APPENDIX 2
SUBMISSIONS TO THE TRC

This Appendix contains submissions made
to the TRC by institutions and individuals.

The submissions run continuously and
are not arranged in any particular order.

Click on the section of the submissions you wish to view
or use the bookmarks on the left to navigate.

Part One of Submissions to the TRC

Part Two of Submissions to the TRC

Part Three of Submissions to the TRC

Part Four of Submissions to the TRC

APPENDIX 2

SUBMISSIONS TO THE SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION (TRC)

NATIONAL FORUM FOR HUMAN RIGHTS

SUBMISSION TO THE TRC

Introduction

The National Forum for Human Rights (NFHR) is a federation of local human rights and rights related, an organization that coordinates collaboration and networking among local human rights groups. It was represented at the signing of the Lome Peace Agreement and has since being involved in activities around the TRC, one of the tenets of the Agreement. NFHR has more especially played a leading role in sensitizing traditional rulers and communities that suffered the brunt of the wars about the importance of the Truth and Reconciliation Commission.

As one of its main activities, The National Forum was part of a network of both international and national human rights organizations that closely monitored and in some cases documented gruesome human rights violations/abuses during the armed conflict. Our experiences have revealed to us accusations and counter accusations by individuals and groups as to who is responsible for the enormous damages caused to the people of Sierra Leone. Everybody seems to vindicate his/her self of the role he/she played in the armed conflict. The question then is; who is responsible if everybody claimed not? This question is hoped to be answered by the TRC, thus the reason for the enormous importance the National Forum has attached to the work of this commission.

It is in this regard that the National Forum for Human Rights is forwarding this humble submission as requested by the Commission.

ROOT CAUSES OF THE CONFLICT IN SIERRA LEONE

l. The emergence and perpetration of undemocratic governance since independence in 1961

The Sierra Leone People's Party (SLPP) was the party that formed the government immediately after independence and the All People's Congress (APC) formed the opposition. The subsequent election that was conducted in 1967 proved to be very controversial with each party allegedly getting 32 seats. Six seats however went to the independent candidates. Sierra Leone then started to experience serious political upheavals through the cracks of the aftermath of the 1967 general elections that saw the subsequent seizure of power by members of the armed forces.

The political scene continued to deteriorate and culminated into a military coup d'etats led by Brigadier Lansana, and a counter coup which established the National Reformation Council (NRC) with its leader as Juxon Smith. After about thirteen months in power they were toppled by non commissioned officers who formed the Anti-Corruption Reformation Movement (ACRM), which reinstated Siaka Stevens and his APC party. The APC feeling threatened started working towards a one party state, which they inter alia boycotted when the then ruling party (Sierra Leone Peoples Party) tried to introduce and establish. This was an indicator that the country will be plunged into violent and complex conflict.

Electoral fraud or rigging is another causative factor of the ten years war. From the 1967 election, which introduced stalemate in the general election, the political history of Sierra Leone continued to demonstrate this same tendency in other subsequent elections. The perpetration of electoral fraud and election rigging by politicians in power even after the expiration of their mandate, engendered distrust and dissatisfaction among the Sierra Leonean populace.

As a corollary to the above, was the stage-management of coups to get rid of political opponents. Supporters of politicians who were extrapolated in these alleged coups were executed. This resulted to factionalism as some sections of the Sierra Leonean society became disgruntled and to some extent vindictive.

In addition to this, is the over centralization of state machinery to the exclusion or isolation of rural communities. This is more the reason why it is generally echoed that 'Freetown is not Sierra Leone'. This resulted to severe inequalities in the distribution of state structures and functions, to the dissatisfaction of greater majority of the population.

During the above stated period especially in the late 1970 to 1991 the rights of people were grossly violated with impunity. The rights to freedom of association and assembly, freedom of the press and expression, political participation etc were egregiously violated by the state administration. Citizens were disenfranchised and party stalwarts made to go unopposed.

This environment served as a fertile ground for the recruitment of these resented politicians and citizens into the rebel movement.

