

TRC REPORT

A Senior Secondary School Version



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Mohamed Sheriff Elvira M. J. Bobson-Kamara

Illustrations by Simeon Sesay Cartoon Stories by Mohamed Sheriff This book was produced by the Truth and Reconciliation Working Group (TRWG). It was funded by the Foreign Office and the Institute for Foreign Cultural Relations of the Federal Republic of Germany.

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Concept and Management: Juliane Westphal Layout: Lebene Komla Adzosii, Gundula Scheele

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Foreword

The Truth and Reconciliation Commission (TRC) was set up in 2002 to find out the truth about the war in Sierra Leone and make recommendations to ensure it never happen again. It collected a lot of information about the recent history of Sierra Leone and about the war and its causes and consequences. In 2005, the Report, comprising four books of almost 2000 pages, was made available to the public. But with just 4000 copies for the whole country, only a small percentage of the population will have access to these books and fewer will have the time to read so many pages. The TRC report is a valuable source of recent Sierra Leonean history, covering the period immediately before the war and the war itself. It is of great importance, therefore, that the contents of the report be made known to a wider public in more easily accessible forms. One such form is this Senior Secondary School (SSS) Version. The importance of the need for secondary school students and other youths to know about the findings and recommendations in the report can not be over emphasised. This generation of Sierra Leoneans will sooner than later be in responsible positions that will provide them with numerous opportunities to partake in the implementation of these recommendations, which - if put in place - would impact positively on the development of the country.

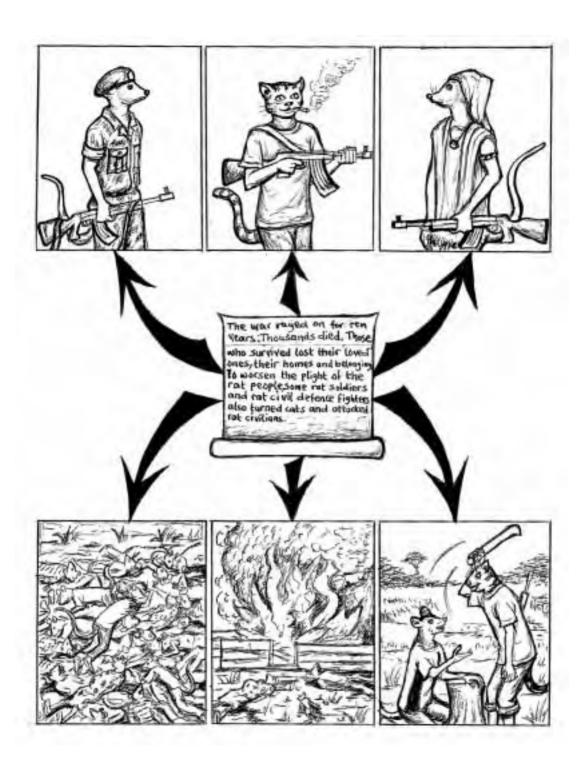
This book basically follows the structure of the TRC report itself and retains as much as possible its style, except where it is considered above the level of its target audience, in which case it is simplified. We started this project with a brainstorming workshop on the concept for the book with teachers from all districts in Sierra Leone. It was decided at this workshop that to help illuminate the content of the book, a fictional cartoon story with animal characters should be written for each chapter. The theme of each story should reflect the content of the chapter to which it belongs. The use of animal characters allows the story to talk about incidents that happened during the war without referring or seeming to refer to individual persons. It was also seen as a less painful way to recall the past. In addition, it is hoped that the cartoon stories will not only make exciting reading for the student, but also arouse their curiosity about the text and motivate them to read it. Another key feature of the text decided at the workshop was the exercises at the end of each chapter, designed to encourage students to develop and express their ideas about what they have read.

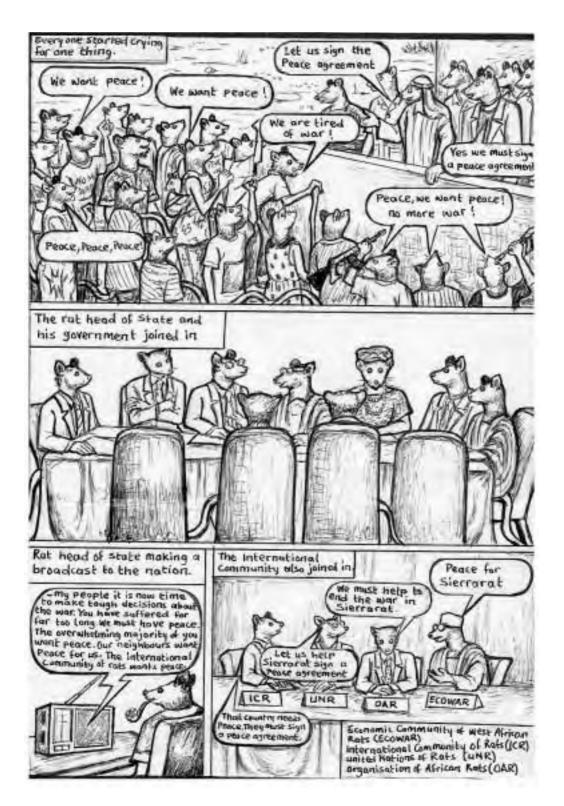
From the testing of the first chapter in representative schools in all the districts in the country, we have ensured that the language used is appropriate for SSS students. Still there are words relating to the war that some students may find difficult. These are explained in the Glossary. Also as the book is expected to be taught in class, the teachers would help the pupils find their meanings and broaden the horizon of their understanding.

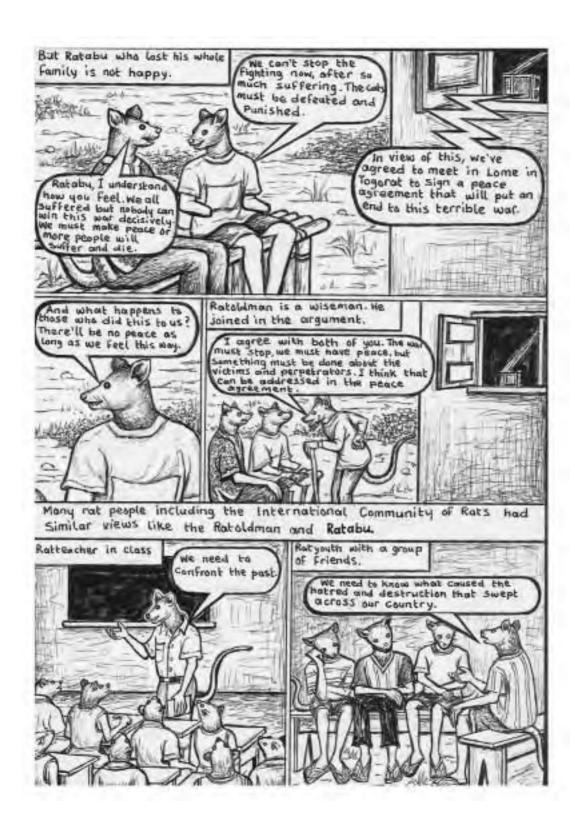
I would like to thank the Media Consultant of this project, **Juliane Westphal**, for her invaluable contribution. From the conceptual stage to the final proof reading, she worked tremendously, as a researcher and a critic. Her constant support and monitoring has contributed in making this handbook a reality. My thanks also go to the two authors, everyone else who worked on the text and the entire staff of the Truth and Reconciliation Working Group (TRWG). Last but not the least, I want to thank our German donor **Ifa Zivik**. Without the financial support this book would not have been produced.

John Caulker, Chairman, TRWG

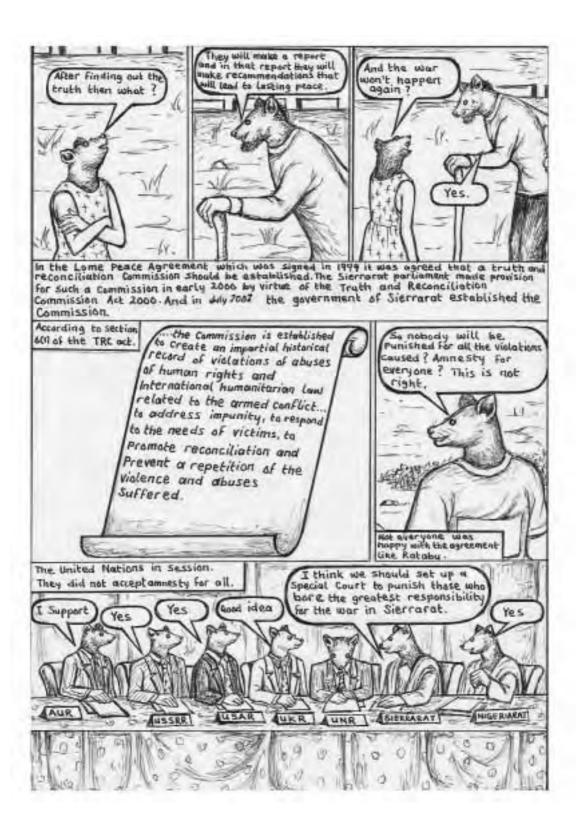










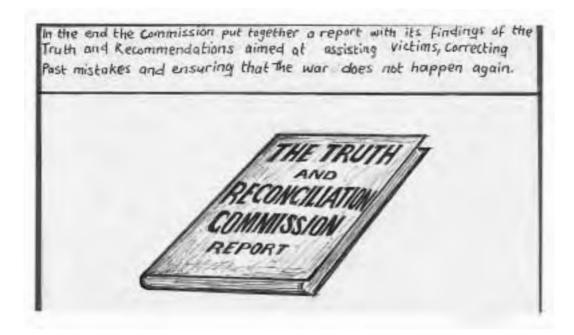


In view of such considerations the government and the International Community established the Special Court for Sierrarat with the task of prosecuting those Persons who bore the greatest responsibility for serious violations of International and humanitarian law and the Sierraratan law committed in the territory of Sierrarat since 30 th November 1996.



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Chapter 1

THE WAR AND THE TRUTH AND RECONCILIATION COMMISSION

The War

On March 23, 1991 armed conflict broke out in Sierra Leone when forces crossed the border from Liberia into the town of Bomaru in the eastern border of the country. The then little known Revolutionary United Front (RUF) claimed responsibility for the incursion, declaring that their objective was to overthrow the corrupt and tyrannical government of Joseph Saidu Momoh and the All People's Congress (APC), which had ruled Sierra Leone since 1968.

The events in Bomaru that day marked the beginning of a decade of violence that devastated the country. As the conflict was reduced to shocking brutality against civilians, the world became horrified at the tactics used by the RUF, its allies and opponents. There were reports of indiscriminate amputations, abductions of women and children, recruitment of children as combatants, rape, sexual slavery, cannibalism, unjustified killings and wanton destruction of villages and towns. This was a war not so much of battles and confrontations between combatants as of attacks upon civilian populations. Its terrifying climax was the destruction of much of Freetown in January 1999.

The war finally reached a negotiated conclusion at Lomé, the capital of Togo, in July 1999. Although the Lomé Peace Agreement did not end the fighting entirely, it began a process that brought a delicate peace to the country. The presence of a large United

Nations peacekeeping force, the United Nations Assistance Mission in Sierra Leone (UNAMSIL), after the Agreement did much to prevent a renewal of the conflict and to ensure that the processes that would bring a lasting peace, notably disarmament and **demobilisation**, would be carried out.

The Truth and Reconciliation Commission (TRC)

After years of brutal conflict in Sierra Leone a need existed to confront the past. The nation wanted to know what caused the wave of vengeance and mayhem that swept across the country. How was it that the people of Sierra Leone came to turn on each other with such ferocity? Why did so many abandon traditions of community and peaceful co-existence? Why were long held and cherished customs and taboos so recklessly disregarded? It is only through creating such understanding that the horrors of the past can effectively be prevented from occurring again. Knowledge and understanding are the most powerful deterrents against conflict and war.

Accordingly the Lomé Peace Agreement recognized that Sierra Leoneans had a need to express and acknowledge suffering, a need to tell their stories and experiences, a need to know who was behind the atrocities, a need to explain decisions, actions and behaviours, a need to reconcile with former enemies, a need to begin personal and national healing and a need to build accountability in order to address **impunity**. Article XXVI of the Lomé Peace Agreement provided for the establishment of a Truth and Reconciliation Commission to meet these different needs. The Sierra Leone Parliament made provision for such a commission in early 2000 through the Truth and Reconciliation Act, 2000 (the Act). According to Section 6(1) of the TRC Act:

"The object for which the Commission is established is to create an impartial historical record of violations and abuses of human rights and international humanitarian law related to the armed conflict in Sierra Leone, from the beginning of the Conflict in 1991 to the signing of the Lomé Peace Agreement; to address impunity, to respond to the needs of the victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered."

In July 2002, the Government of Sierra Leone proceeded with the establishment of the Commission.

The Special Court

The Commission worked alongside the Special Court for Sierra Leone, an international criminal tribunal. The Special Court was given the job of prosecuting those persons who carried the greatest responsibility for serious violations of international humanitarian law and the Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996.

Most truth commissions have operated as an alternative to criminal prosecution. Because of the **amnesty** provided to all parties of the conflict in the Lomé Peace Agreement, the Sierra Leone TRC was proposed as a substitute for criminal justice. This was

at least to make people accountable for the atrocities they committed during the conflict. The Special Court was created following President Kabbah's request to the UN Security Council to establish a special tribunal to prosecute members of the RUF and its allies. This followed the hostage taking of hundreds of UN peacekeepers and new outbreaks of violence in 2000. On 16 January 2002, the Government of Sierra Leone reached agreement with the United Nations for the establishment of a Special Court with jurisdiction over offences committed before the Lome Agreement, whether or not amnesty had been granted for such offences. The agreement was subsequently approved by Parliament in March 2002, when it adopted the Special Court Agreement Ratification Act, 2002.

Thus the Special Court was created by abandoning certain amnesty provisions reached at Lomé, on the basis that certain elements within the RUF had broken the Lomé Peace Agreement. In the TRC's view, the international community has signalled to combatants in future wars that peace agreements granting amnesty should not be trusted and, in so doing, has undermined the potential for such national and regional peace initiatives to succeed. It must be pointed out here though that the UN had always made it clear that they did not accept amnesty for those bearing the greatest responsibility for serious human rights violations.

The Relationship between the TRC and the Special Court for Sierra Leone

The setting up of an international tribunal alongside a truth and reconciliation commission has brought into focus their different roles and the potential problems that may arise when they operate simultaneously. While the relationship between the Commission and the Special Court was mostly cordial, tension arose following the refusal of the Special Court to permit the TRC to hold public hearings with detainees held in the Special Court prison. According to the Special Court, it denied the hearings because they were to be done in public and because they would appear to have carried out justice by bringing out their own facts which according to the Special Court was its own special duty. By its refusal the Special Court was seen by the TRC to have denied the right of those detainees to testify in an open and transparent manner before the Commission. The Special Court also denied the right of Sierra Leoneans to see the process of truth and reconciliation done in relation to those detainees. This, in the view of the Commission, meant that the role played by the Special Court disadvantaged the TRC in its work.

What the TRC Did: The TRC Report

In making its findings and preparing its report, the TRC gathered information from a variety of sources. Statement takers travelled the length and breadth of the country to villages and towns in every district taking statements privately from witnesses, victims and **perpetrators**. Other sources included public hearings held by the Commission; the outcomes of investigation and research conducted by the Commission's staff; and the **statistical or quantitative analysis** drawn from the Commission's data base of human rights violations.

Findings

The TRC was given the legal responsibility to make findings about the causes, nature and extent of violations and abuses in the armed conflict in Sierra Leone. In particular, the Commission was authorised to consider the question of whether such violations and abuses were the result of deliberate planning, policy or authorisation by any government, group or individual.

The chapter on the findings sets out the conclusions and findings of the Commission under the following topics and themes:

- · Causes of the Conflict
- · Nature and Characteristics of the Conflict
- · Perpetrator Responsibility
- · Military and Political History (includes findings related to factions and individuals)
- · External Actors
- · The Judiciary, the Rule of Law and the Promotion of Human Rights
- · Youth
- ·Children
- · Women
- · Mineral Resources
- · TRC and the Special Court for Sierra Leone

The Commission began its primary findings with the conclusion that the conflict and the independence period preceding it represented the most shameful years of Sierra Leone's history. These periods showed an extraordinary failure of leadership on the part of many of those involved in government, public life and civil society. No progressive and far-sighted leaders emerged to steer the country away from its slide into chaos and bloody civil war.

Recommendations

The TRC was empowered by law to make recommendations towards a variety of objectives. The most important objective is to prevent a repeat of the conflict and all the abuses suffered by Sierra Leoneans. Other objectives are to address impunity, respond to the needs of victims and promote healing and **reconciliation**.

The recommendations are designed to help build a new Sierra Leone based on the values of human dignity, tolerance and respect for the rights of all persons. In particular, the recommendations are intended to help create an open and vibrant democracy in which everybody is treated as equal before the law.

The TRC Act requires that the Government must implement the recommendations of the TRC report in a faithful and timely manner. The Government itself is responsible for implementing the recommendations that are directed to state bodies; in addition, it should encourage and assist other groups to implement the recommendations directed at them.

The Commission divided the recommendations into three maincategories, namely "Imperative", "Work Towards" and "Seriously Consider".

"Imperative" recommendations are those which government is under strict obligation to implement. They are made to uphold rights and values that the TRC found to be lacking in Sierra Leone. They should be implemented immediately or as soon as possible.

The "Work Towards" recommendations are those that require in-depth planning and the collecting of resources in order to ensure their fulfilment. Government is expected to put in place the building blocks to make the recommendations possible and to do so within a reasonable time period.

In the "Seriously Consider" category, while the Government is expected to engage in thorough evaluation of the recommendations, it is under no obligation to implement them.

There is a fourth category, "Calls On" recommendations which directed at bodies that do not form part of the Executive or the Legislative arms of government or that are non-governmental bodies or members of the international community. In these circumstances the commission "calls on" the body in question to implement the recommendation.

The TRC recommendations in Sierra Leone have a unique status in world history. For the first time anywhere a government has been put under obligation by an Act to implement key reforms proposed by a truth and reconciliation commission. The recommendations in the "imperative" category should be the first to be implemented under this law.

The Commission's recommendations are based on the findings it reached. The introduction to the chapter on recommendations highlights the Commission's central or core recommendations. These include:

- calling upon leaders at all levels to commit themselves to new principles of committed leadership;
- calling on all those in the public sector to usher in a new culture of ethics and service to fight the problem of corruption which weakens the soul of Sierra Leone;
- protecting the right to human dignity and the abolition of the death penalty;
- upholding freedom of expression which is the lifeblood of a vibrant democracy;
- introducing a common and equitable citizenship which will promote a new patriotism and devotion to Sierra Leone;
- strengthening democracy, the rule of law and institutions of accountability;
- establishing new principles of National Security, which reflect the will of Sierra Leoneans to live in peace and harmony;
- bringing government and service delivery to people throughout Sierra Leone.

EXERCISES

- 1. Most of you must have had some experience of the war, either first hand or by hearing it from friends and relatives. Those who gathered information for the TRC were called statement takers. They travelled all over the country taking testimonies from witnesses. Imagine yourself as either a witness or a statement taker. Your teacher will divide you into two groups witnesses and statement takers. Statement takers will interview witnesses and record their testimonies in writing, after which you switch roles. The teacher allows no more than ten minutes per interview. After this the teacher will ask students to volunteer to read the testimonies of the witnesses. A discussion of the most striking testimonies can follow. Note that the actual statement taking exercises took place in private because it was important to maintain confidentiality and protect the identity of all the witnesses, victims or perpetrators.
- 2. The teacher divides the class into three groups the TRC Commissioners at a high table (no more than seven students), four key witnesses and the rest of the class as members of the public. The witnesses are called one at a time to give real or imaginary accounts of their war experiences to the Commissioners, who in turn ask questions to get more information or clarify certain points.
- 3. Reread the section titled, The Relationship between the TRC and the Special Court for Sierra Leone, and examine the problems that arose from the two institutions working at the same time. In a class debate supervised by the teacher argue for or against the view that a truth and reconciliation commission should not work in the same country at the same time with an international criminal tribunal.

Chapter 2

CAUSES OF THE WAR

How did a peace-loving nation become engulfed in such horror? What events occurred in the history of the country to make this conflict possible? Explanations put forward have varied from 'bad governance' and 'the history of the post-colonial period in Sierra Leone' to 'the urge to acquire the country's diamond wealth' and the roles of Libya or the Liberian faction leader Charles Taylor. The international community initially dismissed the war as just another example of tribal conflict in Africa or another failed state collapsing in the face of environmental degradation and acute economic crisis.

To 'compile a clear picture of the past' the Commission devoted considerable time and effort to examining the pre-conflict history of the country. It intended to find the causes of conflict in Sierra Leone's past and offer explanations for what went wrong.

The Commission identified certain attitudes and behaviours that brought about division and confrontation between the various groups that make up the Sierra Leonean nation. It identified faults and the types of activities that created the conditions for conflict. It highlighted decisions made by the political elite that were meant to strengthen their grip on power at the expense of common benefit, progress and eventually peace.

In the chapter, entitled **Historical Antecedents to the Conflict**, the Commission examines the colonial period and the first few years of independence together under the section *The Historical Evolution of the State*. This section has been divided into four distinct phases to help us understand better the roots of the conflict and some of the challenges that the country still faces today.

The Historical Evolution of the State

(1) The Colony and the Protectorate.

Rather than constructing a unified Sierra Leonean state, the colonial government effectively created what seemed like two nations in the same land. The colonial capital Freetown, known as the **Colony**, and the much larger area of provincial territory, known as the **Protectorate**, were developed separately and unequally. The colonial government formalised the common law practised in the Colony yet neglected the development of customary law in the Protectorate, thus producing two separate legal systems that persist to the present day. The impact of colonial policies and practices, including those relating to citizenship, land tenure rights and conflict of laws, was farreaching. People in the Colony enjoyed vastly superior social, political and economic development and access to vital resources such as education. The division between the two entities caused deep ethnic and regional resentment and destabilised the traditional system of Chieftaincy.

