of return, and that he not join local politics.

Fofana, the former CDF Director of War, acknowledged that he obtained permission on 9 October 2015 to travel to Freetown to assist his daughter in finding housing. He promised to return on 25 October, but instead traveled from Freetown to Makeni where it is alleged that he joined local politics. Prior to his departure from Bo he post-dated the police register, falsely certifying that he was physically present in Bo on 23 October. He in fact did not return to Bo on 25 October, and thus missed one mandatory reporting period.

Designated Judge Solomon ordered Fofana's release from the custody of the RSCSL pending the next hearing, with the date to be set by the Registrar.

Fofana was detained on 10 March 2016 on the order of RSCSL President Justice Philip Waki following an investigation into the violations.

Fofana was convicted by the Special Court for murder and inhumane acts, which are crimes against humanity, and for murder, cruel treatment and pillage, which are violations of Article 3 common to the Geneva Conventions and of Additional Protocol II (war crimes). He was sentenced to a 15-year prison term with credit given for time served since 29 May 2003, when he was first arrested. In October 2009 he was transferred to Mpanga Prison in Rwanda.

The terms of his Conditional Early Release required Fofana to cooperate with the Monitoring Authority, to obey all orders of the Court, to refrain from committing any crime, and to pose no threat to former witnesses, amongst others. Justice Waki also ordered that Fofana acknowledge his guilt, publicly apologise, and show remorse. He was forbidden from interfering with witnesses and that he "shall conduct

himself honorably and peacefully in the community and shall not engage in secret meetings intended to plan civil unrest or join local politics”.

The terms of his Conditional Early Release were explained to him through an interpreter in the presence of witness and members of the media in March 2015.

#END

The Residual Special Court for Sierra Leone is responsible for the ongoing legal obligations of the Special Court for Sierra Leone, which concluded its mandate in December 2013. These include supervision of prison sentences, witness protection and support, maintenance and preservation of the archives, and assistance to national prosecution authorities.

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Residual Special Court for Sierra Leone
Email: info@rscsl.org

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