2. Political intrusions into the State Security Agencies

Few years after independence, the main scene in Sierra Leone was military coups, of open military intervention in political life, the establishment of military governments or installation of military presidents, sometimes accompanied by the dissolution of political parties and heavy restrictions on democratic activity of civilian society, at other times buttressed by a single party political system. On the other hand where the governments was officially civilian, the army was playing a major role in every decision they took.

There were serious lapses in the security institutions due to political interference. Since independence, there were deliberate and calculated moves by politicians, to politicize the law enforcement institutions. The recruitment into the police, army and the Special Security Division (SSD) was purely on the basis of

nepotism and not on qualification. The card for recruitment was then introduced wherein recruitment into the forces were only based on the possession of a card from a politician or party stalwart. The recruitment into the forces therefore gradually became skewed in favor of a particular sect up to the outbreak of the war in 1991, the majority of whom were close relatives of the politicians.

The involvement of senior mi1itaty and police officers into the day-to-day political activities during the one party era (1978-1992) also added to the factors that led the military to become unprofessional. Heads of the police and military were members of parliament, thus becoming more of politicians than security agents. Attempts by pressure groups to force the APC to introduce multi party democracy was therefore met with the stiffest resistance from the law enforcement agencies not based on principle but on personal interest.

Through this mean a lot of people were sent on exile while others were forcibly alienated from actively participating in the politics of the country. Most of these people became part of the main vanguard of the rebel movement.

3. Weakening of the National Judiciary System

The judiciary has not been independent for the past two decades. The executive arm of government was directly involved in the judicial processes, which invariably inhibited access to justice. Backlog of cases became the order of the day as the courts became overcrowded with cases. "Justice delayed is justice denied". People were held custody for long periods without trial. Most Magistrates and judges were accused of being notorious for bribe taking and were known to have adjudicated matters in favour of their clients.

The instruments and structures used by the judiciary were and are still obsolete. Most of the laws are not in consonant with international standards and therefore only protected the political aspiration of the ruling party.

The customary judicial system levied fines that were not commensurate with crimes committed. To some extent, this led to migration of some youths who became dissatisfied with the system. There are instances where such returnees as rebels have wrecked mayhem and destruction in return for the ill treatment meted out to them in the past.

4. Breakdown in the Socio-Economic structures

Widespread and endemic corruption and mismanagement in both the private and the public sectors, incapacitated the state machinery resulting to the notorious 'vouchergate/squnadergate' saga of the late 80s. It was a general belief that officials of government were to be tipped to undertake jobs for which they were paid. There was no care for government property as people used them to achieve their own purposes. In short, corruption was institutionalized. In addition to this, massive unemployment coupled with poor conditions of service militated against efficiency.

Education was seen as a privilege and not a right. The high rate of fees, which the average Sierra Leonean did not afford due to poor conditions of service left many children without access to education. Government's inability to pay salaries, which led to the infamous go-slow system further exacerbated the situation, thereby grinding the entire system to a halt.

Lack of essential items like rice, petrol, etc., in in the market brought about the 'queue' element that created so much dissatisfaction among the populace to the extent of loosing confidence in the government and looking forward for a Moses to free them from bondage.

On the issue of tribalism, jobs were not given on merit but by 'connectocracy' resulting to square pegs in round holes. These categories of people were not only inefficient but also corrupt. They embarked on selfish ploys in raping the country of its resources. At the same time, these half-baked square pegs were basking in economic prosperity and and affluence while the mass of the Sierra Leonean populace were languishing in misery and poverty. The short cut to economic emancipation for the youth in particular was to flood the mines where illicit mining and smuggling was the way of life supported by state agents who are supposed to guide.

The above stated conditions served as stimulli for the conception and execution of the war as the only means of correcting the unfavorable state of affairs in the country.

ROLES OF ACTORS

The actors in the conflict included RUF/AFRC, Government forces, ECOMOG/ UNAMSIL and the Civil Militia.