(2) The Era of Party Politics.

In 1947, a new Constitution was proposed to prepare Sierra Leone for independence.

This Constitution merged the Colony and the Protectorate into a single political body but divided their elite representatives into opposing groups, each dedicated to protecting the interests of its own people. In due course these groups formed themselves into narrow, regionally based, political parties with little or no national plan. Party politics became the greatest obstacle to national unity and identity. Party loyalty created as much division as ethnicity, class or regional prejudice in the battle over who should succeed the British. Just before independence in 1961, the ten-year-old Sierra Leone People's Party (SLPP) was joined in the political arena by the All People's Congress (APC), which would become its main rival in contesting elections.

(3) The Sierra Leone People's Party (SLPP) in Power.

The SLPP, as majority party, formed the first post-colonial government in 1961. The 1962 elections then revealed how deep the ethnic and regional divisions in Sierra Leone were and how the ideological differences between the opposing parties were only a mild illustration of this. The SLPP retained power by winning most of its seats in the south and east of the country, which were predominantly populated by the Mende people. The SLPP government was therefore labelled as a Mende government. This image **polarised** public opinion in the country, and introduced nepotism and favouritism in many state institutions. This polarisation in turn served to deepen existing cracks with terrible consequences for the unity of the young state.

(4) The 1967 Elections and their Aftermath.

The elections of 1967 were affected by bitter power struggles based on ethnicity, personality and party association. Although the APC won the most seats, the leadership of the SLPP adamantly refused to concede defeat. The resultant fight between the SLPP and the APC signalled a turning point in the political fortunes of the country and ultimately led to the destruction of the multi-party system. The head of the Army **sabotaged** the swearing-in of the APC Prime Minister and declared **martial law**. When it became apparent that this move was engineered to favour the SLPP leadership, junior-ranking soldiers staged a coup. The consequent period of military rule served to narrow the political space in Sierra Leone and compelled others to seek alternative routes to power, other than free and fair elections. It set the scene for multiple further coups and coup attempts in the following decades.

The Management of Power by the APC

In this second section of the chapter, the Commission focuses on the prolonged period in power of the All People's Congress (APC). The APC government used concerns about internal security as a pretext to stifle the developing democratic culture. All the institutions of the State were subjected to strict party control and Siaka Stevens, the new President of the Republic of Sierra Leone, adopted an increasingly **authoritarian** approach.

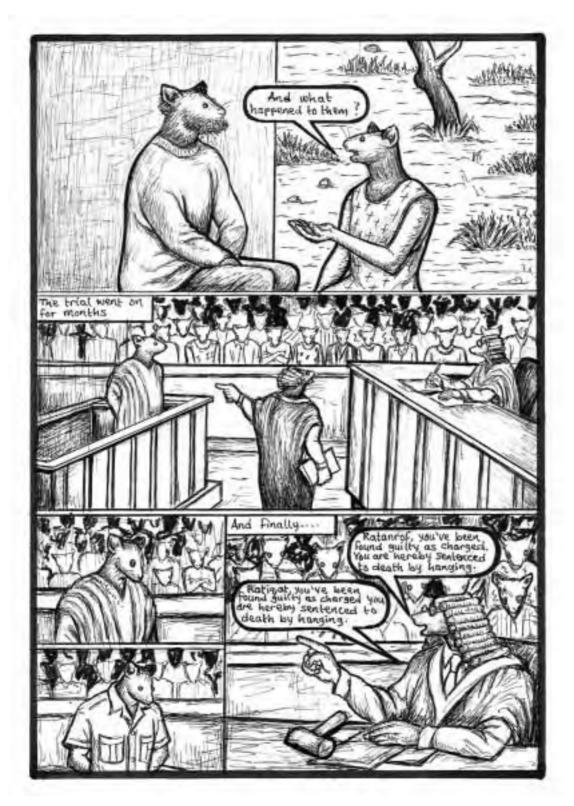
Under the APC, central government sustained itself through corruption, nepotism and the plundering of state assets. These practices were repeated at regional and local levels, where Chieftaincy became synonymous with power, patronage and control of re-















sources. When Sierra Leone adopted a one-party constitution in 1978, any semblance of accountability or effective opposition had already been eliminated. This state of affairs was among the key causes of the conflict.

Local Historical Antecedents

The final section of this chapter, *Local Historical Antecedents*, examines past developments and changes at district level to help explain the manner in which the war unfolded across the nation. There were undercurrents of conflict in many areas, from the border districts that served as 'gateways' for the fighting forces, to the strategically located 'heartland' districts that initially supported the **insurgency** to overthrow the APC. At local level, as at national level, many of the answers to why and how this conflict happened are to be found in what had happened before.

Failure in Governance

Another chapter that deals with the key causes of the war is the one titled, **Governance**. The Commission heard submissions from a variety of authoritative sources that the war in Sierra Leone was largely the result of failures in governance and institutional processes in the country. Successive governments diminished the state's capacity to meet such critical challenges as the security and livelihood of its citizens, let alone to provide for democratic participation in decision-making processes. The Commission shares the view that unsound governance created the situation for the incidence and growth of poverty, **marginalisation**, greed and grievances that caused and sustained the conflict.

The instruments of proper governance include laws, institutions, due processes and humane practices that lead to such desired ends as security, justice, improved livelihoods and democratic participation. From the observations of the Commission during

its hearings it was clear that Sierra Leoneans yearn for a principled system of governance. They want a system that upholds the rule of law over the rule of strong patrons and protects the people from abuse by rulers through a system of checks and balances. They wish to see horizontal and vertical accountability through the effective operation of such institutions as the judiciary, the auditor general's office, the electoral commission, the media and civil society.

The Commission looked at the record of each of the post-independence governments through the following critical 'indicators': separation of powers; decentralisation; political participation; independence of the judiciary; the rule of law; and the existence and effective operation of oversight bodies and institutions of accountability. On two levels the Commission critically examined the extent to which various governments practised or failed to practise proper governance. First, it reviewed the basic legal documents of the land, such as Constitutions and the evolving body of laws, to assess whether 'indicators' of proper governance were **enshrined** and guaranteed in these documents. Second, it assessed whether these 'indicators' were put into practice.

The Commission concluded that all the administrations of the post-independence period contributed to the various situations that led to the conflict in 1991. The dual nature of the country's administrative and judicial structures made them easy to manipulate, which the regimes of Sir Milton Margai, Sir Albert Margai and Dr Siaka Stevens used to their respective advantages. In the provincial areas, for example, local courts and chieftaincy structures were used to clamp down on opposition activities and to firmly establish the authority of whichever traditional ruling houses were allied to the party in power.

The judiciary was made weak and corrupt. It had been abused by successive governments; several politically motivated appointments being made by all post-independent governments. This largely compromised the independence of the judiciary. The lack of security of the tenure of judges during the APC regime permitted the government to interfere at will with the judiciary. Also the removal of all measures of financial autonomy from the judiciary by the APC regime in the 1970s served to impoverish the administration of justice. This remains the state of affairs in the judiciary. Without budgetary independence the judiciary has been unable to plan for an efficient justice delivery system. Thus the independence of the judiciary has been systematically destroyed.

The judges and lawyers failed to stand up to state tyranny. They failed to give any meaningful content to the rule of law. Lawyers should be the first line of defence whenever the human rights of the people are violated. This did not happen in Sierra Leone. Indeed lawyers, through their collective inaction, contributed substantially to the massive abuse of human rights before the war.

Access to affordable legal representation in Sierra Leone was and still is a serious problem. Most Sierra Leoneans were unable to pay for the services of solicitors. As a

result, many people were forced to languish in prison cells and lock-ups for excessively long periods. These factors mean that the rights enshrined in the constitution are largely meaningless.

Successive regimes used emergency powers to suppress political dissent. The death penalty is provided for in the laws of Sierra Leone for various offences including treason and mutiny. Successive governments used the death penalty to eliminate political opponents.

This continual assault on the rule of law weakened the capacities of state institutions to perform. The judiciary was clearly subordinated to the executive; parliament did little more than 'rubber-stamp'. The civil service became a redundant state machine and the Army and police force became instruments of violence against the very people they were established to protect. Non-state bodies that ought to ensure accountability – such as media houses or civil society groups – were thoroughly co-opted. Opposition political parties were suppressed and eventually banned by President Stevens' One Party Constitution of 1978.

The successor to Stevens, President J. S. Momoh, attempted to slow down or stop the economic and political decline through the institution of an economic **State Of Emergency** and a multi-party constitution. These measures were, however, managed in a dictatorial and abusive fashion, which rendered them 'too little, too late' to salvage the situation. Against this backdrop, Sierra Leoneans became increasingly disgruntled and aggrieved with the malaise in governance and their inability to do anything to alleviate it. Many citizens, particularly the poor, marginalised youths, became open to radical means of effecting change. They would readily answer the call to arms when the so-called 'revolution' began to enter the country in 1991.

It is the Commission's view that even today, proper governance is still an imperative, unfulfilled objective in Sierra Leone. Corruption remains rampant and no culture of tolerance or inclusion in political discourse has yet emerged. Many ex-combatants testified that the conditions that caused them to join the conflict persist in the country and, if given the opportunity, they would fight again. Yet, distressingly, the Commission did not detect any sense of urgency among public officials to respond to the myriad challenges facing the country. Indeed, the perception within civil society and the international community is that all efforts at designing and implementing meaningful intervention programmes, such as the National Recovery Strategy, the Poverty Reduction Strategy Paper (PRSP) or 'Vision 2025', are driven by donors rather than by the national government. The Commission believe that this is lamentable.

Recommendations

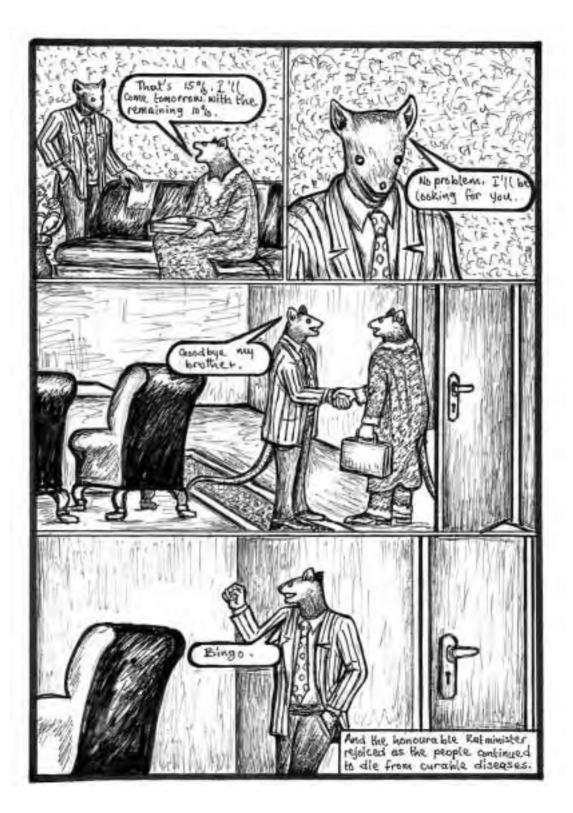
The **Recommendations** chapter of the report is organised under various headings and sub-headings to address problems based on its findings. Amongst its main headings are the *Protection of Human Rights*, *Establishing the Rule of Law*, *Promoting Good Governance* and *Fighting Corruption*.











The commission found that the conflict represented an extraordinary failure in leadership on the part of all those involved in government, public life and civil society. No enlightened and visionary leaders emerged to steer the country away from the slide into chaos and bloody civil war. For this reason, the Commission calls upon leaders at all levels of Sierra Leonean society to commit themselves to the principles of leadership contained under the sub-heading *Committed Leadership*. It notes that committed leadership means many things. It means acting with integrity, understanding and compassion. It involves hard work and self-sacrifice. Committed leaders are those who have no desire to live at the expense of others. These qualities enable such leaders to develop the foresight and wisdom needed to build communities and to build the country. Committed leadership should not just take place at national level. Such leadership should take place in the homes, the streets, work places, barracks, schools, colleges, associations and places of entertainment and recreation, such as sports fields, cinemas and the theatre. Committed leaders change lives for the better wherever they find themselves.

The commission found that the central cause of the war was endemic greed, corruption and nepotism that deprived the nation of its dignity and reduced most people to a state of poverty. The recommendations under the headings *Promoting Good Governance* and *Fighting Corruption* address these problems. The Commission calls on all of those in the public sector to embrace a new culture of moral values and service and to fight the curse of corruption which saps the life-force of Sierra Leone. Corruption is conventionally defined as the exercise of public power for private gain. The Commission noted that the threat of corruption is manifested in many forms, namely greed, bribery, embezzlement, abuse of power, self-serving deals by public officials, extortion, favouritism and nepotism. Examples abound. The teacher who compels the student to take extra lessons for a fee to obtain a pass mark destroys the spirit of learning and instils in the youth a culture of grabbing.

Among the measures recommended to combat corruption are a committed public leadership, the availability of information, collective action on the part of civil society, disclosure of assets by public officials before taking up office, an independent anti-corruption commission, and freedom to expose corruption without fear of victimisation.

Also based on its findings, the Commission identified a need for individual and national restoration of dignity, and the establishment of a new rights culture in Sierra Leone – a rights culture in which all Sierra Leoneans respect each other's human rights without exception. Under the heading, *Protection of Human Rights*, the Commission recommends that the right to human dignity be guaranteed in the Constitution along with the upholding of the rights to human life.

The Commission found that a factor that contributed to causing the conflict was the suppression of political dissent. The Commission in its recommendations emphasised that freedom of expression is the life blood of democracy. A culture of public debate and tolerance of dissenting ideas is a sign of a vibrant and healthy democracy.

The Commission found that, prior to the start of the conflict, government accountability was non-existent. It concluded that democracy and the rule of law were dead. It accordingly made recommendations to strengthen democracy and the institutions of accountability. In particular, the Commission made recommendations in respect of the independence of the judiciary, the role of parliament and the holding of free and fair elections.

The state is an abstract concept to most Sierra Leoneans and central government has made itself largely irrelevant to their daily lives. To correct this deficit in engagement, an overhaul in the culture of governance is required. The executive needs to prove that it is different from its predecessors in the post-independence period. It needs to demonstrate ownership, leadership, imagination and determination in developing and implementing programmes for change. Strong and independent monitoring institutions must hold the government accountable in this exercise. Only then will Sierra Leoneans believe that the necessary lessons have been learnt from the decades of rotten governance that culminated in the tragedy of conflict.

The recommendations relating to the causes of the war are many and only some of the key ones have been highlighted in this chapter.

EXERCISES

- 1. Amongst the causes of the war identified by the Commission is corruption by highly placed officials of government. Discuss various instances of such corruption with your teacher and then keep a corruption diary for one week. Each day of that week, any time you step out of your house till you return home, record as many corrupt acts as possible that you notice. At the end of the exercise your teacher asks you to read your diaries to the class.
- 2. One of the key recommendations of the Commission is that the death penalty must be abolished. In a class debate argue for or against the view that the death penalty must be abolished. The teacher ensures that not just the key speakers but the whole class participates.
- 3. Examine the various causes of the war in this chapter. Think carefully of some of the ways in which the war might have been avoided. With the guidance of your teacher participate fully in a class discussion on the subject.
- 4. Both the SLPP and the APC are blamed for contributing to creating the situation that led to the war. You may go over the sections of the chapter that refer to their different roles and identify the main points. Your teacher will divide the class into two groups for a debate the SLPP and the APC. Each will try to point out how the other contributed to the conflict. It does not matter whether you support the SLPP or the APC in reality. You should be true to your group in the debate.

Chapter 3

HISTORY OF THE CONFLICT: MILITARY AND POLITICAL

The chapter entitled, **Military and Political History of the Conflict**, is intended primarily to fulfil the obligation of the Commission to produce an 'impartial historical record' of the violations and abuses of human rights and international humanitarian law related to the conflict in Sierra Leone. It takes the form of a narrative that spans more than two decades of political and military activities in the country, but places its main focus on the years from 1991 until 2002, when the country was embroiled in armed civil conflict and when war-related violations and abuses were visited upon the population.

The Commission recounts the story of the eleven-year conflict by charting its key events in the military and political spheres. A description of the factors that led to the outbreak of hostilities under the heading, *The Predecessors, Origins and Mobilisation of the Revolutionary United Front of Sierra Leone (RUF)* is followed by a detailed account of the conflict itself, divided into three distinct 'phases'. Phase I (Conventional 'Target' Warfare: 1991–93) covers the early period defined by inter-factional fighting and the capture of territory. Phase II ('Guerrilla' Warfare: 1994–97) describes the shifts in tactics of the RUF as attacks spread through the country. Phase III (Power Struggles and Peace Efforts: 1997–2000) reviews various military and political alliances, moves towards peace and the resumption of hostilities, before the conflict was finally declared over in 2002. Although each 'phase' assumed a slightly different character, they all shared one devastating characteristic: gross violations of human rights and international humanitarian law by all warring factions.

The Predecessors, Origins and Mobilisation of the Revolutionary United Front of Sierra Leone (RUF)

In the pre-conflict stage, the innumerable failings in governance and the suppression of any semblance of opposition caused Sierra Leonean activists to seek alternative outlets for expression of their dissent and dissatisfaction with the one-party system.

As a direct result of their suppression, journalists, students and school leavers sought an alternative outlet in the company of like-minded individuals from Sierra Leone or, occasionally, abroad. They met in safe, secret places to discuss social and political issues. However, to a large extent, the struggle for a civil opposition to the APC from the late 1970s was left in the hands of students. The University of Sierra Leone, divided into two constituent campuses, was the obvious breeding ground for revolutionary thinkers. The **ideology** of 'Pan-Africanism', which attempted to promote a tailored approach to development and governance in the African continent, found a fertile soil among these radical groups, who in turn tried to spread that brand of thinking into the broader society.

Out of the loose collection of students, therefore, developed a broader group of peo-

ple. In this climate, the first connections on an institutional level between 'revolutionaries' in Sierra Leone and representatives of the Government of Libya were established. In the late 1980s, a small group of would-be revolutionaries formed a programme for change, which included the idea of undertaking 'self-defence' training in Libya.

The original 'revolutionary' programme never materialised in the form it was intended to take. It was replaced by a militant agenda spearheaded by Foday Sankoh, who elicited support from foreign contacts, notably Charles Taylor, and conceived a plan to organise and lead an armed insurgency into Sierra Leone. Sankoh assembled and trained in Liberia a force comprising 385 commandos, who became the 'vanguards' of the RUF. Taylor authorised nearly 2,000 of his own men from the National Patriotic Front of Liberia (NPFL) to become 'Special Forces' to operate jointly with the RUF in Sierra Leone. Shortly after dawn on 23 March 1991, a band of fighters from Taylor's NPFL struck the town of Bomaru, Kailahun District. This attack sparked a conflict that was extraordinary in its intensity and nature.

Phase I

Phase I describes the initial 'war on two fronts' and the inclusion of civilian settlements within the scope of NPFL and RUF assaults. It assesses the role of the Sierra Leone Army (SLA) and the APC Government's failure to supply the Army properly at the outset of the conflict, which contributed to the April 1992 coup and the forming of the National Provisional Ruling Council (NPRC). It explains how an expanded Army then gained ascendancy over a divided insurgent force in 1993, reducing the RUF to a confined area of forest territory on the Liberian border. Nevertheless, there was no decisive thrust from pro-Government forces to end the conflict.

Saturday 23 March 1991 until now has stood as the date on which the first shots were fired in the Sierra Leone conflict; yet in fact it is a misleading milestone in history. The earliest instances of human rights violations recorded by the Commission took place in 1990 and bear the character of cross-border raids from Liberia. Moreover, the first attackers who engaged the SLA were all combatants who had fought and were based in Liberia. What happened on 23 March was an attack that culminated in the start of the conflict, not the first attack of the conflict itself.

Evidence given to the Commission by the leader of the military team sent to investigate the attack hints at the susceptibility of public information mechanisms to stories that portrayed the incident out of all due proportion:

"On arrival [in Kailahun District] it was clear that something unprecedented had happened in that area. There was a visibly panic-stricken and unsettled public with various versions of what had happened and what was to come... In respect of the number of rebels that had crossed the border, some said they were about a thousand while some put the figure upwards of five thousand. Indeed, some messages had already been sent to Freetown from the police and military net speaking of some five thousand

NPFL rebels advancing deep into Sierra Leone territory and some added 'with tanks and artillery'. Most of what we heard in Daru and read in signal messages from Kailahun proved to be grossly exaggerated."

Conventional 'target' warfare suited the geographical dynamics on the ground in Kailahun District: sizeable towns spaced apart at regular and manageable intervals; deployments of SLA units whose retreat would follow a fairly predictable path along main roads; and a series of distinct 'targets', progressively greater in size, that would build up to the grand strategic objective of capturing the Moa Barracks, Daru.

Moreover, the social, economic and political conditions were amenable to a programme of the type that the RUF purported to stand for. The area was known to be a hotbed of support for the SLPP, which made it relatively easy to derive cheap 'revolutionary' capital out of the political inclinations of the populace by adopting a signature colour of green and an emblem of palm fronds as RUF symbols.

One farmer's son who subsequently joined the RUF described his perspective in the following terms: "Members of Parliament in the APC Government regime mainly exploited and oppressed the poor farmers with their selfish and greedy ideas. They and their children evaded all works of life by eating out of the farmers' farming activities... They would either cheat them of the money that was supposed to be paid for their produce, delay the payments, or pay the farmers by instalments instead of paying them everything at a stretch."

The Commission heard numerous testimonies regarding weaknesses in the conventional state security apparatus at the outbreak of the war. In their totality, these accounts paint a picture of grave abandonment of the basic needs of the Republic of Sierra Leone Military Forces (RSLMF) under the APC, to the extent that the country lacked an operational Army when it needed one most in 1991.