RUF/AFR
Amputation
Arson resulting to burning of houses, Churches, markets, Mosques etc.
Killings
Rape
Torture
Ambushed commercial transportation
Recruitment of child soldiers
Widespread looting
Child labour and enslavement
Extermination
Acts of terror
Abduction of civilians and UNAMSIL peacekeepers
Revenge killings

CIVIL MILITIA

Killings
Serve as state defacto security
Torture
Looting
Recruitment of child soldiers
Ambushes
Extermination

Revenge killings

GOVERNMENT FORCES

Revenge killings

Rape

Torture

Looting

Use of child soldiers

Collaboration with RUF (Sobel)

ECOMOG -1997 to 2000

Killings - Military intervention and repelling the 1999 January 6 invasion of Freetown by rebel forces

Disarmament

Provided security for the ruling administration

Restoration of democracy and government authority in 1998

UNAMSIL

Disarmament

Restoration of government authority.

COUNTRIES

Liberia

Involved in diamond trade in exchange for arms

Provided mercenaries for the RUF/AFRC

Fuelled the war

Exploited the country during the war years

Harbored the rebels

Served as arms transit point

SUBMISSION BY AMNESTY INTERNATIONAL

AMNESTY INTERNATIONAL **Tel: (232)(22) 227354**
Sierra Leone Section Fax: **(232)(22) 222053**
16 Pademba Road, PMB 1021 Freetown **Email: aislf(d,sierratel.sl**
Wednesday, March 26, 2003

Rt. Rev. Joseph C. Humper Chairman
Truth and Reconciliation Commission
Brookfields
Freetown

C/O Executive Secretary
NGO Laison Officer

Dear Sir,

SUBMISSION OF REPORTS

Reference to your letter of 29[t1], November 2002, and the subsequent reminder sent early this year, I forward herewith copies of relevant documents received from our International Secretariat in London which could be important to your work in the commission. These documents are classified as follows:

a. PRESS RELEASES: Thirty-two press releases covering the period June 1995 - January 2002
b. URGENT ACTIONS: Twenty-five Urgent Actions appeals on Sierra Leone ranging the period
c. 1992 – 1998.
d. ANNUAL REPORTS: Excerpts of our Annual Reports relating to Sierra Leone from
e. 1992 – 2002.
f. BRIEFING DOCUMENTS: Seventeen Briefing Documents dealing with specific documents
g. covering period May 1994 - September 2001.

These documents reflect the organisation's views on the background to the conflict, the role of actors and institutions, and recommendations on how to avoid a repetition of conflict.

We therefore hope that the documents hereby submitted will be useful to your work for sustainable peace in Sierra Leone.

Respectfully yours

Momoh A. Jimmy

Campaign Coordinator and Group Development Officer

Please see the attached documents sent: -

1. PRESS RELEASES

DATE	HEADLINES
21/1/2002	An independent prosecution must be assured.
24/9/2001	Renewed commitment needed to end impurity.
7/9/2001	DIAMONDS: International certification system assured to help end killings abduction and torture of civilians
4/5/2001	GUINEA AND SIERRA LEONE BORDER: Fighting continues endanger civilian lives
24/4/2001	The International community's resolve to end impunity must be strengthened.
13/2/2001	The UN Security Council must make the Special Court effective and viable
31/8/2000	Action needed to end use of child combatants; ending impunity an opportunity not to be missed.
30/6/2000	Amnesty International calls for fast and effective action on diamonds.
30/6/2000	Rape and other forms of sexual violence must be stopped.
21/6/2000	Voices of victims of Human Rights abuses from Sierra Leone.
17/6/2000	Government must clarify charges against detainees.
15/6/2000	Amnesty International condemns continuing RUF attacks on civilians.
31/5/2000	Cutting the links between diamonds and guns.
17/5/2000	Human Rights violators must be brought to justice.
10/5/2000	Civilians face real and immediate threat to their fundamental human rights.
30/11/1999	Escalating human rights abuse against civilians.
4/8/1999	The Security Council should clarify the United Nations position on Impunity.
22/1/1999	UN human rights presence reduced as abuses worsen.
14/1/1999	Escalating human rights crisis requires urgent action.
20/l0/1998	Executions of 24 soldiers after an unfair trial, a blow to reconciliation.

12/10/1998	34 soldiers could face imminent execution.
27/8/1998	Amnesty International appeals for commutation of 16 death Sentences.
8/5/1998	Amnesty International receives shocking information about Mounting atrocities in Sierra Leone.
11/2/1998	Civilians deliberately killed as fighting engulfs Freetown and the provinces.
31/l0/1997	The next six months must see an end to arrests, torture and killing
25/6/1997	A month after the military coup, Amnesty international again calls For human
rights	to be respected.
28/5/1997	New military rulers must respect Human Rights.
25/9/1997	A decisive time to protect human rights
May 1996	Denial of rights to see asylum: Liberian asylum seekers aboard The VICTORY REEFER
13/9/1995	Amnesty International calls for an end to Human Rights abuse in war against civilians.

URGENT ACTIONS

DATE	**HEADINGS**
20/10/1998	Further information on imminent executions (34 persons)
12/10/1998	Imminent execution/Death Penalty/Concern (34 Persons)
2/ 4/ 1998	Further information on Torture or ill- treatment (36 Persons).
2/ 3/ 1998	Further information on torture and ill-treatment (3 persons)
23/ 2/1998	Further information on fear of torture and ill-treatment (1 person -student).
6/ 2/ 1998	Further information on torture or ill-treatment (14 people)
5/ 2/ 1998	Fear of torture or ill-treatment (1 person – student)
28/1/ 1998	Further information on torture (3 persons)
Jan 1998	Torture or ill treatment, B.S. Massaquoi and several others.
20/ 1/ 1998	Torture or ill treatment, 3 journalists.
30/20/1995	Death penalty/ Legal Concern - Three Soldiers.
27/10/1995	Further information on fear of death sentences (8 persons)
4/10/ 1995	Fear of death sentence and executions, (7 persons)1
12/ 1/1995	Death penalty: Lt. Col. CHERNOR M. DEEN
9/ 9/ 1994	Death Penalty: Amara Conteh.
29/ 1/ 1992	Executions: James Bambay Kamara and 25 others
21/12/ 1993	Legal Concerns: 264 political detainees
2/8/19/1993	Fear of Torture: Seven persons.
2/ 8/ 1993	Legal and Health concerns of 264 detainees
June 1993	Legal and Politcal concerns
March 1993	Fear of Torture and Extrajudical Executions: Seven Persons.

11/ 1/ 1993	Death Penalty: 26 People
10/ 6/ 1992	Legal / Health Concerns: Dr. Moses Dumbuya
31/12/1992	Death Penalty: James Bambay Kamara and 25 others.

EXCERPTS FROM ANNUAL REPORTS

Excerpts on Sierra Leone from Amnesty International's Annual Reports for 1992,1993,1994,1995,1996,1997, 1998,1999,2000 and 2001.

BRIEFING DOCUMENTS – REPORTS

DATE	**HEADLINES**
24/ 9/ 2001	Renewed Commitment needed to end impunity.
14/11/2000	Recommendations on the Draft Statute of the special Court.
31/ 8/2000	Childhood - A Casualty of Conflict.
26/ 7/2000	Ending Impunity – not to be missed..
26/ 6/2000	Rape and other forms of sexual violence against.
Nov 1999	Amnesty International's Recommendations to the Commonwealth Heads of Government Meeting, Durban, South Africa, 12 - 15 November 1999.
June 1993	Political Detainees at the central prison, Pademba Road, Freetown.
	Prisoners of War? Children detained in Barracks and prison Renewed Commitment needed to end impunity.
	The Extrajudical execution of suspected rebels and Collaborators.
	A Disastrous setback for human rights. Recommendations to the internationa contact Group on Sierra Leone - New York 19 April 1999
24/7/1998	The United Nations special conference on Sierra Leone:The protection of human rights must be a priority for the international community.
Nov. 1998	1998 - A Year of atrocities against civilians.
25/ 9/1996	Towards a future founded on human rights.
12/ 5/1994	Arrests of former Government Ministers.
13/ 9/1995	Human Rights abuses in a war against civilians.