In the light of the Commission's findings on the system-wide bad governance of the APC, there is little need to repeat here the extent to which the military was marginalised throughout the 1970s and 1980s. By the start of the conflict, the Army did not have moveable vehicles, communication facilities were non-existent, and most of the soldiers were not combat ready. They had not attended refresher courses or attended the practice range for years. The senior officers had indulged in the good life and were therefore unwilling to go to the warfront. The army was simply in a mess.

It was against this background that the fifteen years of one-party rule by the APC was brought to an end in the space of a single day by a contingent of SLA junior officers. This culminated in the establishment of a military administration led by Captain Valentine E. M. Strasser under the nomenclature of the National Provisional Ruling Council, (NPRC).

The NPRC coup plotters acted as an independent group with an autonomous agenda.

They did not overthrow the Government to secure victory for the RUF or to validate the insurgents' objectives in waging war on the State. Nor did they intend for a moment to unify ranks with the militiamen they had been fighting against and call a halt to the hostilities that were ravaging the country. Instead they decided to end the war by fighting the RUF and retaking all the territories it had occupied.

In this they were greatly helped by the fact that the RUF had just fallen out with the NPFL forces, which departed leaving them with little ammunition. The RUF could no longer hold on to the territory it had captured and it was being successfully defeated on the battlefield. The use of jet bombers, which began in October 1992 following the capture of Baiama by the RUF, began to turn the tide in favour of the pro-Government forces. The jets continually strafed RUF positions with the pro-Government ground forces moving in to finish off the remaining RUF forces on the ground. The Government propaganda machinery was also working effectively. Strasser had come to power amidst great expectations of peace. The NPFL commandos, who were with the RUF at that time, thought that the war was over. Instead Strasser declared that he would fight the enemy by "land, air and sea". This statement of intent dealt an enormous shock to the RUF and provided a boost to the SLA troops.

After dislodging the RUF from Koidu Town in February 1993, the SLA slowly but surely picked off RUF positions one by one over the ensuing six months. On 6 May 1993, the Army captured Pendembu, confining the RUF to the four Chiefdoms in the north-eastern tip of the Kailahun District. Three months later, after a series of smaller-scale skirmishes, the headquarter town of Kailahun was also overcome. At this point the RUF on the Eastern Front was reduced to a level of territorial confinement that it had not experienced since the first month of its incursion. Bolstered by air support from Nigerian Alpha Jets, the SLA advance had continued right up to the border town of Baidu, the last customs point on the road out of Koindu, but that was to be the point where they stopped.

On 13 November 1993, when only Geima and selected areas of border jungle remained under his forces' control, Foday Sankoh circulated a message among his followers that the time had come to embark on a new approach to the war – a strategy of 'guerrilla tactics' centred around jungle warfare.

By the end of 1993, believing that the war had been won, the Head of State, Captain Valentine Strasser declared a cease-fire in the war. The Commission acknowledges the gesture that Strasser made because it did seem to be a positive step towards reconciliation and a break from the confrontation of the warfront. Nevertheless, Sierra Leoneans have come to regard the offer by Strasser as something of a strategic blunder at a time when the military had a clear advantage over the RUF troops on the front and should have pursued the fight to its natural conclusion.

Phase II

Phase II began when the RUF launched a 'guerrilla' strategy, becoming less visible, less predictable, less consistent and less distinguishable. It expanded the scope and coverage of combat operations into every District of Sierra Leone.

In the light of the dynamics of the end-phase of 'target' warfare described above, the transition to a new phase of 'guerrilla' warfare in late 1993 can be seen in the first place as a necessary measure for self-preservation on the part of the RUF. While Foday Sankoh had remained defiant during his retreat on the Eastern Front, he was not oblivious to the somewhat fortunate circumstances that had conspired to save the RUF narrowly from an all-out defeat.

The Commission notes the allusion to the motivations for a switch to guerrilla warfare as they were subsequently published in the RUF Handbook, *Footpaths to Democracy*. While the story is presented in somewhat simplified terms in that document, it appears to be a relatively accurate reflection of the main events as they unfolded towards the end of 1993:

"Frankly we were beaten and were on the run but our pride and deep sense of calling would not let us face the disgrace of crossing into Liberia as refugees or prisoners of war. We dispersed into smaller units, whatever remained of our fighting force. The civilians were advised to abandon the towns and cities, which they did... We now relied on light weapons and on our feet, brains and knowledge of the countryside. We moved deeper into the comforting bosom of our mother Earth – the forest."

The main tactics of the RUF are best explained by the RUF themselves:

- "Ambush was one of our tactics; 'recce' was one of our tactics; intelligence was one of our tactics; braveness was one of our tactics; and accurate information was one of our tactics as well...
- [...]As an example, when we were preparing to attack Koidu, Kono, with all the forces that were there, we used to send 'recce' teams sometimes four, five, six times a day. They would spend the whole day with the enemy in the township, then in the night, they carried their feedback back to us: their locations; location of their armoured tanks; how many armoured tank carriers; the manpower situation; location of civilians all this information was given to us.
- [...] Then we ourselves set up one of our strategic fighting forces; the plan was that at night, we would put up night attacks 'combat at night'. That operation used to comprise only two to three men, who would only come into Koidu, or to enemy positions, just open two or three rounds of rapid firing and then leave the town. For that whole night the enemies would be firing some of them would even be killing themselves. This was showing that there was prejudice all over. So we made the whole Koidu Township so fearful even for the enemy combatants until they all packed themselves into one location. So what we did as guerrillas, we left them in Koidu here and

went behind as offensive ambush towards Makeni. We laid the ambush and the ambush was effective up to a month without these people in Koidu here taking any notice at all.

[...] We arranged our ambush into three categories: we had our 'Iron Gate'; we had our middle team; and we had our front team. So whenever any force left from Koidu towards Makeni, the 'Iron Gate' towards Koidu would never open fire; the middle team would never open fire; the last team will only give them an 'air firing'. Then, the back team, as the 'Iron Gate' from the back, replies with fire; and then the rest are in the middle of the ambush. So just tell me [how it feels], in the seven mile distance of all that; you cannot do any fighting, you are weakened totally because all of you are travelling in a big panic. So you have no option but to give yourselves up; these were the ways we used to capture these people."

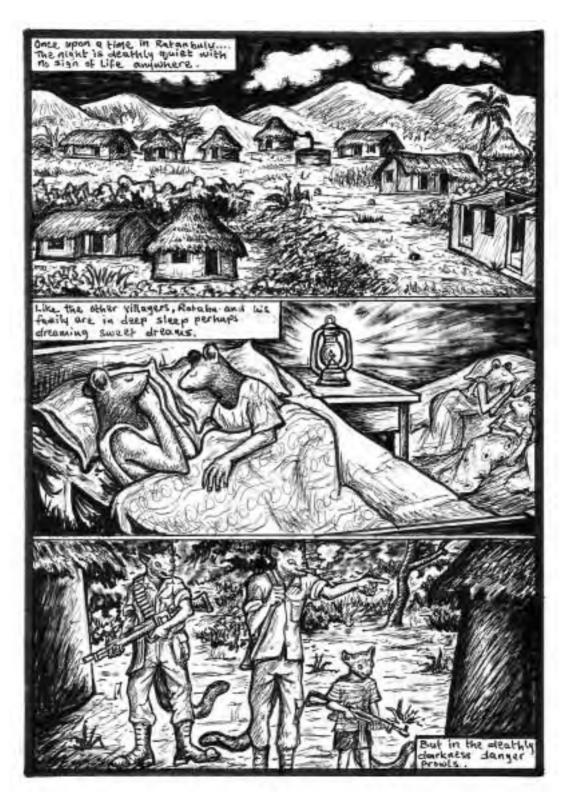
In contrast to the activities of Phase I, the RUF did not seek to 'seal off' large areas of territory in the form of 'targets', or to co-opt civilian administration in towns and communities in the name of the 'revolution'. Instead the movement set out to infiltrate deep into Government-held territory, operating across a far broader geographical area than the original armed incursion had been able to reach. The aim was not occupation but penetration; the objective was not to take control, but to carry out raids, ambushes and arbitrary violations and abuses to such a disturbing extent that nobody would be genuinely in control.

Fleeing, which spared so many civilian lives in Phase I, was often cruelly foiled in the guerrilla warfare phase by the setting of 'traps' with clinical efficiency along the same bush paths and by-passes to which civilians would normally bolt in search of an escape route. Consequently, at the very point when they tried to run away, civilians became most vulnerable to capture and abduction.

The RUF 'guerrilla' warfare deliberately sought to cause rampant confusion and destruction throughout the state of Sierra Leone, to the massive cost of the country's human and infrastructural development. The RUF seemed to be driven in this pursuit by the belief that if it made the life of the people in the Provinces unbearable, it would render the Government devoid of alternatives but to engage in negotiations. It therefore played upon what it perceived to be the uncomfortable relationship between the leaders of the NPRC military administration and their civilian subjects.

One of the strategic objectives of the RUF was the crippling of commercial and industrial activities. The short-term consequence of this was that it destroyed the revenue base of the government.

Finally, but most significantly in the Commission's view, the RUF was intent on undermining the general physical security of the State and its inhabitants, primarily by casting the institution of the Army as a pariah in the eyes of the civilian population. The RUF deliberately carried out 'false-flag' operations, dressing in the full camouflage











uniforms and other insignia of the SLA and often adopting troop formations or positions of deployment that were used by the SLA. In these instances, the RUF commandos not only violated the laws of war pertaining to combatant identification but also systematically flouted human rights and humanitarian law norms in their acts of targeting civilian areas, destroying and plundering property and carrying out mass killings.

The RUF's guerrilla warfare in Phase II aroused the moral conscience of the world and forced it to take notice of the violations and abuses that were being perpetrated against the civilian population.

By then Sankoh himself had long come to realise that insisting on the rhetoric of 'revolution' would only create confusion in the minds of the civilian population. This is how one RUF commander who claims to have spoken regularly with his leader on points of strategy puts it:

"The war went on to a certain period when Sankoh himself felt that his ideology was no longer holding; because if you say that you have come to fight for the people and then these people are being killed for their sheep and goats [and] their properties are being looted... [Then] people start running away from the revolution."

The RUF's tactics of carrying out raids in the guise of the SLA combined with increased violations by soldiers, led to the breakdown of trust between the civilian population and the SLA. Civilians began to refer to the Government troops as 'sobels'. The implication of this was that those who were soldiers by day were becoming 'rebels' at night. The new government began to encourage the strengthening of the community defence groups as an alternative security mechanism to replace the distrusted Army. In these efforts lay the institutionalisation of community defence.

At one level, the resort to traditional defence mechanisms is an entirely understandable, even logical, progression from wanting to repel an enemy but not having the means to do so. In retrospect, however, the incorporation of age-old 'societal' practices into the conflict was a destructive and irresponsible move. It produced a shambled and unscrupulous militia that tried to compensate for its military inadequacies and virtually non-existent hierarchical controls by deferring to a transcendental 'belief' in the invincibility of its members. It has also sullied the sacrosanct nature of the hundreds of pre-existing, long-standing and culturally inviolable secret societies in Sierra Leone.

A 'Palace Coup' saw a change in the leadership of the NPRC and eventually secured a transition to democratic elections in 1996. Although marred by violence, the elections ushered in a new (SLPP) Government headed by President Ahmad Tejan Kabbah. However, the Abidjan Peace Talks of 1996 were a false dawn and the SLPP Government's endorsement of the Civil Defence Forces (CDF) as an arm of the state security apparatus further antagonised the SLA.

This phase ended in a collapsed peace process, violence with ethnic undertones by the CDF of the south and east, known as the Kamajors, and an embittered Army looking to exploit a volatile security situation.

Phase III

Phase III started with the bloody military coup of May 1997 and the appointment of Major Johnny Paul Koroma as Head of State. It heralded a large-scale shift in allegiance of soldiers away from the SLA to a 'new' fighting force known as the Armed Forces Revolutionary Council (AFRC).

To most observers within the military, the 25 May 1997 coup was predictable. Most of the army officers interviewed by the Commission claimed that the new Government made so many wrong decisions in its early months in power. Whatever the case, the impression within the entire armed forces was that the new Government was on a witch-hunt. This was compounded by the relationship between the soldiers and the Kamajor militia. According to one military witness:

"Because of the treatment of the Army; every soldier knew it was going to happen at that time – everybody was disgruntled, so when this thing began, we all just said let it happen and afterwards we'll confront it."

From his appointment as Deputy Minister of Defence in 1996, Chief Hinga Norman did not try to hide his distrust of the Army and increasingly sought to institutionalise the CDF as an effective security apparatus on which the government could depend.

According to a very senior officer in the Army:

"The soldiers believed that the government had a hidden agenda to eliminate the army and replace it with the Kamajors as they were saying it in the open that they were going to build a new army. I don't know what their agenda was but it was reckless of the Deputy Minister of Defence to ally himself [with the Kamajors] and let that issue get out of hand because he knew everything that was happening"

The AFRC forged a military and political alliance with the RUF, creating the 'People's Army', a band of brutal and systematic violators of human rights. Some of the leaders of the AFRC told the Commission that the only reason they invited the RUF to join them in government in 1997 was their desire to bring the war to an end and stop the suffering of the people. Such an invitation did not seem to have been clearly thought through. From the outset there were stresses and strains tearing at the seams of the partnership. The Commission was told that in the first week of the overthrow, the leader of the AFRC, Major Johnny Paul Koroma, had consented to end his unconstitutional act and give way to the elected president.

At a meeting with the then British and Nigerian High Commissioners, he had agreed to make a broadcast announcing that he was stepping down and inviting President Kabbah to come back from exile and resume his presidency. Elements within the RUF

arm of the new Government threatened mayhem if he made the broadcast. On the appointed day, the High Commissioners waited in vain for the scheduled broadcast. Subsequently, each faction in the governing AFRC/RUF coalition wanted to stamp its authority and control on the instruments of governance. The result was that officers of state continued to act with impunity and could not be disciplined as they resorted to their respective factions for protection.

The immediate impact of the AFRC coup on the incumbent SLPP Government was to force all of its key office-holders into exile. Ahmad Tejan Kabbah and the core of his Cabinet went to Conakry, Guinea. President Kabbah undertook only fleeting trips outside Guinea for diplomatic purposes, notably to Abuja, New York and Edinburgh. Otherwise he was based exclusively in Conakry until his restoration on 10 March 1998. As he testified to the Commission, President Kabbah had already felt detached from the workings of his state security apparatus during his first year in office.

President Kabbah established a War Council in Exile in Guinea, while Deputy Minister of Defence Chief Samuel Hinga followed a somewhat dissonant, albeit apparently more decisive, strategy. In his capacity as Deputy Minister of Defence, he began immediately to lobby for an armed intervention driven by a Sierra Leonean fighting force. The Kamajor militia of the southern and south-eastern districts would form the bulk of this force, under his direction and command. Hinga Norman invited great risks to his life and his credibility to put his vision into practice.

From the testimonies received by the Commission it is clear that although the President and Chief Hinga Norman were united in the view that the AFRC should be removed from power they had differences in the way to remove the junta from power.

Hinga Norman neither attended meetings of the War Council in Exile, even when he was in Conakry, nor did he hold its work in high esteem. Thus, according to the testimony from Sam Foray, the existence and the role of the War Council in Exile merely perpetuated the rifts between the President and Hinga Norman:

"From President Kabbah's perspective, the War Council was an advisory body which met regularly to discuss ways and means to end the war through dialogue with the AFRC junta. From Chief Hinga Norman's perspective, the Council was a tok-tok organisation (a talking shop) whose main purpose was to carry on endless debates about the war in the safety of the Guest House in Conakry. Hinga Norman and [Economic Community of West Africa Monitoring Group(ECOMOG) Chief of Staff in Liberia] General Abdul Aziz Mohamed had little faith in dialogue with the junta and had little or no regard for the War Council, whatever it was [meant to be]."

With the existing national army having turned its guns against the government and the people, the West African 'peacekeeping' troops under the banner of ECOMOG were compelled to step in to restore the legitimate government. This was viewed as partisan by the AFRC and the RUF and may have contributed to prolonging the conflict.

In February 1998, a forceful intervention was led by ECOMOG. The armed intervention was code-named 'Operation Sandstorm'. Its first phase, 'Operation Tigerhead', assumed a three-pronged approach into Freetown: each route in military jargon was known as an 'axis'. The first axis moved directly into the east of the city from Jui through Calaba Town; the second proceeded along the peninsular road from Hastings through Waterloo; the third, known as the 'Regent Axis', crossed via Grafton and headed towards Wilberforce Barracks.

ECOMOG faced an enemy that was unpredictable and unrestrained by the conventional parameters of warfare between armies. ECOMOG soldiers were disadvantaged by their lack of topographical knowledge. Roads flanked with thick forests were imbued with the danger of ambush attacks. Alternative routes were only navigable with the assistance of local militiamen. It therefore continued to recruit scouts and work with the Kamajors in resisting the forces of the RUF and AFRC. ECOMOG engaged the AFRC and the RUF all over the country scoring resounding victories. Its thin spread meant that the victories could not be consolidated as the RUF and the AFRC took to the countryside while ECOMOG maintained an intimidating presence in the main towns. It was therefore difficult for ECOMOG to respond efficiently to attacks in the countryside as the RUF deployed its ambush strategy to devastating effect, quickly dispersing into the bushes before ECOMOG arrived.

Indeed, the seat of Government and its immediate environs were conclusively 'flushed' of the presence of AFRC and RUF fighters. Within one month of the conclusion of Operation Tigerhead, the Government of President Kabbah was reinstated in a ceremony at State House on 10 March 1998.

The five Districts of the Northern Province, as well as Kono District in the north-east, were occupied by the overwhelming majority of the ousted AFRC dissidents. Thousands of junta soldiers, as well as a considerable proportion of the fighting forces of the RUF, flooded into the north on their mass retreat from power. The AFRC and RUF factions, both separately and in tandem with one another, visited a sustained and unprecedented level of human rights abuses on the populace of the north and north-east in 1998.

Meanwhile the four Districts of the Southern Province, along with Kenema and parts of Kailahun in the south-east, were dominated by the enormous and growing CDF, nearly all of whom at that time were initiated as Kamajors. These Districts became unambiguously classifiable as heartlands of the Kamajor movement. These heartlands would not be wrested from the control of the Kamajors by any other combatant faction for the remainder of the conflict.

The State of Public Emergency declared by the reinstated SLPP government lasted four years and included numerous illegal acts carried out on the premise of pursuing 'justice'.

On Monday 12 October, 34 officers were condemned to death by firing squad. Three other defendants were acquitted, and one defendant died during the two-month trial. "In the case of the 34 condemned to death, you will be taken to some public place where you will be executed by firing squad," Court Martial President Tom Carew told them. Sierra Leonean military law provided no mechanism for appeal.

Appeals for clemency were made by the international community and human rights organisations to President Kabbah, the only person who could grant clemency after confirmation of the sentences. After deliberation by the Prerogative of Mercy Committee, (members of which included the Vice President, the Attorney General and Army Chief of Staff, Maxwell Khobe), on 18 October 1998 the Deputy Inspector of Police received orders for the execution of 24 officers who had been condemned six days earlier. Of that number, only two – Tamba Gborie and Abu Sankoh – were among the 17 coup plotters: the rest simply worked for or with the junta.

In January 1999, the ARFC attacked Freetown. Highly placed among their motives for undertaking the attack on Freetown were the grievances of the disempowered. They were irked that the Government had seen fit to 'import' a foreign Army in the shape of ECOMOG, to whom they had afforded priority at the exclusion of a conventional national Army in the sense envisaged by the Constitution. Thus they wanted recognition. According to one aggrieved soldier:

"The Government made an announcement that the Army has been disbanded. That particular one made the Army frustrated. They didn't recognise us as soldiers; they didn't take us seriously. Any time Spencer came on, he just talked against us. We felt more disgruntled."

Moreover, the AFRC and RUF were deeply embittered about the manner in which their sympathisers were dealt with after their flight from Freetown. In particular, they cited the widespread resort to mob justice that had accounted for numerous deaths in Freetown in the wake of the ECOMOG intervention. Their disdain, however, also extended to principled dissent about the trials and executions of their fellow soldiers.

The military assault on the capital city, Freetown, quickly evolved into one of the most concentrated spates of human rights abuse and atrocities against civilians perpetrated by any group or groups during the entire history of the conflict. For over two weeks the populace of Freetown and its environs, among which were living thousands of displaced persons from the rest of the country, was subjected indiscriminately to a gamut of different crimes against their persons and destruction of their property.

The invaders employed dispassionate tactics of urban warfare and were able frequently to use side streets and alternative routes to take the defensive forces by surprise and attack them at the rear. Naturally the combined forces lost a number of their fighters in such operations, with each death causing an amplified psychological impact, particularly on the ECOMOG forces, and ensuring that the remainder of the de-

ployment fought with an enhanced sense of their own mortality. The invading force advanced up to Murray Town, Kingtom and Brookfields areas of Freetown.

The morale among the young Kamajors was at an all-time low when the AFRC-led troops entered Freetown on 6 January 1999. The base at the Brookfields Hotel was attacked and ransacked within 24 hours of the initial entry and many of its Kamajor inhabitants were captured and killed. Thereafter the participation of the Kamajors in the defence of Freetown became something far more peripheral. Their deployment history and elementary training meant that they were not suited to the travails of urban warfare in a built-up environment.

By the fourth day of the invasion the tide began to turn in favour of the ECOMOG troops. Every street and corner had to be fought over. Using their superior knowledge of the streets, the invaders inflicted very heavy casualties on ECOMOG. In retaliation, ECOMOG troops began to indiscriminately attack and kill any person suspected of being an RUF/AFRC sympathiser or accomplice. The effort to flush out the invading forces from the western end of Freetown was to a great extent concentrated on the Brookfields area. The turning point was reached when the major invading party was turned back at the Congo Cross bridge. From then on, they were in retreat. As it became increasingly evident to the invading forces that they would not be able to take over Freetown, they turned the battle into an orgy of looting, destruction, abduction, rapes and killings. The eastern end of Freetown bore the brunt of the fighting and the destruction. Unofficial estimates were that more than 5000 houses were destroyed and close to 10,000 people were killed during the battle for Freetown. As the invaders departed Freetown, they embarked on a 'scorched earth' policy of obliterating everything in their wake

With the failure of the attack on Freetown, it became obvious to the Government of President Kabbah that the war could not be won. Furthermore, the new civilian government in Nigeria committed itself to a process of disengagement and withdrawal from Sierra Leone. There was alarm in Freetown that if the Nigerians withdrew, there would be no more impediment to the take over of the country by the RUF and its allies. The international community, in particular, the Americans, mounted pressure on the Government to enter into negotiations with the RUF. It was in this weakened state that the Government went to Lomé, Togo, to negotiate a peace agreement with the RUF.