Thematic Presentation- ON Governance

By Sundia Cleo Hanciles

INTRODUCTION

The challenge of all human societies is to create and institute a system of governance that promotes, supports and sustains human development-especially for the poorest and most marginal. But the search for a clearly articulated concept of governance has just begun. (UNDP)

Governance refers to the process by which "diverse elements in a society wield power and authority and, thereby, influence and enact policies and decisions concerning public life and economic and social development". 1

Among it's attributes are; the rights of citizens and groups to articulate their interests - exercise their rights, meet their obligations and mediate their differences; consensus building - good governance is a government based on consensus between the govern and governed; participatory democracy, transparency and accountability.

The concept and ideal of good governance is relatively new in Sierra Leone, as in the rest of Africa. The increasing recognition and emphasis on governance as the necessary prerequisite for lasting peace and sustainable development in Africa is born out of our recent tragic post independence experience with bad governance. The history of pre-war Sierra Leone from the 1970s to early 1990s can be aptly described as the imposition and perpetuation of bad governance par excellence. Conversely, the recent history of post conflict Sierra Leone is the relentless search and struggle to rid the country and society of the vicious cycle of bad governance and replace it with the virtuous cycle of good governance. It is a unique and exciting experience, which have seen the emergence of civil society as a potentially potent force for change and sustaining good governance.

2.METHODOLOGY

This presentation, with certain limitations, is made within the TRC methodological framework and will focus on the following:

1.The Genesis of the struggle for good governance in pre-war Sierra Leone 1870s-80s.

2.Shortcomings of and roadblocks to the institutionalisation of good governance in post conflict Sierra Leone.

3.The dilemma of social change.

4.The Manifestation of the Divergence Syndrome in Pre and Post Conflict Sierra Leone.

5.Recommendations and Conclusion.

GENESIS

Bad governance, characterised by extreme centralization and personalization of power, flagrant violation of human rights, social and political exclusion, social injustice, economic mismanagement and rampant corruption, was the root cause of the ten years Civil War in Sierra Leone. However, this trampling of democratic rights and values did not go

unchallenged. The mid 1970s to mid 1980s witnessed the emergence of a nascent anti-one party dictatorship resistance and pro-democratic movement.

Undeniably, Fourah Bay College, University of Sierra Leone was the hotbed of resistance to bad governance in Sierra Leone. It was spear headed by students, young intellectuals and progressive minded youths under the guise of students social and political groups such as, (the Gardeners Club), Movement for Progress in Africa (MOPA), Pan African Union (Panafu), Friendship societies (Juche Club) or Study Groups (Green Book Study Club). Their visions, stance and programs were articulated and propagated nation wide through the medium of newspaper such as the Tablet and Awareness Magazine founded by ex-students.

Student resistance against and confrontation with **State and University authorities was in direct response and reaction to the ramifications of bad governance felt throughout the country. "In the contracting political space, students became the leading opposition to APC dictatorship and the main advocate for social and political change. The confrontation between students and the university administration continued throughout the 1980s and it had the effect of both radicalising campus politics and linking college and youth together (Rashid 1997, Abdullah 1997). Between 1970s and 1980s, this cultural, sociological and political nexus between radical college and urban youth had produced both a culture of confrontation 'and a language of revolutionary change of the `system'. The termination of 3 lecturers, expulsion of 16 students and suspension of 26 others produced a chain of events that spawned the Revolutionary United Front, National Provisional Revolutionary Council (1992), the Pro-Democracy Movements, the Resistance against the AFRC and the restoration of the democratically elected Government of Pres. Kabba in 1998. (I.Rashid 2003). I have given a detail explanation of my personal role in this phase of the struggle within and without Sierra Leone in my submission to the Commission and I see no need for repetition here. What I want to emphasise here is that, *the affected lecturers and students in particular and the nation in general still want to know from the College authorities why they were summarily dismissed, expelled and suspended. We demand a public hearing. This must and should be an integral aspect of the reconciliation process.***

From the foregone, one can plausibly argue, that despite its unintended and disastrous outcome in some cases, the generation of students and youths of the 70s and 80s, despite merciless Suppression and oppression, created the conditions for the overthrow of bad governance and the restitution of democratic government in the 1990s.

SHORTCOMINGS

Perhaps one of the didactic lessons most enlightened Sierra Leoneans learnt from the horrendous Civil War with all its horrible consequences, was that our pre-war system of governance was

fundamentally flawed. Therefore, in post conflict Sierra Leone, the emergent national resolve is that, never again must the vast majority sit passively by and allow few people, motivated by nothing other than insatiable greed and naked lust for power to misrule and abuse us, and in the process drag the nation down the abyss of destruction. Sierra Leone belongs to all of us. Therefore, we have the natural right to actively participate in making and taking all the major political, economic and social decisions affecting our lives. The most practical manifestation of this new social awakening, is the national emphasis on the institutionalisation of good governance. But even so, this vision is not nationally shared. There are glaring contradictions. On the one hand the country today awash with liberator concepts ideas and movements such as; good governance, democracy, accountability, transparency, civil society, poverty alleviation, anti-corruption, reform of the judiciary, civil service, police, military, food security, reintegration, reconciliation, respect for human right and gender equality, to name a few. For the well informed, even before the formal end of the war, Government in partnership with International donors and Civil Society Organizations, are doing everything within their powers to institutionalise these laudable ideals throughout the length and breadth of the country.

On the other hand, the old legacies of bad governance die-hard, namely; corruption, endemic poverty, mismanagement, weak institutions, social injustice, excruciating poverty, economic hardship, mass unemployment and poor social service. In other words, the nation is still faced with the dilemma of how to replace the vicious cycle of bad governance with the virtuous circle of good governance.

Meanwhile, the interplay of these contradictory-organizing principles of society augurs ill for our national quest for rapid post-war recovery efforts, peace building and consolidation and sustainable development. It has given rise to two contrasting images of the present and future direction of the country. -One pessimistic, the other optimistic.

2.3. DILEMMA OF CHANGE

The pervasive hold of the bad governance culture in post-conflict Sierra Leone confronts us with the chicken and egg dilemma of social change i.e. 'Change is eternal Nothing ever changes'. For the majority of Sierra Leoneans the war had brought no changes in its wake. The old pre-war attitude and mentality are still intact. With the end of the war, it's back to business as usual. The privileged few continue to prey on the under privileged majority. Anti-people institutions are still in place.

But for far seeing and thinking Sierra Leoneans, the war has brought in its wake far-reaching changes, some positive, some negative. Among these are the changes in the governance environment. We have moved from dictatorship to democracy, the rule of law as enshrined in the Constitution is gradually being enforced. The culture of impunity is being tackled and confronted. New societal values or organizing principles as highlighted above are not only being aggressively propagated but are gradually applied by government in partnership with Civil Society organizations and the International Donor Community at all levels. The ultimate goal is to uproot, root, stock and branch the obsolete structures, institutions and mentality implanted in the body politic by decades of bad governance, and replace them with new values based on good governance, transparency and accountability.

But much of what is changing before our eyes is not discernible to the vast majority of Sierra Leoneans. The pertinent question here is, why is this so? There are many reasons for this. The main reason is the way we look at, think about and interpret society. In the face of earth shaking changes that are suffocating and engulfing us, we doggedly cling to outmoded tools of analysis to understand a qualitatively different social environment. Consequently, lacking a systematic framework for understanding the clash of forces and societal values in post conflict Sierra Leone, we are like a ship's crew trapped in a storm. To find our way, let us try to understand the concept and dynamics of the manifestation of the social divergence syndrome in our social system.

2.4. THE DIVERGENCE SYNDROME

"The divergence syndrome in social systems manifests itself in the social complexity of human life not only as an extreme sensitivity to any change or fluctuation in political, economic conditions, but also as an acceleration of social change beyond the ability of society to control their direction and intensity." Applied within our context the challenge facing post conflict societies like ours is; how instead of serving as a cause for social crisis can the divergence syndrome be the "bearer" of positive transitions in society.

It is not possible to look at the recent history of Sierra Leone and not be struck by how tellingly the divergence syndrome showed itself.

.-Firstly; we witnessed *the sensitivity of society to major fluctuations*. There are many who would have preferred to maintain the obsolete one Party system because of the stability it offered to the series of military and civilian implosions called revolutions that destabilised and destroyed their lives and properties.