The Lomé Peace Agreement of 7 July 1999 was cast as a solution to the conflict with two components: military resolution, through the disarmament of combatants; and political settlement, by implementing a power-sharing arrangement. In reality neither the RUF nor the Government complied in full with its terms. The RUF combatant displayed particular contempt for the ethos of the peace process, especially when they took several hundred UN Assistance Mission in Sierra Leone (UNAMSIL) peacekeepers hostage.

According to UNAMSIL sources, the RUF took more than 550 UNAMSIL peacekeepers as hostages in the space of barely one week, beginning on 1 May 2000. The Commission readily concurs with the United Nations that the widespread and unprovoked abductions of UNAMSIL peacekeepers constituted a grave breach of the conditions of the Lomé ceasefire.

Public perception turned dramatically against the RUF and, in particular, Foday Sankoh as the first week of the UNAMSIL hostage-taking episode unfolded. There was a unanimous and unyielding belief among the public that Sankoh was responsible for the abduction and molestation of peacekeepers because various media outlets had reported this.

The negative public sentiments towards Foday Sankoh and the RUF were echoed in the chambers of the Sierra Leone Parliament. It was reported that on Tuesday 2 May 2000, after discussions in the Parliament a "private members' motion" was adopted. The motion contained a number of resolutions, which cumulatively amounted to an outright condemnation of Foday Sankoh and the RUF for their perceived lack of "genuine commitment to the peace process".

Perhaps the most noteworthy element of the motion passed by the Sierra Leone Parliament was its clarion call for a protest march against the RUF. Originally this march was conceived as an outlet through which Members of Parliament themselves would vent their discontent. However, because the theatrics of the political transition were so openly on display in the city of Freetown, it was inevitable that members of the public would want to become involved as well. They were joined by the Civil Society Movement (CSM) an umbrella organisation for civil society groups to coordinate plans for the protest march. Powerful media announcements were undertaken to give wide publicity to the protest march. These announcements attempted to inspire the people to join the protest by appealing to their patriotic sentiments.

On the night between 7 May and 8 May 2000, the state security apparatus carried out decisive enforcement actions through a newly-assembled 'Peace Task Force', which consisted of Johnny Paul Koroma's men, the West Side Boys, supported by 'loyal' members of the SLA and the Special Security Division (SSD) of the police, tasked to raid, arrest and detain anyone associated with the RUF. A series of co-ordinated attacks in Freetown were spread out across all sectors of the city, concentrating on the residences of Cabinet and Deputy Ministerial office-holders, as well as those of RUF members living in 'communal' houses.

The May 8 demonstration was a disaster as it led to the death of scores of civilians. Foday Sankoh escaped the attack on his residence on that day but was later arrested and kept in custody, where he remained till his death.

The RUF force that advanced toward Freetown in response to the 8 May 2000 incident was estimated by one of those who joined it to be about the size of a full battalion – one thousand men strong. Many of the same unlikely combination of pro-Government combatants – the SLA, the West Side Boys and the Kamajors – collaborated to form a

force of at least one battalion in strength. They were given all necessary logistics, including vehicles, from Government military supplies. The express purpose of the Government deployment was to prevent the RUF from entering Freetown. For many of the combatants involved, however, the battle took on an added psychological dimension because a victory for the pro-Government forces would prove to the RUF that its adversaries were serious about ending the war.

The battle over Masiaka in May 2000 constituted the largest consolidated onslaught against the RUF alone since the very earliest years of the war. They were driven out of Masiaka and pushed up to Lunsar.

Meanwhile the Guinean Armed Forces (GAF) mustered a full-scale military response to the destabilising forays of the RUF into Guinean territory. GAF also unleashed artillery and air strikes against perceived key RUF positions along the border, both in Guinea and in Sierra Leone's northern Kambia District. The effectiveness of GAF's military operation was so crushing that the RUF was pushed back into Sierra Leone in a matter of days and suffered untold destruction to its internal infrastructure and organisation on the ground. The RUF was facing stiff resistance and defeat on all fronts.

It is against this background that the Abuja peace process that had been initiated in November 2000 suddenly attained a greater degree of viability for all parties and an enhanced prospect of success. Issa Hassan Sesay took on the Interim Leadership of the RUF movement after Foday Sankoh prepared a nomination letter in a meeting at Lungi with President Kabbah, along with Presidents Obasanjo of Nigeria and Konare of Mali. With Issa the pro-Government constituencies were said to have "sensed a genuine attempt on the part of the RUF to accept peace." From then on, steady progress was made in the Peace process, culminating in what was referred to as the Abuja II conference in Nigeria on 2 May 2001 which led to the RUF ultimately agreeing both to relinquish its 'control areas' so that governmental authority could be restored in all parts of the country with a view to holding fresh elections and to participate in the Disarmament, Demobilisation and Reintegration (DDR) programme.

On 18 January 2002, a gathering near Lungi International Airport brought together all of the factions in the Sierra Leone conflict to underscore the achievement of peace. Alongside President Ahmad Tejan Kabbah, a host of international dignitaries attended this ceremony. President John Kuffour of Ghana expressed the solidarity of African nations and a makeshift bonfire was lit, composed of thousands of weapons collected by UNAMSIL during the disarmament process. In destroying their instruments of war, the fire stood for the collective determination of Sierra Leoneans never again to wage war on one another. It was christened the 'Flame of Peace'.

Recommendations

Some of the key recommendations by the Commission relating to this chapter have been treated under the causes of the war in Chapter 2. Added to those are the following concerning national security and the role of external players.

National Security

Principles of National Security

The Commission is of the view that new principles governing national security ought to be adopted in Sierra Leone. Those in power must never again use national security as an excuse to deploy security forces for political ends. These principles are:

National security must reflect the commitment of Sierra Leoneans, as individuals and as a nation, to live in peace and harmony and to be free from fear.

The Sierra Leonean Army must be the only lawful military force in Sierra Leone. There should be no other military or paramilitary force, under the guise of any institution, including the police.

No member of any security service should be permitted to obey a manifestly illegal order. Obedience to a manifestly unlawful order should never be a defence to a crime.

Neither the security services as a whole, nor any of their members, may, in the performance of their duties, act against a political party's legitimate interest; or promote the interest of any political party.

No Sierra Leonean should participate in armed conflict internationally, except as provided for in the terms of the Constitution or national legislation.

The use of armed force in Sierra Leone must be deployed in strict accordance with the Constitution.

The Commission recommends that the National Security principles be enshrined in the Constitution. This is an imperative recommendation.

The Sierra Leone Army

The Army, which prior to the civil war and during the conflict sunk to the depths of disobedience and degeneracy, is now expected to adhere to unprecedented levels of professionalism. Much has to be done to restore the faith and confidence of the people of Sierra Leone in the Army.

External Actors

Promotion of Regional Integration and Unity

The Commission commends the current efforts of the Economic Community of West African States (ECOWAS) and the African Union in promoting sub-regional and regional integration and unity. Such efforts will make it difficult for a country to promote unrest and armed conflict in a neighbouring country or provide resources to insurgents in another country.

Preventing War in the Mano River Basin

The Commission calls on the Government of Liberia to publicly acknowledge the role of its predecessor in promoting war and armed conflict in Sierra Leone. The Government of Liberia should consider an act of symbolic reparation to Sierra Leone and its people. This could be in the form of an event or the erection of a monument in Sierra Leone to the memory of all those who died in the conflict.

The Commission recommends that the Government of Sierra Leone work with the Governments of Liberia and Guinea to ensure adequate security along their common borders to prevent the flow of small arms and light weapons.

The Commission recommends that the governments of the Mano River Basin should commit themselves to effective mechanisms for controlling the smuggling of diamonds along their common borders.

Military Intervention and Peacekeeping

The conflict in Sierra Leone lasted so long because the international community ignored it. The lack of response promoted the perception that Sierra Leone, like other parts of Africa embroiled in conflict, was not sufficiently important. A well-organised military intervention is by far the quickest and most cost-effective means of limiting and stopping violence. The Commission calls on the international community never again to ignore internal armed conflict on the basis that the country in question does not hold any strategic value.

The Commission calls on the UN and African Union to strengthen the capacity of ECOWAS for peacekeeping in conflict situations. Such increased capacity will enable ECOWAS to effectively intervene in internal armed conflicts.

The Commission calls on countries within the sub-region not to allow their territories to be used as staging grounds for attacks on other countries. They should also not allow their territories to be used for mobilising resources to attack other countries. Military interventions are only justified when carried out for peacekeeping purposes and when done under the auspices of the United Nations, the African Union or ECOWAS. The Commission calls on all governments in the Mano River Basin region to jointly and publicly make such an undertaking to the people of the region.

Mercenaries

The Commission recommends that the UN re-commit itself to eliminating mercenaries in inter- or intra-state conflicts and enforcing the provisions of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries adopted by the United Nations on 4 December 1989. Mercenaries are soldiers of fortune who prosper with the escalation of conflict. They are threats to peace.

The foregoing are some of the recommendations relating to this chapter.

EXERCISES

- 1. With the help of the second paragraph of Chapter 3 describe the main features of each of the three phases of the war in no more than three sentences each.
- 2. Some of you may have experienced being caught up in the fighting between warring factions in the conflict or have heard others recount such an experience. Imagine you are either in such a situation or in a town occupied by fighters who repeatedly commit all kinds of human rights violations against the people. Read the following excerpt of the poem, I Saw, by Mohamed Sekoya:

I saw the United Nations peacekeeping forces and I was happy Yes I saw

Complete the poem in ten lines describing what you saw and how you felt.

- 3. In May 2000 the RUF took 550 UNAMSIL troops hostage. This sparked off angry reactions from the international community and from Sierra Leoneans. Parliamentarians and members of the civil society called for a protest march against Sankoh, the RUF leader, on May 8. As you have read in Chapter 3 the protesters never saw Foday Sankoh because the march ended in disaster, leaving tens of civilians dead. If the protesters had met Sankoh, and you were amongst them as spokesman of (a) the parliamentarian and (b) the civil society, what would you have told Sankoh? Write no more than 400 words per speech to be read in class.
- 4. Imagine the following scenario: You are in charge of a small fighting force defending a village with two thousand civilians. The enemy troops, comprising twice as many men as yours, are advancing through the main entrance and exit to and from the village. You are certain if the enemy had the opportunity they would commit serious acts of human rights violation against the civilian population. In a class discussion explain what you would do and why.
- 5. Improvise a ten-minute play with the following scenario and characters: five UN-AMSIL soldiers are driving deep into no man's land when they meet an RUF commander with a few of his boys at an RUF road block. Before they can say anything to each other another group of armed RUF fighters bring three captured Kamajors of the civil defence forces to their commander. And then suddenly from nowhere comes a group of armed Kamajors and surround them all. Imagine what follows, conclude the scenario for the play and act it out.

Chapter 4

THE NATURE OF THE CONFLICT

For the Commission, to a large extent, the purpose of the chapter titled, **The Nature of the Conflict**, is to pose a deterrent to the recurrence of armed conflict. To achieve this the Commission has recorded the full extent of the violations and abuses that have taken place and examined the context in which the perpetration of such violations occurred.

This chapter has been divided into four main sections:

- the nature of the violations
- · the victims of the conflict
- · the perpetrators of the conflict
- some general trends that underpinned the conflict

1. NATURE OF VIOLATIONS

The Commission identified sixteen categories of violations: amputations; forced cannibalism; abduction, forced recruitment, sexual slavery; drugging; forced labour; assault; torture; rape, arbitrary detention; looting and destruction of property; extortion; forced displacement; killing and cannibalism. A general characteristic of these violations is the indiscriminate manner in which they were committed. There was no respect shown to traditional norms, or vulnerable groups. The percentage of each violation committed by the armed factions shows that none of the violations was a peculiar characteristic of any group. They all seemed to be competing to outdo each other on who would commit the most violations against civilians. Some of the violations are examined below along with testimonies of some of the victims. Some of these violations relating specifically to women, children and youth are dealt with in the women, children and youth chapters respectively.

1. Amputation:

The Commission finds that amputations did not occur throughout the conflict. They happened during specific campaigns. Some of the notable campaigns of amputations were those carried out during the 1996 elections, the expulsion of the AFRC from power and the January 1999 attack on Freetown.

The motivations for the various campaigns differ. The RUF, responsible for the highest number of the amputations in the conflict, conducted a campaign of violence in and around 1996 known as "Operation Stop Elections". They chopped of hands and arms of civilians to prevent them from voting.

Tamba Amara, an adult farmer, had his limb amputated in his village Bo Ngleya in 1996:

"People armed and in combat uniforms attacked our village and killed many people. They went all round and shouted that we, in the village had voted for President Kabbah as President of the Republic of Sierra Leone and because President Kabbah is a

proud man they are going to cut off our arms so that we will never vote for him again. It was in 1996 and they said that we should go to him to treat us and give us another hand. Four of us were amputated, two men and two women."

The AFRC/RUF's motive for the amputation campaigns of 1996, 1998 and 1999 was revenge on the population for failing to support them.

2. Cannibalism and Forced Cannibalism:

The report made a distinction between cannibalism and forced cannibalism. The first emergence of the practice of cannibalism in the Sierra Leonean conflict appears to have been attributable to the contingent of Liberians, predominantly from the Geio and Mano tribes, who fought for the NPFL, under the auspices of the RUF, in the first two years of the conflict.

Throughout the conflict, various factions forced their captives to eat the flesh and body parts of human corpses, cooked and uncooked. The Commission defines forced cannibalism as the act of forcing a person to eat human flesh, body parts or drink human blood by threat, intimidation, force or violence. Forced cannibalism was a means of inflicting psychological torture on the victims, who were often relatives or neighbours of the person they were forced to eat. Cecilia Caulker's son was murdered by the RUF in 1992 in Bonthe:

"They cut my son in pieces alive. I was under gunpoint and all actors were in uniform and caps [which] were very low over their eyes, I did not detect anybody. They cut him in pieces with a knife and when they opened his chest, they took out his heart and cut a piece of it and pushed it into my mouth, saying you first eat of it, but then when they have cut his head, they laid it in my hand saying go and breast feed your son and they started dancing."

3. Abduction, Forced Recruitment and Sexual Slavery:

The violations occurring in the context of abduction with forced recruitment and sexual slavery are dealt with more specifically in the chapter of the report dealing with women, children and youth. Forced recruitment was targeted at children and youths, while sexual slavery was perpetrated mostly against women and girls by the RUF, the AFRC and the CDF. The targeted age groups for forced recruitment violations were those between 10 and 14 years.

4. Drugging:

Most of the young people who testified before the Commission complained of forcible drugging by local commanders within the armed factions. Women, abducted and converted to "bush wives" were injected with **psychotropic** substances or forced to consume them. In a drugging violation, the victim takes a substance that alters, temporarily or permanently, their mental state. The taking of the substance was also achieved by devious means such as lacing drinks or food with the drugs. The drug may result in permanent physical and/or mental injury. Drugging was used mainly against children forcibly recruited into an armed faction to make them more inclined to fight.















5. Mistreatment Violations:

Forced Labour:

The Commission defines Forced Labour as forced/unwilling labour by a victim that occurs whilst they are detained. It excludes the labour implied by being the victim of a "Forced Recruitment" or "Sexual Slavery" violation.

Upon entering a town or village, the factions usually recruited all the able-bodied men and women as forced labour. The civilians had to cook and carry looted property for them back to their base or to another town, and to perform various other services for them. The following account involved the SLA in Yele in 1994:

"These soldiers were bullies. They used to take the wives of community people to sleep with them, cook for them as well as launder their clothes."

Assault:

An assault violation consists of physical harm inflicted on a victim by punching, kicking, and/or striking with an object or objects over a period of time. It also includes whipping, lashing, stabbing and the shooting of a victim. Assault was used to punish civilians, compel victims to do things or hand over goods. The following statements relate to incidents involving the AFRC in 1998:

"One day, rebels asked me to carry a bag on my head to Makeni. When I refused, they started beating me with sticks. Five rebels beat me with sticks. They hit me on all parts of my body. They released me later."

Torture:

Torture was a means of terrorising the population and breaking down their resistance. Public acts of torture were extensively used to humiliate victims in front of their communities and/or relatives. The following victim was stopped in a village by the RUF in March 1997. She was carrying her husband's gun in a basket, without knowing that the weapon was there. When they found the gun, she was tortured:

"They stripped me naked, laid me on the ground and told me to roll on the ground. As I was rolling on the ground, they got buckets of water and poured them on me, laid me under the sun and told me to look at the sun for several hours. When they brought me to Mobai naked, there was an RUF commander named Tidda who passed the order that eight of his men beat me to death. Commander Tidda also gave the command that they should put me in a deep hole. I was put into a deep cemented hole and padlocked until the morning of the next day."

6. Rape:

The Commission has defined rape as where the perpetrator invaded the body of a person by conduct resulting in penetration, however slight, of any part of the body of the victim or of the perpetrator with a sexual organ, or of the anal or genital opening of the victim with any object or any other part of the body. The invasion was com-

mitted by force, or by threat of force or coercion, such as that caused by fear or violence, duress, detention, psychological oppression or abuse of power, against such person or another person, or by taking advantage of a coercive environment or the invasion was committed against a person incapable of giving genuine consent.

On occasions, civilians were forced to witness the rape of a family member, a mother, sister or daughter. This was aimed at stigmatising family members thereby weakening the bonds of the family, because it is the most basic component of society. A victim in Rokou gave the following account:

"In January 1999, RUF/SLA attacked my village called Rokou. They raped my wife in my presence and they abducted her. Since the abduction, I have not set eyes on her."

7. Arbitrary Detention:

Arbitrary detention is defined as illegal detention in a single location such as a prison, guardroom, or civilian building adapted to use as a detention place. The detention is illegal and the detainees are not charged with an offence. Detainees were often beaten and tortured while in detention. They were denied basic utilities such as water:

"One day in 1997, I was caught by the ECOMOG forces. They misconceived me as a rebel and I was taken to the Daru barracks where I was detained. I was given a serious beating. I was detained in the guardroom for four days without food and water."

8. Economic Violations

Looting and Destruction of Property:

Looting consists of theft of personal or commercial goods with the victim absent, or present under threat, intimidation, force or violence. Destruction of property is defined as the destruction/damage to private/public property through burning, mining, bombing, shelling, or by other means. Property means a home or other building or personal effects.

One witness had his property stolen and his house burnt down on three occasions:

"I returned to the village and discovered that my house had been burnt down. Also all my possessions that were in the house were burnt down [by the RUF]. We went to Bandajuma Sowa. While there, I built another house, which I occupied with my family. Later in 1997, the junta soldiers drove us from Bandajuma, stole our properties in our houses and again burnt down my house. We returned to Kobeibu and built huts there. One day in 1998, the AFRC junta soldiers came and burnt them down."

Extortion:

Extortion is as an incident during which perpetrators use intimidation and/or threats to attempt to compel the victim to surrender goods, cash or services, including sexual services.

The armed factions used checkpoints to extort property from civilians. Instances include the NPRC looting petty traders' merchandise in Freetown and the RUF erecting checkpoints wherever they entered the town.

"In November 1998, the RUF rebels attacked my house in Yengema. They demanded Le. 500,000 from me or else I would lose my life. I gave them half of that money and I begged them not to kill me as that was the only cash I had. Because there was an argument among them on whether they should accept the money or kill me, they decided to cast a vote. Fortunately for me, they accepted the money."

9. Forced Displacement:

Forced displacement is the forced/unwilling departure or movement from one's property/home by threat, intimidation, force, violence, fear, suspicion or due to conflict. The move may be due to perception of danger, rather than actual abuse. It was the most frequently reported violation to the Commission.

The climate of fear created from attacks by all the combatant factions all over the country made thousands of people flee their homes. Upon hearing rumours that the "rebels" were planning an attack or gaining ground, villagers would pack some of their property and leave their houses. They would either run to hide in the bush, or escape to a neighbouring village. On many occasions, they would be attacked in the bush, or an attack would be launched on the village they escaped to, forcing people to flee again and again. The following account describes this climate of fear created by the RUF:

"The war spread rapidly. Civilians fleeing the war from Tongo Fields and Dodo began to enter Boajibu with bundles on their heads. We began to feel concerned about our security. Letters were often found on the streets about the rebels' intention to attack Boajibu. All the roads leaving the town became vulnerable so we remained to live in fear. On the 17th of March 1994, the RUF attacked Boajibu."

10. Killing:

The Commission considers a killing as causing death to a person. In addition to intentional killing, a person's life may be taken in the course of other abuses and violations. Sometimes people were killed intentionally to satisfy the innate desires of the combatants:

"I came across a pregnant woman who had strayed into our camp. At first I threatened to stab her with my knife. Then the others came around and asked what we should do with her. They were curious to know the sex of the baby she was carrying. I suggested male while others said female. The boys opened her up in front of me and brought out a baby boy. I jumped with joy that I had won."

2. VICTIMS

Families

As the smallest unit of social organisation, the family felt the greatest impact of the

war in Sierra Leone. Household heads were targeted, brutalised and killed in the presence of their children. Young girls, most of them not yet at puberty, were raped and taken away to become "bush wives". Boys, some of them as young as eight years old, were taken away to be trained to fight for the combat groups, some of them never to return. In most cases, their links with their families were deliberately severed through forcing them at the pain of death to commit incest and horrendous atrocities against family members. The following testimony before the Commission captures the tragedy that befell the average family during the war.

A witness from Magbotoso village was forced to watch the rape and killing of his blind mother by "men in combat attire" in January 1999.

"As we reached the town my mother was raped right in front of me. I covered my face so as not to see, but one of them gave me a slap saying I should see what was happening. Three of them raped her, one after the other. The fourth one was about to rape her when my mother pushed him. He immediately removed a knife from his pocket and stabbed her in the chest. They were in disarray when they heard the helicopter gunship. I carried my mother on my back to a nearby village. She died later that day."

The AFRC soldiers who had revolted against the elected government were no different from their RUF colleagues in their treatment of civilians. AFRC soldiers abducted Miss X during the January 6 invasion of Freetown. She was used as a slave after refusing to submit to rape. She watched her cousin being raped.

"When we came back to their base three of the men raped my cousin, but my elder sister and I refused. They put my sister's left foot into boiling water and later she could not walk for days."

Communities

Communities were captured for plunder, where the movement sought to replenish its stock of food and other materials from community resources. The targeting of communities was the basis for the widespread displacement of people that took place during the conflict.

In many respects this strategy by the RUF speaks volumes about the misconstrued platform on which the 'revolution' was launched. The very acts that the attackers believed to be emancipatory were received by the populace as oppressive and offensive. Moreover, such acts contributed significantly to the siege mentality prevalent in many communities of the southern and eastern provinces. One of the most direct manifestations of the siege mentality was the subscription to the concept of civil defence and the consequent mobilisation of local militias.

Sei Tham witnessed abuses committed by the Kamajors against the people of his village, "I cannot remember the dates of all the events, but Kamajors visited us at 8.00pm and gathered all the people in our village, locked the women up in a house and then asked

the men to come outside and dance for them. The men were beaten up while dancing."

Targeting Specific Groups The Affluent and Those of Status

In terms of material loss, it is perhaps inevitable that people of affluence and status suffer inordinately in a conflict of this nature. The more one has, so the theory goes, the more one stands to lose.

Foday Kamara lost all his property, which he values at millions of Leones, after fleeing his town of Kamasondo, following the arrival of "men in combat dress."

"I ran into the bush together with my wife and children. The following morning I went into the village to check if they had left. Indeed, none of them were around, but my two houses were burnt down to ashes. Also, my two stores with two hundred bushels of rice kept there, containers of palm oil, bags of groundnuts and bags of flour were burnt down. My twenty goats and ten sheep were looted too. Properties worth millions of Leones couldn't be recovered. Everything in my two houses was burnt down. My rice farm that was to be harvested that month was again burnt down. I was left with nothing except the clothes I had on."

Local Traditional Authority Figures

Essentially, the Commission discovered two trends pertaining to the plight of local traditional authority figures whose communities were attacked in the opening year of the conflict. First, the attackers actively sought out the local traditional authority figures upon arrival in a town or village. Second, where they were found and identified, they were typically subjected to a particular and peculiar *nature* of abuse.

One statement giver, Brima Amara Davowa, witnessed the abuse carried out against the town chief of Sandayallu when the RUF first arrived in April 1991. The townspeople were asked to gather at the barrie.

"There was one lady in the group who was forced to show them the town chief, otherwise they would kill her. So with fear, she pointed at the town chief. Immediately, he was stripped naked in front of his subjects, including his wives and children. He was asked to run from where we were gathered to his store, which was about 50 metres away. As an old man, he became exhausted and asked to lie down on the ground. He laid down, they asked him to open his mouth, he did, the commander took a single barrel gun loaded with bullets, put the gun in his mouth and pulled the trigger. His brains scattered all over the street."

Ethnic Groups

The link between the conflict and ethnicity lies in the way in which certain factions turned ethnicity into an instrument of prejudice and violence against perceived opponents or those who did not 'belong'. The Commission found that people of the north-

ern origin had been targeted in the Southern and Eastern regions during the latter part of the war. The Kamajors committed disproportionate levels of violations against such ethnic groups as the Temne, Koranko, Loko, Limba and Yalunka. Other reported instances of 'targeting' included RUF violations against, variously, the Lebanese, Fullahs, Mandingos, Nigerians and Marakas.

Mr Abu Kamara, 121 a Temne, worked as a farm and revenue collector. One day in 1998, while Mr Kamara was in Fanima Sow in the Pujehun District to mine diamonds, the chiefs and natives of the town declared his presence along with that of a few others as unwanted because they were Temnes. "The natives alleged that as Temnes they expected us to be enemies". As a result, they were asked to leave the town. The group of Temnes left Fanuma Sow for Bumpeh. After a few days in Bumpeh, the leader of the Kamajors asked the people of the town whether they had Temnes staying among them. They said yes. The Temnes were called upon and told to leave:

"He gave us only three days to leave the town. He commanded the Kamajors in the town to ensure that we complied with his order, otherwise he was going to kill them himself for not executing his orders."

Individuals

Nationality, Vendettas and Grudges

One other common characteristic of the conflict was the targeting of individuals on the basis of nationality, for example, Nigerians were targeted during the AFRC regime for Nigeria's role as an intervention force. People were also targeted on the basis of pre-existing grudges and vendettas. Mohammed Conteh narrated to the Commission the roles played by the RUF, the SLA and the CDF in Bo during the conflict:

"Later I came back to Bo but one of our neighbours at 14 Baima Road, Bo went to the ECOMOG peacekeepers and told them that I was one of the armed men in Bo and that I was responsible for the death of his wife. I learnt that his wife died in the Liberian war but he lied and said that I killed her. He made a statement to the police. The CPO said that is a murder case and that he could not handle it. I was sent to the ECOMOG peacekeepers. When I got there, they did not allow me to explain. They flogged me mercilessly from morning to evening. I was treated in this way for one week, and I was regularly flogged during that period."

Mr Conteh was later allowed to go home after the ECOMOG troops discovered that he was a "peaceful citizen".

3. THE PERPETRATORS

Based on its research and investigations, the Commission has identified the following groups as the main protagonists in the conflict, the Revolutionary United Front of Sierra Leone; the Government of Sierra Leone; the Armed Forces Revolutionary Council and the Civil Defence Forces. Each of them had other groups associated or affiliated to them or were umbrella organisations for several groups.

Share of Responsibility for the Violations

The Revolutionary United Front (RUF) carried out the highest number of violations and abuses over the conflict as a whole. The RUF pioneered the concept of forced recruitment, including the enlistment of child combatants. It also bears overwhelming responsibility for the widespread use of drugs by its members, which precipitated spates of crazed violence and compounded the prevailing general sense of oppression and hopelessness.

The second highest institutional count was attributed to the AFRC, whose fighters most notably committed atrocities on a massive scale in the northern region and in Kono District. The AFRC demonstrated a 'specialisation' in the practice of amputations in the period from 1998 to 1999.

Following the AFRC was the CDF and of the various groups that comprised the CDF, the Kamajors received the most scrutiny, as they were responsible for almost all the CDF violations reported after 1996. A defining characteristic of the CDF became its ceremony of 'initiation', described to the Commission by many witnesses as entailing physical and psychological torture as well as other gross abuses of human rights.

The other perpetrators include the SLA, local civil forces such as the police and SSD, and international parties such as the ECOMOG and the Guinean Armed Forces (GAF). Both the ECOMOG and GAF account for less than 1% of the recorded violations.

4. GENERAL TRENDS

Perhaps most notably, the Commission identified some characteristics and tendencies that spanned all factions in the conflict.

Composition of Ground Forces

One common feature of this conflict was the almost identical composition of the ground forces: impressionable, disgruntled young men eager for an opportunity to assert themselves, either to ensure that no harm was done to their own people, or to fight against perceived injustice, or for personal and group aggrandisement.

Enlistment

Specific procedures were methodically used to enlist and create a whole group removed from society. This process was open-ended in that under-aged children, youths, males and females were taken without exception. The focus of enlistment is the destruction of specific social and psychological links between the individual and his community resulting in a bid to inculcate the new beliefs and ideas of the group in the individual.

There were diverse reasons why individuals were enlisted in the fighting forces during the conflict. Some volunteered as a way of carrying out revenge for previous wrongs. Others were forcibly enlisted and, feeling that they were left with no choice, they became active fighters. The reasons for enlistment were personal, social, eco-

nomic or political. However, enlistment involves specific psychological processes that lead vulnerable individuals, especially young children, to commit atrocities.

Factional Fluidity in the Conflict

The Commission identified an astonishing 'factional fluidity' among the different militias and armed groups that prosecuted the war. Both overtly and covertly, both gradually and suddenly, fighters switched sides or established new 'units' on a scale unprecedented in any other conflict of which the Commission is aware. These 'chameleon tendencies' spanned across all factions without exception; they say much about the character of the general 'breed' of combatant who participated in the Sierra Leone conflict.

Combatants could be allied to a particular faction for several years before joining their proclaimed archenemies. At times almost entire 'factions' switched 'sides', like the so-called RUF/SL 'Action Group' in the Pujehun District which became Kamajors fighting for the pro-Government CDF and the majority of officers and private soldiers in the SLA who joined the AFRC junta and transferred their allegiance away from the incumbent (de jure) Government of Sierra Leone to ally themselves with the RUF/SL under the banner of the 'People's Army'.

Mineral Resources - Diamonds

During the conflict, diamonds were highly coveted because they yielded tremendous revenues that enabled armed factions to procure arms and ammunition. Possession of arms conferred power on the factions, allowing them to control large areas of the country and thus further exploit resources for economic purposes. The desire to capture more territory for exploitation subsequently became a major motivating factor for almost all of the armed groups and their commanders. This triggered intense fighting in resource-rich parts of the country and fuelled the conflict in areas already engulfed by it.

External Actors

Although the armed conflict in Sierra Leone was not a war imposed from outside, the Commission did identify substantial involvement from external actors. There were essentially two main parties in the conflict in Sierra Leone: the Government and the RUF. Each of the external actors that took part in the conflict was affiliated in some way to one of these two entities.

External support either to the government or to the RUF came from nation states, regional organisations, international organisations and non-state actors such as private security firms. Countries that provided unilateral support included Libya, Liberia, Guinea, Burkina Faso, Nigeria, Côte d'Ivoire and the United Kingdom. Regional intervention came from the ECOWAS, while a large multilateral intervention was rendered latterly by the United Nations. On 22 October 1999, the UN Security Council authorised the establishment of the UNAMSIL, which contributed significantly to the achievement of stability and the rebuilding of the nation following the Lomé Peace Agreement.

'Mercenary' groups involved in the conflict included the Ghurkas Security Group, Sandline International and Executive Outcomes. The United Liberation Movement of Liberia (ULIMO), which began when a group of Liberians living in refugee camps and other parts of Sierra Leone were organised into a fighting force to assist the government, also evolved into a significant player.

A variety of international humanitarian organisations delivered medical assistance and food aid throughout the war, including the International Committee of the Red Cross (ICRC) and Médicins sans Frontières (MSF).

Key among the characteristics of this war is the way women, youths and children feature in it. Because these three categories of people have been identified as the most vulnerable and the worst hit they are treated in separate chapters in this book.

EXERCISES

- 1. You have managed to escape from the country during the war. As part of a campaign to draw the attention of the international community to the terrible situation in the country, you have been asked by a human rights organisation to address the United Nations General Assembly about the plight of your countrymen. Write the speech (no more than 500 words) you would make, highlighting some of the violations, the victims and the perpetrators; making an appeal for help to save your people and suggesting ways this can be done.
- 2. You are a statement taker collecting information about the character of the conflict. Write ten questions you would ask each of the following: (a) a victim and (b) a perpetrator. Under the supervision of the teacher, everyone in class should exchange his or her question with someone else and answer that person's questions, imagining yourself to be a victim or a perpetrator as the case may be. At the end of the exercise read out as many of the questions with their answers as possible in class.
- 3. One of the Commission's aims of telling the story about the war is to make sure it never happens again. Does this chapter convince you that war is a terrible thing and we must never let it happen again in our country? If yes, how does it convince you? If no, why does it not? Your teacher may want you to write out your answer as an essay. Or he or she may want it as a class discussion.

Chapter 5

WOMEN AND THE ARMED CONFLICT

Women and girls were targets of deliberate violence by all armed groups. They suffered abductions and exploitation at the hands of their perpetrators. They were mutilated, raped, tortured, forced into sexual slavery and made to suffer acts of extreme sexual violence and a host of other cruel and inhumane acts. Those fortunate enough to escape became displaced. While some went into exile, many were housed in camps but even these camps were unsafe for women and girls.

Peace has returned to Sierra Leone, but many of the wounds still remain open. Although the majority of the women in Sierra Leone were victims, the Commission recognises that a good number of women took on the role of perpetrators and/or collaborators. Women also played a strong role in peacemaking and are increasingly playing a bigger role in the public life of Sierra Leone.

In the chapter entitled, **Women and the Armed Conflict in Sierra Leone**, the Commission captures the experiences of both women and girls in respect of sexual violence, as well as their complete gender-specific experiences at the political, legal, health and social-welfare levels. It examines the situation of women both before and during the conflict.

Situation of Women before the War Education

Female participation in formal education had been low. A great disparity in education existed between men and women. Cultural and economic factors contributed to the low level of education among women, which has had negative consequences for them economically, politically and socially.

There was a great lack of awareness of the need for women to participate in issues affecting their lives even among women themselves. It was therefore quite easy for governments before the war to ignore issues affecting women and girls.

Politics

A small number of women in the Colony, especially amongst the Krios who were educated and had political awareness, became involved in politics quite early on in the history of Sierra Leone. They continued to make their voices heard on political issues in Freetown right through to the time of independence. A few women from the Protectorate amongst the Mendes and Temnes served and still serve as section and tribal heads. At the same time, in the Protectorate, a handful of women exercised political power as Paramount chiefs. However, most women in the provinces were uneducated and poor, lacked awareness of their political rights and did not participate in decision-making in politics. Tradition and culture played a part in inhibiting women in the provinces from playing a role in politics.

After independence, some women continued to be active in politics, but their participation on a mass scale was largely limited to providing moral support, raising and collecting party funds, providing voluntary labour and organising catering and entertainment in their various political parties. Such roles earned women leaders the nickname, "Mammy Queen". Needless to say these activities did not substantially improve the position of women.

Economic

Economic opportunities for women in general were at best limited prior to the war, particularly so with the persistent economic decline from the 1960s. Austerity measures resulted in fewer resources and this usually translated into increased workload so as to garner more resources. Such a situation did not allow room for equality or better conditions because women were primarily engaged in the struggle for survival.

Women constituted the majority of the rural labour force and made vital contributions to the economy. It is indeed ironic that while women were engaged in subsistence farming and provided the labour force for cash-crop production, it was largely the men who had greater access to owning land and controlling cash-crop production. Women have been traditionally engaged in low-income activities such as petty trading. Despite their large numbers as traders, they did not record substantial growth in economic activities. This is as a result of inadequate skills, low educational status, low economic power and lack of access to substantial credit facilities and property. The disparity between the economic status of women and that of men has resulted in the economic dependency of women. In many instances, the men have used this dependency to wield control over them, thus further perpetuating their poverty.

Health

The depressing economic situation, poor medical facilities and lack of access to the few existing health facilities put women at risk even before the war started.

Because of early and forced marriages, many young girls started child-bearing early, and were exposed to the risks of complications arising out of early pregnancy. As a result of illiteracy and lack of awareness, these women and girls could not access adequate health care for themselves in such circumstances.

Traditional practices had a negative impact on the health of women in the period before the war. The cultural practice of giving the most nutritious part of the food to the man and increasing poverty resulted in poor intake of nutrients for women, lowering and jeopardising their health.

Legal

Throughout the history of Sierra Leone, including the period before the war, women did not enjoy equal status with men because the laws to a large extent discriminate against women. These laws and practices are a challenge to women's rights, to the advancement of women in the family and to their contribution to the political, eco-

nomic and social development of Sierra Leone. Land ownership in the Western Area is based on the English property laws prior to 1925 and allows for individual ownership but in the provinces it is governed by Chiefdom Council and allows for group ownership. The land tenure system, particularly in the rural areas, only allowed women to use the land and whatever user rights they had were lost on the death of their husbands.

Three different laws governed **inheritance**: statute, customary law and Mohammedan law. The law governed by statute is the Civil or Christian law, which applies to persons who are not Mohammedans or whose personal law is not customary law. The inheritance rules of distribution discriminate against women under the three different laws.

Divorce proceedings under the Civil or Christian Marriage Act are very expensive and time consuming. Most women do not apply for divorce because they lack the means to do so and the rules themselves are discriminatory of women. Under customary law, divorce is very difficult to obtain because of the multiple variations in the laws of the different ethnic groups and the various grounds on which divorce can be obtained. In customary and Mohammedan law a woman encounters additional barriers if she initiates divorce proceedings and she must satisfy the religious leader or **arbitration tribunal** before the proceedings starts that her husband approves the application.

Access to justice for women facing sexual violence under general law and under customary law

- Women victims of sexual violence in Sierra Leone face considerable challenges in seeking to achieve justice. Some of the problems they face are listed below:
- · A culture of silence
- Low punishment rates for offenders
- Difficulty in getting a conviction as a result of the strict evidentiary requirements of proof
- Inadequate staffing at the law officer's department
- Absence of legal aid for women
- Absence of laws on marital rape
- Women's position under customary law in which consent in relation to sex is not an issue
- · Laws on evidence and procedure in crimes are not gender sensitive
- Absence of temporary shelters for victims of sexual or domestic violence

Controversy in the laws

Section 15 of the Constitution provides for a **bill of rights** guaranteeing fundamental human rights and freedoms of the individual irrespective of sex. The Constitution **nullifies** much of the promise of the equality provisions of section 27(4)(d) by making an exception to the **prohibition** of discriminatory laws with respect to laws dealing with marriage, divorce, inheritance, or other interests of personal law. Consequently, all of the laws that are discriminatory against women still apply, making the equality provision guaranteed in section 15 seriously faulty.

Law reforms are therefore necessary to sustain development in the country because

they are also essential for women's economic, social and political survival. The argument for law reform to eliminate discrimination against women is not only for personal need, family security or national development; it is also for upholding basic human rights.

Socio-cultural

Cultural practices and traditional beliefs with regards to women have led Sierra Leoneans into **stereotyping** the role of women. The outcome of this is exhibited in the attitudes and behaviour of members of the society in all aspects of life including gender identity and roles.

Violent behaviour within the family in Sierra Leone is usually surrounded by a "culture of silence". It is considered an abnormality by the larger society to involve "outside parties", for example, the police and or social welfare ministry, in mediation. It is considered a private problem and more often than not, people are encouraged to settle the dispute in-house, or with adjudicating bodies even when these matters are taken to "official" establishments.

Amongst all ethnic groups in Sierra Leone, it is accepted practice for husbands to chastise or beat their wives. Under customary law, a husband has the right to "reasonably chastise his wife by physical force". Significant numbers of women believe that it is appropriate for men to beat their wives.

Situation of Women during the War Women as Victims

Prior to the war, the status of women in Sierra Leone at almost every level was low. Consequently, it was easy for the armed groups during the war to treat women with contempt and acquire a sense of ownership of women's bodies because they probably would have had this in peace times also. The **patriarchal** domination that had existed in Sierra Leone continued to exist, although in a dreadful manner, during the conflict.

All the armed groups in the conflict perpetrated violence against women and girls. The Commission finds that the RUF and the AFRC were the major perpetrators of sexual slavery, rape, forced marriages, abductions, torture, disembowelment and forced cannibalism of women and young girls.

Violations under the following headings give a graphic picture of what women went through during the conflict.

Sexual slavery

In Sierra Leone, women and girls were taken as "wives" by commanders and combatants. Forced "marriage" is a form of sexual slavery as is the detention of women in "rape camps" or any circumstances under which women are subjected repeatedly to rape or the threat of rape or any other sexual violence. This subject has been treated in some detail in the chapter on children.

Abductions

Women were routinely abducted during attacks and routine patrols. Once abducted, women and girls were coerced into handling arms and taught to fight. A former abductee of the RUF testified to the Commission of her experiences:

"In Bongeh, I was repeatedly raped by groups of rebels coming from different localities. I had been a nursing mother for 2 months at that time and I was abducted for two months and two weeks. During my period of abduction I was also beaten on several occasions and whenever I resisted their sexual harassment I was threatened with their guns. At one time, one of the rebels fired his gun through my legs...I later, got forcefully married to "DU-DU Boy" as my "bush husband". I was then assigned to the responsibilities of doing all the laundry, cooking their food, ironing their clothes and many other household duties. Most of their clothes had blood stains on them. Some of the female abductees who refused to have sex with them were killed. That gave me the cause to yield to their sexual demands in order to save my life. My child had died during my abduction."

Torture

Women experienced intense mental and physical torture at the hands of the armed forces. They were treated like animals with the clear purpose of stripping them of identity and dehumanising them. Women, because of their motherly instincts, were singled out for a particular kind of torture. It must be underscored that torture may be inflicted against a person through the infliction or threat of infliction of sexual or other violence on a third person. Torture is also committed when family members are killed while others are forced to observe. The seizing of a child from its mother and killing it in front of her is also a particularly gendered form of torture, targeted as it is at her role as mother.

An old woman at Bonthe recounted to the commission how her only son was killed. His head had been cut off and she was then asked to hold his head and breastfeed it. Women were in many instances compelled to exhibit high spirits by laughing and clapping at the torture or death of family members.

Disembowelment

Disembowelment was a violation perpetrated on women because of their gender. What is particularly repugnant is that pregnant women would be disembowelled because members of the armed forces would place bets as to the gender of the baby. According to a testimony:

"...They were snatching babies and infants from their mother's arms and tossing them in the air. The babies would free fall to their deaths. At other times, they would also chop them from the back of their heads to kill them, you know like you do when you slaughter chickens... One time, we came across two pregnant women. They tied the women with their legs spread eagled and took a sharpened stick and jabbed them inside their wombs until the babies came out on the stick."







Rape

Women were not only raped in the presence of their families but were forced on many occasions into committing incest. In many villages, mass rape was the order of the day. Tragically for many of the women, one of the consequences of this violation has been unwanted pregnancies and babies born with "rebel" fathers. A woman victim testified to the Commission of her plight:

"...We were at Sogboleh when the rebels attacked us. Four of us went into one house...they met us in that house, then they told us that they were going to have sexual intercourse with us. ...we refused and they wounded me on my right hand with a knife. ...eight of them came and they stripped me naked and all of them raped me. Immediately, my vagina was swollen up and they said they were going to carry us to their base. We were now with them then I started getting serious abdominal pain. Then one of their big men asked that if he makes people to treat me, I would marry him? ...when I was with him, I became pregnant and gave birth to a child."

Violence against women in camps

The Commission found that a number of women had their rights violated in the refugee camps. Young girls and women were forced to have sex in return for food and assistance. Many of them were forced to become prostitutes in brothels established in the camps. Men complained of how they were not given access to food because they had no wife or daughter to barter for food or supplies. Women and girls told of how their names would be taken off lists for food and aid if they refused to have sex with peace-keepers and humanitarian workers.

Women as Perpetrators and Collaborators

Women and girls played the roles of 'perpetrator' and 'collaborator'. Often this was driven by socio-economic needs and the need to protect themselves and their families or to improve the quality of their lives. They had varied roles including becoming armed combatants, providing medical assistance, feeding armed groups and supplying opposing forces with intelligence information, often at great risk to their lives. Taking on an active role in the conflict attracted even more danger to these women because the armed forces treated women even more brutally than men who were on the opposite side. Women involved in the conflict as perpetrators also committed human rights violations in the same way as men in their positions did.

Women as Mediators/Peace Makers

At the beginning of 1994, rural and urban women of all classes and ethnic affiliations organised protest marches and peace rallies in the country. From 1994 onwards, pioneering women and women's' groups such as the Mano River Women's Peace Network (MAWOPNET), Women's Movement for Peace, Forum for African Women Educationalists (FAWE), The Women's Forum, Sierra Leone Women's Movement for Peace and many others, took the lead in rallying society towards the cessation of hostilities.

The Impact of the Conflict on Women Socio-cultural

The conflict in Sierra Leone led to the breaking of most of the norms and customs of Sierra Leonean society, thus defiling the value system strengthening the society. There is no doubt that the violation of women, particularly by rape and other kinds of sexual violation, has led to the erosion of the main value system in Sierra Leone. The consequences of this are now being seen in the high number of women who continue to be raped and violated even in peace time. Domestic violence is also on the increase.

Women who are identified as being raped or forced into sexual slavery are regarded as bringing shame on their families. Re-integrating them into society is difficult. This has accentuated their feelings of dislocation and social exclusion. Many young mothers have been forced to give up their children who were born out of rape for adoption for fear of being ostracised. In attempting to resume normal family life, they have found that their husbands and in-laws reject them precisely because of the violations they have experienced. Women also experience double victimisation because they now have to bear the economic and social consequences of divorce. Despite the pressure to bury the issue and to lapse again into silence, a lot of women in Sierra Leone have been brave and have disclosed their experiences publicly.

Another consequence of the conflict in Sierra Leone has been the numerous unplanned and unwanted pregnancies that affected the vast majority of women abducted and forced into sexual slavery and who suffered sexual violence.

Lack of skills and the absence of viable employment opportunities and the need to survive have compelled many women to become commercial sex workers. Prostitution and sexual exploitation have many devastating consequences, not the least, health problems, societal rejection, violent assaults, death and an increase in the risk of contracting sexually transmitted infections including HIV/AIDS. Prostitution and sexual exploitation have also become associated with other criminal acts such as theft and drug abuse.

Health

While both men and women are affected by the breakdown of the health system, women are more affected because of their gender. This is particularly true in the area of reproductive health, which includes life-threatening pregnancies, lack of access to health-care services, birth-control measures and injuries arising from sexual violence.

Many women also suffered from malnutrition, especially in the rural areas, because they were unable to grow vegetables or engage in farming activities as a result of the war. Pregnant women suffered enormous mental trauma from the experiences and constraints they were subjected to.

The effects of sexual violence from the conflicts have been varied. It has been both physical and psycho-social in nature. The physical wounds from sexual violation cases

include genital trauma, lacerations, mutilations and damage to surrounding pelvic structures to name a few. Some of the psycho-social consequences that victims of sexual violence exhibit are anxiety, depression, shame, fear, post-traumatic stress disorders, inferiority complex and general hopelessness.

The psychological effects of the war on these women and girls remain a more difficult problem, especially because Sierra Leoneans do not ascribe as much importance to treating mental health as they do to other health problems.

Economic

The conflict in Sierra Leone has had varied consequences on the economy of women. It has had adverse effects on women who live in the rural areas and are engaged in subsistence farming. Rural infrastructure was damaged and agricultural production was reduced, with food processing, storage and distribution systems destroyed. Those who lived in the urban areas lost their goods and property during the conflict and are now engaged in alternative means to raise funds.

It has forced women to become decision-makers and to determine how resources should be used. They now provide for their own needs as well as those of the extended family and the wider community as well.

In the rural areas, women also face legal and cultural barriers in accessing land belonging to their spouses who died in the conflict. Women and girls suffer the impact of poverty even more as they lack income-generating skills, land, family labour-force and start-up capital for businesses.

In the post-conflict era, Sierra Leonean women have opted to learn new skills to establish new forms of livelihood. In addition to the subsistence farming that they still carry out, they have learnt new skills such as brick-making, hair-dressing, soap-making, tie-dyeing of fabrics, weaving and others. The Government has, in the main, provided these skills training programmes, as well as micro-credit schemes, through its various agencies, donors, and local and international organisations.

The Legal Status

Legal reform has been slow. However, the increased awareness by women of their rights has led to a number of positive developments on issues that affect them. Examples of some of these developments are:

- The establishment of a Family Support Unit within the police force
- The establishment of the "Rainbow Centre" (a sexual violence referral centre) by the International Rescue Committee
- A marked increase in the reporting, investigation and prosecution of sexually related offences and crimes within the home
- The International Human Rights Law Group in its current "Access to Justice" programme in Kono, Koinadugu and Kailahun continues to inform the populace of the laws of Sierra Leone in an effort to bring justice close to the people

Politics and Women in Decision-Making

Currently, women in Sierra Leone are having an impact on the political landscape in the country. While not yet totally satisfactory, the most visible change has been the increased number of women contesting and holding political office. There is absolutely no doubt that these changes would not have come about without the combined efforts of women and Non Governmental Organisations (NGOs) involved in advocacy work for women's involvement in politics.

The Ministry of Social Welfare, Gender and Children's Affairs supported by UNICEF provided two policies in 2000, the National Policy on the Advancement of Women and the National Policy on Gender Mainstreaming. The National Policy on the Advancement of Women is an all-encompassing policy seeking to improve the status of women and remove the discrimination women often experience in various sectors.

These documents are only policies and have not been enacted, thereby depriving them of any force of law. Even as policies, the political will appears to be absent to implement them but they are proof that the Government acknowledges the dire need to ensure that women enjoy equal rights and opportunities and that these rights must be protected. The Government must show its commitment by making reference to these policies in the Constitution.

Recommendations

The Commission recommends that:

Communities should make special efforts to encourage acceptance of survivors of rape and sexual violence as they reintegrate into society. The physical and emotional well being of the women victims of rape and their children born as a result of rapes should be protected.

A directory should be established by the Ministry of Social Welfare and Gender Affairs in conjunction with the United Nations Development Fund for Women (UNIFEM), the World Health Organization and other stakeholders, containing a list of donor agencies and service providers assisting women together with their contact details both in the provinces and Freetown. The emphasis should be on where women can obtain information and access assistance.

Political parties should ensure that, at least, 30% of their candidates for public elections are women. This includes national, local government and district council elections. Legislation should be enacted to make this a legal requirement. Such a stipulation will require all political parties to nurture and develop meaningful participation of women.

Sierra Leone should ratify the protocol to the African charter on the Rights of women. The protocol enjoins signatories to address "Harmful practices against women." Harmful practices are defined as all behaviour, attitudes and practices that negatively affect the fundamental rights of women and girls, such as their right to dignity, education and physical integrity.

The Government should provide psycho-social support and reproductive health services to women affected by conflict. These services should be provided free to those who have experienced physical trauma, torture and sexual violence.

Women should be able to access the skills training programmes that are being offered by the various agencies. The Ministry of Social Welfare and Gender Affairs should establish a network of service providers and agencies offering the various skills training programmes and ensure that services are decentralised and that women in the provinces have access to them.

Government should establish old people's homes in all main urban centres and should ensure that elderly women have access to land in rural areas. Government should attend to the social and medical needs of elderly women.

Government should repeal all laws, customs and practices that discriminate against widows and which prevent land being owned or held by them. Sensitisation programmes for people, particularly in the provinces, should accompany such laws and customs.

The Commission believes that it is only when the legal and socio-political systems treat women equally, giving them full access to economic opportunities, allowing for their complete, **holistic** development and free participation in both public and private life, that women will realise their full potential. Developing accountability mechanisms for those who perpetrate gender crimes is a necessary part of this evolution to ensure that women are not dehumanised the moment the rules of society break down.

EXERCISES

- 1. The cultural concept that a woman was "owned" by a man played itself out in some of the violations that women suffered during and after the conflict. Discuss.
- 2. Discuss the situation of the "bush wives", the rape victims or female ex-combatants after the war. Perform a role-play that would show a way to help to reduce the constraints/stigma faced by these women.
- 3. Write an essay on how the life of women would change if the key recommendations for women were implemented.

Chapter 6

CHILDREN

The conflict in Sierra Leone had a great impact on children because their rights were systematically violated by all of the armed factions. They suffered the most cruel and inhuman experiences at the hands of the armed factions. They were robbed of their youth, their innocence and their hope for the future. They were also forced to become perpetrators of violence against other civilians.

Children themselves made the following statement to the Commission:

"... Concerns amongst us children in Sierra Leone are that the war was targeted at us. A brutal conflict which we did nothing to bring about but suffered and lost everything in it."

In the chapter on children in the TRC report, the Commission examines the status of children before and since the war, focusing on some key areas in which children are affected, such as the educational, health, economic, legal and socio-cultural spheres. Also it takes a brief look at the national and international human rights instruments protecting children's rights. More importantly, it attempts to convey the diverse experiences of children within the various armed groups as they themselves testified to the Commission, as well as the impact of the armed conflict on them. The chapter also highlights the intervention measures taken by both state and non-state actors in response to the needs of the children and the Commission's main recommendations on children.

The Status of Children before the Conflict Children and Education

The state of education in Sierra Leone before the conflict was unmistakably in decline. A number of factors including corruption, bad governance, the decline in the economy and the disarray in the teaching profession contributed to the decline in education. When the conflict broke out, illiteracy in Sierra Leone was at an all-time high of 88.75% for girls and 69.3% for boys. Less than 45% of all children of school-going age entered primary school. Only 9% entered secondary schools and 1% made it through to tertiary institutions.

The Socio-cultural and Economic Status of Children

Socially and culturally children sit, at best, on the fringes of decision-making. Adults make decisions for them. This practice has led to many children having their lives shaped for them by adults. Although in many cases the adults are well-meaning and honestly believe that they are acting in the best interests of the child, it is clear that decisions made on the basis of **patriarchy** and **authoritarianism** have affected many children's lives negatively.

One cultural practice in Sierra Leone perceived to be particularly objectionable is the

inclination not to educate the girl child, a practice that is prevalent in the north and east of the country. This denial of educational opportunities, added to the practices of early marriages for girls and female genital mutilation, has negatively impacted on the life of the girl child.

In most traditional societies, children are expected to carry out certain domestic tasks such as cooking, shopping, cleaning, laundering, fetching water, caring for younger children and helping out in the fields. In African societies in general, the contribution of children in enhancing the family's social and economic status has a positive impact on the whole family. Notwithstanding this, the decline in the economy in the 1980s and the resulting poverty in which most families found themselves compelled many children to work out of necessity. The employment of children has had an adverse effect on them both educationally and socially.

The decline in economic growth in the 1980s also affected the health sector negatively. A declining health system almost always affects children and women with devastating effect. This was certainly true of Sierra Leone before the conflict.

The Legal Status Of Children

National and international law pertaining to children

Sierra Leone became a member of the United Nations in 1961 and is a signatory to most of the major human rights instruments. For example, the Government of Sierra Leone has ratified the Convention on the Rights of the Child and the optional protocol. The Government is obliged to take all appropriate legislative, administrative and other measures to ensure implementation of the rights recognised in the Convention. There is presently in existence a draft bill incorporating the provisions of the Convention on the Rights of the Child into national law. The draft was prepared and discussed nationally even before the end of the war but has not been passed into law.

The laws and customs relating to children are in urgent need of reform, as in many instances they are archaic and inconsistent. Both law and custom relating to children are in conflict with international law on the rights of children, particularly in their definition and understanding of when one is considered a child. For example, The Children and Young Persons Act Chapter 44 of the Laws of Sierra Leone, the main legislation on children and juvenile justice, defines a child as a person under the age of 14 years and a young person as a person who is above 14 years and under the age of 17 years. The Interpretation Act No.8 of 1967 of the Laws of Sierra Leone, at Section 4 defines an "infant" as "a person who has not attained the age of twenty-one years, and does not include a corporation". Under customary law the age of majority is not fixed. It varies depending on the purpose for which it is considered and from one ethnic group to another. Given the numerous definitions around what constitutes a "child", a great deal of uncertainty exists in law as to whether a particular law is applicable to children or not. This uncertainty affects the legal capacity of children both at a civil and criminal level because it is not clear whether they are entitled to receive protection as children or be treated as adults.

While provisions in the Constitution provide a basis for the Government to promote and advance the rights and welfare of children through its laws, policies and programmes, they have largely remained unused and ignored. Since the 1991 Constitution came into effect, successive Governments in Sierra Leone have paid little or no attention to addressing the welfare and the interests of children in Sierra Leone.

The dual legal system existing before the conflict has impacted negatively on the rights of children. In many instances, both law and custom are in clear contravention of international law, particularly the Convention on the Rights of the Child. Traditional customs and practices have also exacerbated the position of children, particularly the girl child.

Juvenile justice is an area of Sierra Leone law that requires urgent reform because it is out of date with modern developments in law.

Roles and Experiences of Children during the Conflict Abduction and Forced Recruitment

A feature of the conflict in Sierra Leone was the forcible enlistment and use of child soldiers by all of the armed factions, including the pro-government forces. Abduction was often the first violation committed against a child and was usually followed by forced recruitment or another form of "adoption" into a faction as illustrated by the testimony of this child witness:

"One Saturday night, I was sleeping when the rebels attacked Bafodia at about 6.30 am in the morning. They surrounded the village and they knocked on our doors... the rebels asked for the children... they forced the door open and captured eight of us... in the morning they took us to another house where they inscribed "RUF" on our bodies."

Gender and age did not matter to the perpetrators because the children were used in various roles for the war effort. In addition to being used as fighters, girls were also used as sex slaves and domestic labour.

Forced Displacement

Many children found themselves alone without kith or kin in both refugee camps and camps for the internally displaced. Their experiences were very harrowing. The lack of a normal family structure amidst the difficult new environment was a bewildering experience for children. Sadly many suffered even further violations in these camps perpetrated by those meant to protect them. Many children did not survive these experiences.

Forced Labour

Children were also used as forced labour by the armed groups. They were used as porters in both military and civilian capacities. Children were often made to carry heavy loads for long distances, making escape difficult, especially for younger children who could not trace their way back home. Children were later used by many of the

armed factions to work in the diamond mines under the most appalling, backbreaking conditions. Children generally worked in conditions that were extremely violent and where the slightest mistake was severely punished, often resulting in death.

Sexual Violations against Children

(Rape, sexual slavery and sexual abuse)

All of the armed forces perpetrated rape, sexual slavery and sexual violence. The most targeted age range for this violation comprised girls and women aged between 10 and 25 years.

During the conflict, girls were subjected to indiscriminate rape. The circumstances of rape depended on the **whim** or mood of the perpetrator. Girls were not only viciously raped, but also suffered further violations and harm by having objects such as sticks, bayonets, pepper and burning coals inserted into their vaginas by wicked perpetrators. In many instances this kind of rape led to their deaths or permanent vaginal and **uterine** injuries.

Most girls abducted by the RUF and the AFRC were forced by their captors to be "sexual slaves". Armed combatants would be assigned a woman who had been captured to use for the purposes of sex. These girls were compelled to be available to their captors for sex. As the following testimony indicates, sexual slaves had to be available to all:

"On our arrival we were assigned to the wives of commanders and later given to commanders or fighters to be their "bush wives". As a bush wife, my duties were to provide for him anything he requested, including sex at any time of the day. I was used as a sex slave for each commander when they came to our camp, especially because my bush husband was not a senior commander. I was with them for six years."

A major characteristic of sexual violence in Sierra Leone, including rape, has been the systematic breaking of all taboos by the perpetrators. They have respected neither age nor custom. Many of the children raped and taken as sex slaves were not even in their teens and had not begun menstruating. Acts of rape and sexual violence were often carried out in the presence of helpless family members, who in turn were forced to watch. In other instances, family members were forced to commit such acts again on one another.

Amputation

The RUF and the AFRC became notorious for carrying out amputations, which became their gruesome trademark. Neither of these perpetrator groups paid any heed to the age or gender of their victims, as even the hands and limbs of young children and babies were hacked off .The youngest baby amputee recorded on the Commission's database was only four months old. Amputation has had a significant impact on its victims, affecting them physically, psychologically and economically.







Branding

Branding was another form of abuse inflicted by the fighting forces on the children of Sierra Leone. The acronyms of the armed factions, most commonly in forms such as "RUF", "AFRC" and "Ex-SLA", were branded or carved on children's bodies, including their chests, foreheads, arms and backs. A major problem for many children after the war was the stigma attached to their being marked in this way.

Torture and Killing

Children were subjected to both mental and physical torture during the conflict. Severe beatings and punishment were inflicted on them, resulting in both external and internal injuries, permanent disability and in some cases death. They were forced to eat human excrement, drink human blood and participate in forced cannibalism.

A victim of this aberration testified to the Commission:

"I was at Mordavies with my father... I was sitting in front of the house when I saw a lot of people coming led by my father's brother Usman Kamara... I was then tied together with my father... they took a stone and hit the face of my father and he was then killed and they removed his blood and put it in a cup and said 'drink this blood or else we will kill you'. So I have no alternative but to drink the blood..."

Children also suffered psychological torture from the many atrocities they witnessed and were themselves forced to commit. Driven often into being the perpetrators, many of them have been damaged almost permanently and will need long-term therapy to help them heal.

Forced Drugging

Children were forced into taking drugs, particularly before the onset of a battle or an attack. Testimony confirms that almost all of the commanders in most of the armed factions ensured that children were continuously drugged to keep control of them:

"...At the age of six, Commander Gbondema took me to Camp Zogoda for training. After my pagging out I began to go to the front. Pefero I was gent on the front. C.O.

ter my passing out, I began to go to the front... Before I was sent on the front, C.O Gbondema used to inject me with cocaine on my forehead; he also gave me marijuana and alcohol to drink..."

Drugs were administered to child soldiers in various ways. They could be smoked or added into food without the child's knowledge. Various substances were snorted, injected or drunk. Cocaine was administered by interfusion, which entails cutting open the skin and placing the drug into the flesh wound. Heroin was smoked and snorted. Other drugs such as pills were forced down children's throats. Even gunpowder was administered to children, by mixing it into their food or through cuts made in their skin.

While drugs were initially administered to children by force, it is quite likely that the situation changed later on in the conflict. Many children began taking drugs voluntarily, as a matter of habit or dependency.

The Commission finds that all of the armed factions deliberately pursued a policy of forcibly administering drugs to children to spur them on to commit gross human rights violations and to participate in the conflict without fear. The Commission finds further that many of the children committed the most heinous violations while under the influence of drugs.

Children as "Victim-Perpetrators"

In their roles as perpetrators, children became direct participants in the conflict and were involved in all aspects of modern warfare, ranging from serving as human shields, spies, messengers and porters to wielding guns as soldiers on the frontlines and commandos in the jungles of the countryside. Initially, they had to be coerced into committing abuses but soon many of them began to initiate shocking atrocities without having to be compelled to do so. After being absorbed into an armed faction, children often behaved absolutely without fear or reservation. Living in the violent reality of conflict soon deadened their senses, which were already damaged by continued drug abuse.

Child perpetrators carried out many of the same human rights violations to which they themselves had been subjected. Most children were forced to carry out violations or become the victims of violations. Their physical size and their incredible vulnerability made them succumb quite easily. Peer pressure also played a major part in the violations committed by children.

Impact of the Conflict on Children

The wanton violence was most detrimental to children. They were not able to escape the most devastating negative effects of conflict. They found themselves assuming centre stage as both victims and perpetrators.

Children have been affected at all levels – in the fields of education and health, as well as in the socio-economic and political spheres. Children lost the opportunity to enjoy their childhood. At a time when they should have been playing and having fun, they were handling guns and were forced to endure the most awful violence. Their experiences have left both mental and physical scars. Regrettably, many children do not have access to social and economic resources that could possibly assist them to deal with their lives and heal the scars of the past.

Economic

The involvement of children in aggressive economic activities such as street trading, mining, domestic servitude and commercial sex is disturbing and impacts negatively on their rights to enjoy their childhood and have access to education. Not being educated will affect them dramatically in the future because it will determine their future livelihoods.

Health

The impact of the conflict on the health of children has been even greater than that on

adults' health because of the innate vulnerability of children. Malnutrition was wide-spread and continues to be a problem because it contributes significantly to the high infant mortality rates in the country. Given the impact of the conflict on the economy, poor families are finding it difficult to access basic health care for themselves and their children.

The war has affected both the physical and psychosocial health of children. Physically some children were injured in the war with guns, knives, axes and similar weapons. Of particular importance in this category are those children who suffered mutilations at the hands of the armed groups. Some of these children presently experience pain and other general discomfort to the extent that some of them might need help for the rest of their lives.

The psycho-social effects of the conflict have had a definitive impact on the children. Their experiences have impacted negatively on their mind, leading to severe emotional and psychological suffering. The effects of their experiences are far-reaching and long-term and will require careful psycho-social support to help heal them. The overall development of the children of Sierra Leone has been affected and will need major intervention if they are to take their rightful place in the world.

The consequences of the systematic sexual violations that girls suffered in Sierra Leone include trauma, unwanted pregnancies and abortions, the contraction of deadly diseases, physical and internal injuries, and miscarriages. In addition most girls also have to face stigmatisation in their own communities.

According to the only psychiatrist in Sierra Leone, drug abuse in the country is out of control, to the point that he considers it a medical emergency. Children between the ages of 17 and 18 are worst affected. Drug abuse has affected most children in the country, whether directly or indirectly, in an entirely negative way during and since the conflict.

Socio-cultural

An example of the socio-cultural impact on children lies in the experiences of this exchild combatant, who was rejected by his father on his attempted return to the family in Freetown:

"When I came to Freetown, I tried to stay with my father... he rejected me and now I am staying in the streets. He said that he is no longer my father because I was a rebel... I tried to explain to him that it was not my fault... but he would not listen to me. I am now a chain smoker... I smoke cigarettes, cannabis sativa and have sex with prostitutes everyday... I even drink alcohol."

Alongside these rejected children are abandoned, orphaned, unaccompanied and separated children, a situation which has resulted in a dramatic rise in the number of street children in the country. These children are mostly engaged in commercial ac-

tivities and petty crime. Life for them on the streets is unimaginably hard, continuously hazardous and prone to exploitation. The younger ones and the girls suffer from physical, sexual and psychological abuse. Children can be seen begging and hawking in the streets of Freetown and the provincial towns. Such activities, in the case of girls, create a pathway to involvement in other practices such as the sex trade. Life on the streets can also lead children to engagement in other forms of destructive behaviour, such as drug and substance abuse, criminal activity and confrontation with law enforcement officials.

Education

The conflict fuelled the decline and disarray of what was already a **dysfunctional** education system. The destruction caused by the conflict, particularly across the provinces, has resulted in an inability to provide adequate school premises and facilities for children.

The devastation of the economy has virtually wiped out the earning and spending power of the average parents. As such, children of school age were not able to attend school immediately after the conflict even where such areas were liberated. Currently there are thousands of children who are still unable to attend school for a variety of reasons.

Interventions In Respect Of Children Affected By the Conflict State Actors

The major state actors are the Nationl Commission for Disarmament, Demobilisation and Reintegration (NCDDR), the National Commission for War-affected Children (NACWAC), the Children's Forum Network (CFN) and the Government.

The Disarmament, Demobilisation and Reintegration Commission, provided war-affected children below the age of 15 with services such as family tracing, psychosocial counselling, basic health care and, where possible, fostering and/or reunification. After reunification with their families or fostering, they were integrated into formal educational projects. Those between the ages of 15 and 17 were put in "group homes" or allowed independent living. They were provided with skills training under the NCDDR's Training and Employment Programme. At the end of their training, start-up kits were distributed to them. In addition, referral and counselling services were provided.

NACWAC's major thrust is centred on Advocacy and the Voice of Children, Policy and Institutional Links and Mechanisms for Children's Empowerment.

The CFN works on children's advocacy in Sierra Leone. Its members maintain a strong and influential voice on issues affecting children. The organisation ensures children's participation in national activities as is spelt out in the Convention on the Rights of the Child. Members of CFN were instrumental in producing the child-friendly TRC report.

The Government and other agencies have been at the forefront of the rehabilitation efforts in the education sector during and since the conflict. The Government worked together with the UN, the World Bank and its NGO partners to conceive a variety of education projects. One such programme is the World Bank project on the Rehabilitation of Basic Education. To encourage more access to education and to increase literacy levels, the Government has initiated a programme of free education for all children at primary level and subsidies towards examination fees. The Government has also been paying the school fees of all girls in Junior Secondary Class One who passed exams in the Eastern and Northern regions since September 2003. Finally, teaching and learning materials, including furniture and textbooks, are now being provided to all government and government-assisted schools.

The Complimentary Rapid Education for Primary Schools (CREPS) project, which started in Lungi in 2000, was meant to cater for displaced children and ex-child combatants who had missed out on formal primary education for different periods on account of the conflict.

Many donor agencies and NGOs were also involved in the provision of skills training for children, including World Vision, Caritas Makeni, Christian Brothers, Cooperazion Internazionale (COOPI), FAWE and the International Rescue Committee (IRC). While they ran programmes of their own, many such agencies also served as implementing partners for projects led by NCDDR, UNICEF and others.

Non-state Actors

UNICEF has been the lead agency in Sierra Leone working with children in all circumstances and collaborating with NGOs and the Ministry of Gender, Social Welfare and Children's Affairs. It has positioned itself as an advocate for the rights of children and as a conduit through which to deliver services for the fulfilment of these rights. UNICEF has always played a significant role in children's development and has been supporting the Government to plan, implement and monitor programmes relating to children.

The activity of the UNAMSIL is specifically in the fields of child protection and child rights issues. The child protection office has included the "mainstreaming" of child protection issues throughout UNAMSIL

Recommendations

Considering the negative impact of the war on children, the Commission made the following key recommendations:

The Child Rights Bill, incorporating the provisions of the Convention on the Rights of the Child should be passed into legislation as a matter of urgency.

The Law Commission should commence a review of all legislation with a view to determining whether the rights of children have been taken into account and in particular, whether such legislation is in accordance with the convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child.

The Children's Forum Network, an advocacy group run by children, will enable the Commission to hear and listen to the voices of Sierra Leone's children on their experiences in the civil war.

The Ministry of Social Welfare, Gender and Children's Affairs should work towards providing facilities and resources for the CFN to operate at national, provincial and local levels.

The Government should enact legislation that would make it a criminal offence to have sexual relations with a child under the age of 16. Sex with children under the age of 16 should constitute the offence of statutory rape.

No "hidden charges" or "chalk fees" should be levied against parents. Free primary school education must mean free in every sense of the word.

The Government should work towards the creation of incentives to encourage children of school age to attend secondary school.

The Law Commission should draft a law criminalising trafficking and the sexual exploitation of children. This law should accord with the Convention on the Rights of the Child and optional protocol on the sale of children, child prostitution and child pornography.

CONCLUSION

Children deserve to be the single greatest priority for Sierra Leone. Notwithstanding the sterling efforts of UNICEF and the local and international agencies that form part of the Child Protection Network, a great deal still remains to be done to alleviate the problems children face and to assist in their development.

EXERCISES

- Share some frightening experiences you had during the war with the rest of the class. You will be asked questions about how you felt during those experiences and how you coped with your fears. At home, ask your older relatives about their own frightening experiences and how they coped.
- 2. What is a traumatic experience? What helped you to cope with the traumatic experiences you had? What situations made them difficult for you to overcome? If you have had none, interview someone who has and find out how they coped.
- 3. Of the recommendations above choose the three most important to you and give your reasons. Suggest ways in which Government can implement them.

Chapter 7

YOUTH

In Sierra Leone, the youth is the lifeblood of the nation. Every Sierra Leonean between the ages of 18 and 35 years old is considered to be a youth. According to a government paper of 2003, youths make up forty-five percent of the country's population.

During the conflict, youths were both victims and perpetrators of human rights violations on a massive scale. Testimonies received by the TRC indicated that the majority of participants in the war were youths, many of them forcibly recruited while they were children. Others joined of their own free will, either in protest against the social and political ills of the day, or in the name of defending their communities.

All those who took part in the war lost their youth to a career of fighting and violence. Now we all have to work together to reclaim this "lost generation".

The "youth question" is central to lasting peace and development in Sierra Leone. The main elements of the "youth question" are how to respond to the challenges created by misguided youths in the past and how to restore youths as productive members of their communities. By examining youth participation in the war, the TRC has been able to make detailed recommendations to address the "youth question".

Youth Categories and Violence

Youth in Sierra Leone can be roughly divided into two categories: **mainstream** youths and **marginalised** youths. These categories can be further sub-divided to take into account the geographical locations of youths and the characteristics that go with those locations. Thus there are mainstream urban youths and mainstream rural youths. The same distinction can also be made for marginalised youths.

The defining characteristic of mainstream urban youths has always been their access to formal, western-type education. They belong to the world of the law abiding – those who play by the rules. Rural mainstream youths equally abide by long-standing traditions. For instance they respect their elders and work diligently on the farms.

n Freetown before the conflict, there was a particular category of marginalised youths, predominantly males, who were referred to as *rarray man dem*. They were prone to violence and other anti-social behaviour such as drug dealing, petty theft and riotous conduct. They lived on the margins and were alienated from mainstream society.

The violence of marginalised youths was first used for political purposes during a set of by-elections in 1969-1970. The ruling APC party rallied soldiers, the police and *rarray man dem* to intimidate members of the opposition SLPP. The *rarray man dem* were transformed into "thugs". In the common parlance of Sierra Leone at the time, "thugs" meant youths who were made to carry out political violence.

The word "youth" became a synonym for an unemployed young person who was vulnerable to manipulation. Youths were considered to be supporting troops for political parties.

In the provinces, marginalised youths were known as "san san boys" and "nji-ahungbia ngornga". San san boys were marginalised youths who could be found eking out a living in the "sandpits" of the diamond mines. Most of them would never fulfill their dreams of becoming wealthy through diamonds. They would instead become easy prey as recruits for the spread of state and counter-state violence.

"Njiahungbia ngornga" is a Mende phrase to describe unruly youth. This group included semi-literate youths in the provinces who loathed traditional structures and values. When rebel forces entered Sierra Leone, many youths in this group saw the war as a chance to settle local scores and reverse the unfriendly rural social order in their favour.

The Increasing Marginalisation of Youths and the Union of Educated and Uneducated Youths

The stagnant economy under the APC Government of the 1970s and 1980s meant that even well-educated youths struggled to find employment. College graduates found themselves exposed to the same harsh economic realities that had long been experienced by the marginalised urban youth without education.

The similar material conditions of educated (mainstream) and uneducated (marginalised) youths meant that that they gradually adopted similar lifestyles and views of the world. Many of the educated youths who could not find jobs started frequenting the **potes** of Freetown and taking on the habits of the marginalised youth.

These educated youths who went to the *potes* were frowned upon by mainstream society, but their social status increased among their uneducated peers. The peddling of drugs became a form of full-time employment for many youths. University students also joined the drift to the *potes*. Student activists began establishing *potes* on their campuses and the drug culture became a mark of **radicalism** and non-conformity across society.

Student Demonstrations in the 1970s and 1980s and the Growth of Revolutionary Thinking

Many student leaders of the 1970s and 1980s were conversant with theories of liberation. Their discussion groups on campus often featured quotes from revolutionaries like Kwame Nkrumah, Marcus Garvey and Fidel Castro. Another significant factor was the presence of refugees from Zimbabwe, South Africa and Namibia on almost all college campuses. Their experiences as freedom fighters made them influential in student circles and they occupied leadership positions in some student union executives. Student thinking and the campus climate were ripe for protest action against an oppressive Government.

The students' first direct confrontation with the APC came in 1977. President Stevens attended the annual university convocation ceremony and was humiliated while delivering his speech. The APC organised a counter-demonstration involving *rarray man dem* led by a man named Kemoh Fadika. Supported by the armed Special Security Unit (SSD), Fadika and his fellow youths were brought in to flog, rape and brutalise students.

The government's backlash, along with the arrest of the popular student leader, Hindolo Trye, led to a nationwide demonstration by students in February 1977. The student protests, planned and led by radical students, received broad public support and forced President Stevens to make certain concessions, such as calling earlier an general election.

A host of well-organised radical groups and study clubs began to emerge on university and college campuses in the 1980s. These included: the Green Book study club, which promoted the Libyan President Ghaddafi's ideas of revolutionary mass participation; the Pan-African Union, or PANAFU, which called for a popular movement; and the Socialist Club. Unlike other campus clubs, PANAFU brought various categories of youth together and sought to educate its members about apartheid in South Africa and neo-colonialism on the African continent. PANAFU operated outside the campuses and had revolutionary "cells" in central and eastern Freetown.

In 1985, Alie Kabba, a keen member of several radical clubs, won the election to become president of FBC student union. The student leadership was in constant disagreement with the university authorities and the Government, who perceived Kabba as a rebellious trouble-maker.

In April 1985, students staged a demonstration across Freetown and brought their disagreement with the authorities to a climax. Forty-one FBC students were banned from registering back at college, among them Alie Kabba. The student union protested against this decision but Kabba and his colleagues were expelled.

Some of the expelled students eventually found their way to Ghana and gained admission into the University of Legon in Accra. From his base in Ghana, Alie Kabba made frequent visits to Guinea and Libya and was also a regular visitor to the People's Bureau (as the Libyan embassy was called) in Accra.

The Different Paths taken by Youths into the Conflict

The exiled students made contact with PANAFU in Freetown and raised the idea of sending members of PANAFU revolutionary "cells" to go on training programmes in Libya. The training would involve "self-defence" techniques as well as the teaching of **ideology**. The first four trainees left for Libya during the rainy season of 1987.

By the time the first trainees returned in 1988, leading members of PANAFU were no longer committed to the revolutionary project. The movement split into several groups,

most of them turning their attentions elsewhere. One group went underground, however, and continued to send new batches of trainees to Libya. Their recruits were mainly marginalised youths from the city.

During the time of the training in Libya, many of the youths began to disagree about their paths and their purposes. Sierra Leone's original student revolutionaries realised they had little in common with some of their countrymen who trained on the camps near Tripoli. Alie Kabba and Cleo Hancilles, the two ideological driving forces, grew wary of the direction their project had assumed and decided to opt out.

It was at this point that Foday Sankoh stepped in to become a leader. He was an older, more militant man who had once been a soldier in the Sierra Leone Army. In Libya, Sankoh met Charles Taylor, the leader of the Liberian trainees on the camp. The two men forged a joint plan to launch wars in their respective countries, beginning in Liberia and moving into Sierra Leone.

From the moment when Sankoh and Taylor joined forces, the course of the "revolution" – and with it the destiny of the sub-region's youth – changed for the worse and could never be turned back. When the armed rebellion reached Sierra Leone, most of the youths who joined the RUF, either willingly or unwillingly, were marginalised rural youths.

Some of the youths who joined willingly were won over by the powerful but simplistic statements made by the leaders of the RUF movement. They believed that their involvement would help to reform "the system" that had oppressed them for so long. Large numbers of these 'willing revolutionaries' testified to the TRC about their experiences before the conflict and their reasons for joining the RUF.

The typical 'wiling revolutionary' was a young man who had come from a lower-class background of abject poverty. His parents had not enjoyed any favour or good fortune under the APC, despite often having worked hard in the agricultural sector. He had nonetheless been able to get enough education to perceive some of the blatant injustices to which he was being subjected. So at the point the RUF found him, he had lost all social bearing and was open to the option of taking up arms.

A common factor in many of the stories told by 'willing revolutionaries' was that they were ultimately convinced to join the RUF when they heard a public speech by Foday Sankoh or one of his RUF compatriots. One youth described the impact of a speech by Foday Sankoh in the following terms:

"What Sankoh said was what really encouraged me to stay with the RUF for a long time – his argument was really convincing. He said that we were being deprived of most of our rights by the APC; that our best people were dying and going into exile. He mentioned so many Sierra Leoneans who had been killed by the APC. He started to explain the misappropriation and mismanagement of our national resources. It was

not just diamonds that would build Sierra Leone, but all the land resources, the fishing and the agriculture. Sierra Leone has a lot to boast of, but what was the benefit of those resources to us? What does the average man have to show for it?

Pa Sankoh kept coming back to the point that Sierra Leoneans were being deprived of their legal rights. People's power was being snatched from them. He explained about the 1978 referendum – that it was a strategy by the APC to monopolise power – which he was not at all happy with. He said that at least there should be multi-partyism in the country. His idea was really to establish a system of two or three parties in the country that would obviously monitor the activities of the ruling party. That would give us a chance for transparency.

Pa Sankoh's talks were really impressive and very convincing. He was well aware of the history and the traditions of this country and all of its problems. When he talked, the message of the RUF was clear and, I would say, consistent. He talked about so much bad governance in the past regimes; how politicians were manipulating the people – through tribal politics, sectional politics and party politics. He said that unless we bridge the gap between the North and the South, we can never establish national unity. We should not base our political ideas on personal sentiments – let us look instead at national development. Let us change our views of this nation. Tribal politics, sectional politics and party politics cannot help us to unify. And without unity we can never achieve progress.

One thing I found out was that Pa Sankoh had a huge amount of national pride. He was so instrumental in mobilising the youth and in the whole RUF movement.

This kind of talk helped me to get my own ideas clear in my head. The way I saw it now, the war was not against the people, it was against the system. It was a direct confrontation against the very system that was depriving us. Wherever RUF could take control of a place, the civilians in that place would be liberated. Pa Sankoh had told us that the people are the ones who should hold the power in Sierra Leone. I saw that the RUF was just the tool to fight and restore the power back to the people.

When I began to understand all of this – when I knew the motivations and the ideology of an RUF fighter – I was very adamant that I wanted to join up with my brothers. And when I did join them, I knew that I would be proud to call myself an RUF fighter."

Through its discussions with RUF fighters like this one, the TRC gained plenty of evidence that Foday Sankoh was quite skilful at exploiting the legacies of bad governance by successive Governments in this country. This direct link with the war demonstrates the importance of bad governance, corruption, all forms of discrimination and the marginalisation of certain sectors of society among the causes of conflict in Sierra Leone.

Whether by choice or against their will, nearly all the recruits soon adopted forms of

behaviour that were familiar to marginalised youths – drug addiction and violence. Involvement in the RUF rebellion was itself an experience that alienated and marginalised youths from society.

The involvement of youth in the conflict became much more complicated in April 1992 when a band of young soldiers in the Sierra Leone Army overthrew the APC in a coup. They formed a military junta known as the NPRC. In an attempt to counter the rebels at the warfront, the NPRC recruited thousands of marginalised urban youths into the Army. So by 1992, almost the entire combatant population consisted of youths, on both sides of the battle.

Fighting in the war presented a possible way for youths to break out of their despair and transform their lives. They were quick to achieve what they considered "progress": they grabbed "wealth" and "status" that they would never otherwise have accessed.

More youths joined the war when they saw how "profitable" the experience had proved for others. Instead of suffering long periods of unemployment, they looted money and goods. Rather than possessing no stake in society, no property and no hope for the future, they became "commandos" who could acquire guns, sex, food and drugs at their will. The risk of going to war was very low because most of them had nothing to lose. War empowered them. Inevitably, such youths began to think that the longer the war went on, the more they would personally benefit. Across all factions youths were the ones who most resisted efforts to end the war.

How Different Categories of Youths Re-converged during the Conflict

In the course of the violence against the State, different categories of youths came back together, or re-converged. The youths who came together were mainly uneducated and marginalised youths who had joined the RUF or the Army. Those in the Army were mostly marginalised urban youths, while those in the RUF were mostly rural youths. The war was a reason for the paths of all these groups to cross: rarrayman dem; upline savis man dem; san san boys; and njiahungbia ngornga.

In some people's minds, the term "sobel" best captures the way in which youths came together in the conflict, because soldiers behaved like rebels, and vice versa. When the AFRC regime was joined by the RUF in May 1997, many people suspected that it reflected years of collaboration between the two factions at the battlefront. However it was only when they fought together that the two factions really appreciated how similar they were in their composition.

How Youths were used in Community Self-Defence

In the mid to late 1990s, civilian communities largely lost faith in the national army and sponsored their own youths to defend them. Eventually the different self-defence units were formed into a militia network called the CDF, dominated by Kamajors from the south and east of the country.

For many youths, joining the Kamajors was a way to earn respect and honour. Others simply heeded the call of their elders to be initiated. Others said they joined the Kamajors to defend their people from soldiers and the RUF.

The self-defence militias had started as a reaction to the abuses of the RUF and government soldiers. As the war progressed, though, the CDF was transformed into much more than a community defence force. This was particularly the case after the 1997 AFRC coup, when the CDF became an armed force dedicated to the restoration of the SLPP government.

As tensions flared, many Kamajor members learned to use the war for private gain. Although they were under oaths, taboos and a code of conduct that forbade them from engaging in certain acts, they nonetheless looted, raped, killed innocent civilians and conscripted children into their ranks.

The Impact of the Conflict on Youth

Instead of easing the neglect. oppression and marginalisation that were the prime causes of the war, the eleven years of conflict have actually made worse the problems faced by youths. War had entirely negative consequences on youth development. Many youths have been left even more disillusioned and frustrated.

Youths and education

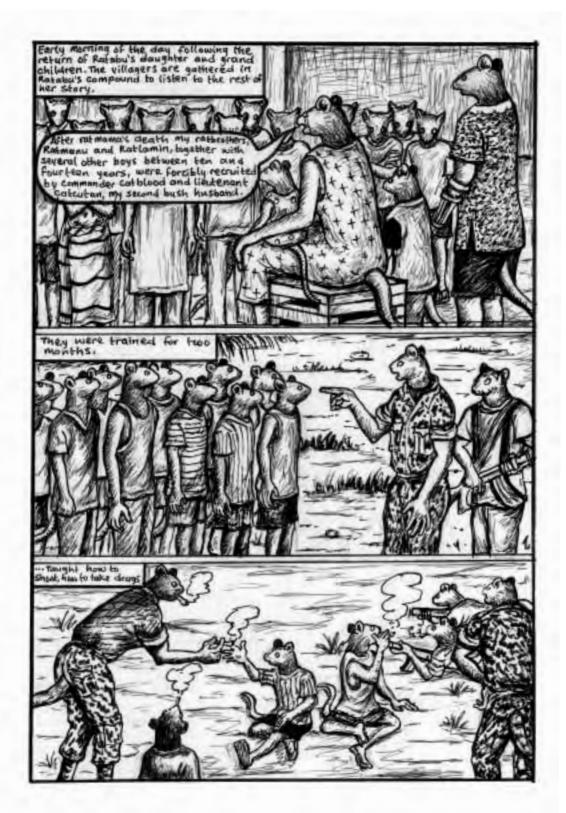
A whole generation of youths lost the chance to advance their education, which is so vital to improving their status. Displacement of the population led to a massive drop in the standard of education and a rise in the rate of illiteracy. In post-conflict Sierra Leone many youths who lost out because of the war believe they are now too old to return to school. They are destined to remain unskilled, unemployed and, in many cases, unemployable. These youths can be seen all over the country, many of them begging and stealing in order to survive.

Psycho-social effects of the conflict

Many youths were treated brutally and transformed into killing machines. They have been deprived of the positive aspects of their youth. Some young people were abducted as children and stayed with their captors throughout the eleven-year conflict. Many others lost parents and people who looked after them. In general, youths have very few ties of affection, intimacy and emotional support to give them stability. They are therefore vulnerable to emotional and psychological insecurity.

Drugs

Before the war, drug use among youths was restricted to cannabis. During the war, they were introduced to more dangerous drugs such as cocaine and heroin. There has been a dramatic increase in the numbers of young drug-takers and the types of drugs they become addicted to.









Loss of civic and social skills

The breakdown of communities during the conflict denied youths the chance to develop civic or social skills. Those in the fighting forces were initiated into a life of burning, looting and killing. They do not possess peacetime skills and are finding it difficult to accept and comply with authority.

Young refugees also had their lives disrupted. Many among them lack the social, civic and economic skills to settled into a disciplined peacetime life.

Youths have been used to violence as a means of resolving problems. Many still hold onto the belief that they should resort to violence to get what they need. They have been used to harming their fellow Sierra Leoneans without having to face any consequences.

Limited livelihood skills and Unemployment

The range of economic opportunities available to youths has been restricted because so much of the infrastructure has been destroyed. When families were displaced, they abandoned their farms and other commercial activities and found them in ruins on their return. Youths who were always on the run or in the fight do not possess productive skills earn a living in a rural or an urban setting. Many of them are at a loss as to how to rebuild their shattered livelihoods after the conflict.

Unemployment among the youth remains perhaps the biggest problem of all. The economy was destroyed during the ten-year conflict and as a result few jobs are available. Even where jobs are available, many youths do not have the required skills. Every year hundreds of young people graduate from the university and have to scrounge and scramble for the very few jobs on offer. Ex-combatants who have learnt new skills cannot find a way to put them to good use and are eking out a living as petty traders. Many youths sit around in the streets and motor parks, idling their time away.

What Efforts are being made to address the Youth Question after the War? Ministry of Youth and Sports

At the end of the conflict the government decided to give prominence to the youth question. The government split up the former Ministry of Education, Youth and Sports because the education component was dwarfing the other components. A separate Ministry with specific responsibilities for Youth and Sports was created in 2002.

One initiative of the new Ministry was the publishing of the Sierra Leone National Youth Policy in July 2003. The government hopes to use this policy to empower youths, not only to make them responsible citizens but also as an investment in Sierra Leone's future.

Although the youth question has been declared as a priority, it is still very difficult to translate policy papers and public speeches into practical impact. Without concrete results that they can see and feel for themselves, the youth are still marginalised.

The National Committee for Disarmament, Demobilisation and Reintegration (NCDDR)

After **disarmament and demobilisation** was completed, many ex-combatants received support to help them reintegrate into society. The goal was to provide them with an alternative to their fighting life and to make up for the time lost in the bush.

More than 7,000 ex-combatants were placed in the formal education system at secondary, tertiary and technical vocational levels. Many others were taught trades and skills. Some youths are using their new skills to help rebuild their communities, which in turn promotes the reconciliation and reintegration aspects of the programme.

The NCDDR programme has not turned out to be the answer to the youth question, however. The poor state of the country's economy has prevented many youths from translating their skills into jobs. Many ex-combatants left the programmes without enough training or the necessary discipline to apply what they had learned. Many public transport users regard ex-combatants who qualified as drivers, the so-called "DDR drivers", as highly undisciplined.

Non-governmental organisations (NGOs)

Many NGOs sprang up in response to the acute humanitarian crisis in the country. Through education, sensitisation and awareness-raising programmes, they have been able to reach out to a wide cross-section of people across the country. Ex-combatants and non-combatant youth alike have benefited from a wide range of assistance and programmes. Indeed, a whole new sector of the NGO community has evolved around the youth question.

Recommendations

The TRC recommends the following:

A National Youth Commission should spearhead public-private partnerships involving youth in different sectors of the economy, including tourism, agriculture, fisheries, housing and mining. Industrial sites and service centres should be set aside for initiatives to provide employment opportunities for youth.

A National Youth Commission should be given the ability to raise funds locally and internationally. It should be able to work meaningfully with fund-raising agencies and it should co-ordinate the activities of NGOs working on the youth question.

A "state of the youth" report should be tabled before parliament every year. Such a report should provide an overview of the state of the youth.

Political space should be opened up so that youth can become involved in governance and in decision-making processes. Youth must have a stake in governance.

All political parties should be required to ensure that at least 10% of their candidates

for all public elections are youths. This includes national elections, local government and district council elections. Legislation should be enacted to make this a legal requirement and it should be enforced by the National Electoral Commission.

Youths should at the same time be encouraged to develop more political responsibility. There should be Youth Committees at Chiefdom, District and Regional levels. The Regional Committees would send representatives to the National Youth Conference that would elect members to a National Youth Committee.

Such initiatives would structure youth participation in public affairs and provide a training ground for tomorrow's leaders.

Addressing the youth question properly means providing the skills to youths to take part productively in the economy. It also means encouraging the right attitudes. Youths themselves should be given a more central role in planning and implementing youth policies and programmes.

Youth need to be encouraged to demonstrate leadership and responsibility. It is in everyone's interests, young and old, that Sierra Leone's youth should come closer to finding its rightful place in society.

EXERCISES

- 1. Reflect on the testimony of the 'willing revolutionary' in this chapter. Write down three reasons why willing revolutionaries joined the RUF. Do you find these reasons significant? Do you find these reasons convincing?
- 2. You come across a group of youths who are desperate to change the present political and social situation in Sierra Leone. They are prepared to resort to violence because they don't see any other way out. From your knowledge of the war, what advice would you give them?
- 3. Write a song or a poem about the problems of youths in Sierra Leone (before, during and after the war).

Chapter 8

RECONCILING THE PAST AND LOOKING TO THE FUTURE

The TRC made a range of recommendations to achieve the objectives set out in its mandate. Among the recommendations are measures designed to:

- prevent the repetition of the violations and abuses suffered;
- respond to the needs of the victims; and
- promote healing and reconciliation.

The TRC was not directly instructed to address "**reparations**", but it did have to "address the needs of the victims" and "restore human dignity," as well as promoteing healing and reconciliation. The TRC decided that one way of meeting these objectives effectively would be to recommend reparations for some of the groups who had suffered most during the conflict.

Reparations

Reparations are a form of compensation for people who have had a wrong done to them. They form part of the process of restorative justice, which tries to repair relationships between people and create a more fair and just society.

Reparations can take many forms including efforts at rehabilitation, monetary compensation, establishment of the truth, restoration of dignity, and improving the quality of life of those who have suffered harm.

Reparations have the potential to create the conditions necessary for reconciliation. They build back civic trust and people's sense of a stake in the nation. They help to overcome the divisions of the past, which in turns forms a crucial step towards peaceful co-existence and the avoidance of future conflict.

The TRC reparations programme tries to include both material and symbolic reparations. Material reparations provide social service packages to individuals, such as health care and surgery, pensions, educational assistance, micro-credit projects and skills training. They help to develop existing governmental institutions and programmes, so that they have an impact on the wider community in the long term.

Symbolic reparations provide ways of acknowledging and remembering the past and the harm done to victims. They try to help victims to move on, whilst still remembering what happened and reminding society that it must never happen again. Symbolic reparations include measures to show respect for the victims, like **exhumations**, proper burials, the laying of tombstones, national memorial services, the pouring of libations, traditional ceremonies and the creation of appropriate memorials.

Certain categories of people who suffered injuries between 23 March 1991 and 1 March

2002 are intended to benefit from the TRC recommendations programme. The main groups who should receive assistance are amputees, other war wounded, victims of sexual violence, children and war widows.

Guiding Principles for TRC Reparations

The TRC learned about the main needs of the victims by listening to many of the victims themselves, as well as the organisations working with them. The TRC also considered how other truth commissions had structured their reparations programmes, The reparations of the Sierra Leone TRC are designed to reduce **dependency**, empower and rehabilitate victims and help them to reintegrate in their original communities where possible.

Guiding Principles for Putting TRC Reparations into Practice

Reparations are mainly the responsibility of the government. The Government should not pass on or delegate its responsibility to other potential sources of assistance, such as the international community.

The people eligible to benefit from reparations must be identified and registered with the utmost care. Structures that have already proven their administrative effectiveness should be drawn on as much as possible.

The Components of the TRC Reparations Programme

The reparations recommended by the TRC include free health care, monthly pensions, free education, skills training to match the needs of the market and micro-credit projects for groups and associations. TRC reparations also cover community and symbolic reparations.

Since government participation is key to the success of any reparations programme, the Government of Sierra Leone has been asked to finance the TRC reparations. The Government is recommended to seek outside financial or donor support to help it implement the programme, especially from countries who contributed to the war in Sierra Leone.

The Monuments and Relics Commission will co-ordinate the implementation of symbolic reparations such as public apologies and the setting up of memorials.

Implementing body and the Special Fund for War Victims

The TRC recommends the National Commission for Social Action (NaCSA) as the "implementing body" for the reparations programme. NaCSA's mandate in the country should be extended beyond 2008 in order to allow it to fulfil this role.

The TRC makes specific recommendations that contributions, financial or otherwise, should be provided to a Special Fund for War Victims from sources such as:

- the Government of Sierra Leone;
- · a reparations or peace tax;

- support from foreign governments and donors;
- the assets of convicted criminals, seized from their bank accounts or investments;
 and
- perpetrators, who can make "**in-kind contributions**" by giving free labour for the benefit of their communities and assisting in the re-building process.

RECONCILIATION

"Reconciliation" refers to the ending of a conflict and the renewing of friendly relationships between disputing people or groups. It is an ongoing process that must be nurtured and promoted.

The TRC recognised that the notion of restorative justice offers the potential for reconciliation. Restorative justice focuses on restoring relations, as far as possible, between victims and perpetrators, or between perpetrators and the communities to which they belong. The TRC took the view that reconciliation has many components: national reconciliation, community reconciliation, and reconciliation between individuals at an inter-personal level.

National Reconciliation

Reconciliation on the national level begins with an immediate end to the armed conflict and the return of the country to peace. There must be political compromises between former enemies so that they can find ways of governing the country together and building a stable economy. National reconciliation also requires that everyone works towards ensuring that no new conflict occurs.

Community reconciliation

Community reconciliation can occur between individuals and groups on many different levels. Reconciliation in communities is based on understanding and sharing experiences and by helping community members to accept the wrongdoing that has taken place.

One important part of community reconciliation can be the return of perpetrators to their communities. Elders, religious leaders and chiefs can acknowledge the wrong-doing symbolically on behalf of all the community, thus allowing the perpetrator to come back home. The wider community should be asked to give its approval and support in such a process to make reconciliation work in the long term.

The TRC placed a lot of emphasis on community-based reconciliation. It organised reconciliation ceremonies at the end of each set of public hearings and held a minute of silence every day as a mark of respect to the dead. The TRC also established monuments and organised common prayers at mass graves. These activities proved to be important not only for the individuals concerned, but also for the community as a whole. The TRC laid the foundation for future reconciliation activities in these communities.



Individual Reconciliation

At the **inter-personal level**, reconciliation takes place between two individuals. The most obvious example is reconciliation between victims and perpetrators. At the **intra-personal level**, reconciliation is deeply personal and involves one individual coming to terms with his or her past and the consequences of the conflict. Reconciliation at this level is closely related to trauma healing.

The TRC's Policy on Reconciliation

Two central principles guided the TRC in its work on reconciliation. First, wherever possible, traditional and religious leaders were asked to play a role in the process of reconciliation, to ensure that it was based on Sierra Leone's own culture, traditions and value system. Second, existing structures were used as much as possible so as not to reinvent systems that were already in place.

Traditional values and methods in the reconciliation and reintegration process All of Sierra Leone's ethnic groups have their own traditional mechanisms of resolving conflict, which can be used to deal with many of the violations committed during the war. Practices such as mediation, purification and the willingness to show remorse are in harmony with the objectives of the TRC policy and were used frequently by the

TRC during its hearings.

Traditional and religious leaders were involved at every stage, including sensitisation activities, truth telling, statement taking, the hearings, and the reconciliation initiatives. They were consulted on where monuments and memorials should be established and they joined with other community members to identify the sites of mass graves and torture chambers. They will be important figures in continuing the reconciliation process in their communities.

TRC Efforts towards Reconciliation

The TRC mostly focussed on restoring relationships between different individuals and groups. These included: a) victims and perpetrators, with each other and with the communities; and b) perpetrators with their communities. On each day of hearings, the TRC read aloud the names of all those whose death during the conflict had been talked about that day. The TRC went on to establish monuments and memorials in the towns where hearings were held or at the site of a mass grave in the district. At the end of each week of hearings, the TRC organised a reconciliation ceremony for the whole community, consisting of several symbolic acts.

To conclude its overall programme of hearings, the TRC organised a National Reconciliation March on August 6, 2003. Representatives from the security forces and the political parties offered apologies for the roles their members played during the conflict.

Lastly, the TRC made provision for its reconciliation activities to be picked up by other groups. District Reconciliation Committees were established to oversee the continuation of the TRC's work on reconciliation.

Inviting Specific Groups into the Reconciliation Process

The TRC realised that the reconciliation process could not take place without the participation of certain groups of perpetrators and victims. Special efforts were made to reach out to groups who were initially reluctant to co-operate with the TRC, including the Amputee and War Wounded Associations and many ex-combatants

Workshops on Reconciliation

The TRC staged a series of workshops to gather ideas about which kinds of activities should be developed to promote reconciliation. These suggestions are intended to guide the District Support Committees in their future work. The suggestions can be divided into various categories, which include: 1) traditional activities; 2) religious activities; 3) commemorative / symbolic activities; 4) sports; 5) cultural/artistic activities; 6) other social activities; 7) joint economic activities; and 8) activities that promote truth telling and reconciliation.

Reconciliation is unfinished business in Sierra Leone. The TRC has played a part by building on the good work of NGOs and community groups who helped children and ex-combatants to return to their home communities. The TRC has created a space for dialogue between divided communities and encounters between victims and perpetrators.

It is now left to others to move the process forward. The major **catalyst** for reconciliation should be the Government. In particular, the Government must make serious efforts to improve the material conditions of its population. Reconciliation will only be long-lasting if it is accompanied by human development. As witnesses repeatedly asked the TRC during the public hearings, "what is the value of reconciliation on an empty stomach?"

National Vision for Sierra Leone

The TRC decided to help build up a "vision" that would act as a "roadmap" towards a better future for Sierra Leone. In October 2003, the TRC issued a "Call for Contributions" to help it gather input into this "vision". Members of the public were invited to make their input in any form they wished, including written or artistic contributions. The contributors were asked to:

- Describe the kind of society he or she would like to live in
- Suggest how to make Sierra Leone a better place to live in
- Set out his or her hopes and aspirations for Sierra Leone
- Describe where he or she would like to see Sierra Leone in 5 or 10 years

Response to the call for contributions

Over the course of two months, the TRC received over 250 contributions from over 300 individuals. The contributions included essays, songs, slogans, plays and poems; paintings, etchings and drawings; sculptures, wood carvings and installations. These visionary contributions show what Sierra Leone can be. They show the enormous potential that exists in this country – potential that must be harnessed positively and

productively. They point to the need for basic respect and tolerance amongst all human beings. They demonstrate that Sierra Leone can and must reach for new heights.

The way forward

The appeal of the TRC's National Vision for Sierra Leone lies in the fact that it is a peoples' project, not a political project. Furthermore it is not limited to any timeframe or deadline. The TRC recommends maximum exposure for the National Vision contributions, through projects such as regular exhibitions in Freetown, a tour throughout the provinces of Sierra Leone, an international tour, and a publication.

All future National Vision activities must serve the preservation of peace, strive for unity and promote healing and reconciliation. The National Vision must always remain independent and non-partisan.

The TRC calls on its successor body or any other structure that looks after the National Vision to ensure that the works of the contributors are respected and properly preserved. These works form part of the national heritage of Sierra Leona and they should receive maximum public exposure and not be kept out of the public eye.

The National Vision should be used to further the causes that the TRC sought to promote, not to further any political or commercial interests. Eventually, this unique collection of artistic and scholarly works should become part of a permanent exhibit in Sierra Leone.

CONCLUSION

The TRC cannot claim to have developed a complete vision for a future Sierra Leone. Such a vision must be an ongoing project for all concerned Sierra Leoneans. The National Vision for Sierra Leone aims to reflect the evolution of thoughts on the past and present of the country, as well as on a vision for the future. It provides the yardstick for the measurement of our national progress.

The National Vision stands as testimony to what is possible in Sierra Leone. Its contributors speak of struggle and hope, but equally they inspire and challenge all of us to rise above the past and to build a better future. Their messages must be taken seriously.

The National Vision is a catalyst and it is up to each individual to ensure that, as part of the legacy of the TRC, it maximises its potential to change our day-to-day lives. In the words of one contributor, Wurie Mamadu Tamba Barrie:

"The inspiration is let's sprint, if we can't sprint, let's run, if we can't run, let's walk, if we also can't walk, then let's crawl, but in any way possible, let's keep on moving".

EXERCISES

- 1. Draw or describe a monument or memorial for war victims. The pictures of these monuments should be displayed on the school or classroom notice board.
- 2. Discuss traditional ceremonies you know of for healing, cleansing or reconciliation. Select the best one for a role play.
- 3. Write an essay about how you as an individual would ensure that the TRC recommendations are implemented.
- 4. Prepare a newspaper article on the following topic: 'The implementation of the TRC recommendations depends on all of us the government and the citizens'.
- 5. Stage a twenty-minute play as your entry for an inter-class drama competition on the subject of the TRC report and its findings and recommendations.

Glossary

Accountability: Responsible to others for something (actions or decisions)

Amnesty: A general pardon especially for those who committed war crimes

Arbitration tribunal: A body that is appointed to act as judge in a dispute between others

Authoritarianism: Belief in a political system in which obedience to the ruling person or

group is strongly enforced

Bill of rights: A list of basic human rights as guaranteed by the laws of a country

Building Blocks: An element or component regarding as contributing to the growth of

an organisation, plan or system

Catalyst: Somebody or something that makes a change happen or brings ab

out an event

Counter insurgency: Military and political activities undertaken by a government to de-

feat a rebellion or guerrilla movement demands will be satisfied/met

Demobilisation: To discharge personnel from the armed forces and send them home

During this period personnel are reoriented to live a civilian life

Dysfunctional: Not performing a function properly

Enshrined: To protect something or principles from change.

e.g. in a formal constitution

Evidentiary: Based on evidence

Exhumations: The process of digging up a corpse from a grave

Governance: The system or manner of government

Ideology: A closely organised system of beliefs, values and ideas forming the

basis of a social, economic or political philosophy

Imperative: Absolutely necessary or unavoidable

Impunity: Exemption from punishment or recrimination

Inheritance: Money, property or title that one receives when someone dies

Insurgency: Rebellion against authority or leadership especially against a

government or ruler of a country

Jurisdiction: Authority to enforce laws or legal judgements

Mainstream: The ideas, actions and values that are most widely accepted

by a group or society

Marginalisation: The process of keeping somebody away from the centre of influence

or power

Martial Law: The control and policing of a civilian population by military forces and

according to military rules imposed e.g. in war time or when a civilian

government no longer functions

Mayhem: Absolute chaos or severe disruption

Nullifies: To make something legally invalid or ineffective

Patriarchy: A social system in which men are regarded as the authority within

the family and society and in which power and possession are

passed on from father to son

Perpetrators: Someone who commits or is responsible for something, usually

something criminal or morally wrong

Prohibition: An act or order that forbids something

Protectorate: A region that is defended and controlled by a more powerful state

Radicalism: Radical means favoring fundamental or extreme change, radicalism

is the quality or state of being radical, especially in politics

Reconciliation: The end of a conflict and the renewing of friendly relationship

between disputing people or groups

Stereotyping: To categorise individuals or groups according to an oversimplified

standardised image or idea

Tenure: The right of a tenant to hold property

Uterine: Relating to or affecting the womb

Whim: A sudden thought, idea or desire especially one based on impulse

rather than reason or necessity

List of Abbreviations

AFRC Armed Forces Revolutionary Council.

APC All Peoples Congress

AU African Union

CDF Civil Defence Forces

CFN Children's Forum Network

CREPS Complimentary Rapid Education for Primary Schools

CSM Civil Society Movement

DDR Disarmament, Demobilisation and Reintegration

ECOMOG Ecowas Ceasefire Monitoring Group

ECOWAS Economic Community of West African States
FAWE Forum for African Women Educationalists
ICRC International Committee of the Red Cross

IRC International Red Cross
MSF Medeciens Sans Frontieres

NACWAC National Commission for War Affected Children

NaCSA National Commission for Social Action

NCDDR National Commission for Disarmament, Demobilisation

and Reintegration

NGO Non Governmental Organisation

NPFL National Patriotic Front of Liberia

NPRC National Provisional Ruling Council

PANAFU Pan African Union

PRSP Poverty Reduction Strategy Paper

RUF Revolutionary United Front

RSLMF Republic of Sierra Leone Military Forces

SLA Sierra Leone Army

SLPP Sierra Leone Peoples Party SSD Special Security Division

STI Sexually Transmitted Infection

TRC Truth and Reconciliation Commission

ULIMO United Liberation Movement

UN United Nations

UNAMSIL United Nations Mission in Sierra Leone
UNDP United Nations Development Programme

UNICEF United Nations Children's Fund
UNIFEM United Nations Fund for Women



District Headquarter Towns

LEGEND

60 0 60 120 Kilometers

Prepared by Statistics Siena Laures-October 2008