Secondly; we all witnessed and experienced our *inability to stop* change. The divergence syndrome demonstrated through acceleration of change and growth can be understood as serving both as a cause and requirement of transformation. For example; despite our understandable revulsion and vexation with the rebel uprising, after this nightmarish experience we all agree that we must address its root causes and transform society accordingly.

Thirdly; there is the existence of a "punctuated social equilibrium, particularly in a post conflict society like ours. This means the occurrence of countervailing tendencies or forces that get easily amplified by social, economic and political conditions into a crisis. For example, because of their roles in the rebel uprising, the importance of finding tangible solutions to our youth problem has been realised; poverty alleviation is now an obsession with government because we realised the danger its existence posed to national stability and security; Sierra Leoneans still feel insecure because of the ongoing rebel war in Liberia.

The inescapable conclusion we can infer from all this is that, the inevitability of the divergence syndrome in the social complexity of human life requires the use of new methods of thought capable of dealing with its vibrant vitality. So we rehash and seek to answer the

pertinent question: what do we need to do as a nation to ensure that the divergence syndrome currently 'prevailing in our country becomes the bearer of positive transformation? Within the context of the discourse, how can we institutionalise the ideals and praxis of good governance as outlined above in post conflict Sierra Leone?

2.5. RECOMMENDATIONS

Being aware of its unavoidable occurrence in the dynamics of social processes, what we need to do is to be guided by two key principles in our search for solid and practical recommendations to achieve good governance in post conflict Sierra Leone.

Firstly; the process of social transformation from a dictatorship to democracy is one of the most difficult of human undertakings. Those of us espousing new societal values of good governance, participatory democracy, human rights, gender equality, decentralization of power, social justice in harmony with the yearnings and aspirations of the vast majority of our people are actually planting the seeds, the vision of a new system of governance in Sierra Leone. We need to muster patience and perseverance to sustain the process until it becomes the new societal values.

Secondly, we must accept that the old societal values rooted in bad governance are still entrenched. It will not give way to the new easily. There are entrenched social classes, `powerful faceless actors' (political, economic, social), the product and beneficiaries of yesterday's dictatorship who are hostile to these new social values, because their realization threatens their wealth, privileges and status. Therefore, they will pay lip service to these ideals but practically, they will ensure that nothing changes.

The challenge is how to cross this barrier of resistance to change that is so prevalent in every quarter in post conflict Sierra Leone'?

2.6 New Political Culture

Commitment to the ideals of good governance (as defined above) demand the seedling of a new political culture based on active popular participation of the populace in the process of decision making at all levels. Currently, what prevails in Sierra Leone is the old political culture based on passive participation of the people in decision making which in most cases is limited to voting once every five years for political representatives and after which the voting machine is switched off. This is a far cry from participatory democracy.

2.7. Participatory Democracy

Participatory Democracy in essence means empowerment of the people to effectively involve themselves in creating the structures and in designing policies and programs that serve the interest of all. To achieve this ideal requires considerable input by a11 stakeholders namely; the awakened people themselves, but more importantly the actions

and policies of the State and International Community to create the enabling environment.

The good signs are these ideal of people empowerment is being gradually applied in Sierra Leone by the Government, Civil Society and International Community by way of participatory consultative meetings, workshops and sensitisation campaigns. But this process is still in its nascent phase and is often limited to few participants. There is still the dire need for mass public civic education to teach our people new democratic values in order to win them away from the decadent social values of bad governance. Experts have forcefully argued on Governance that in moving from authoritarian rule to democracy, there is a risk that societies could become too divided and partisan. The building of capacity for different groups as a collaborative exercise can help build consensus about the new national values and provide a basis for equitable social and economic development. We need to heed and apply this in post conflict Sierra Leone.

2.8.Development of Civil Society and Non Governmental Organisations:

There is increasing recognition of the importance of Civil Society and Non Governmental Organisations in good governance. Civil Society NGOs are important in propagating and implementing the new societal values to good governance. They hold government accountable, make sure the people get the government they want. In their daily operations, Civil Societies provide experience of governance and democratic practices on a small scale with widespread participation. Thus providing a cultural environment that fosters and protects good governance at the local and national levels. Civil Society is important as the main initiator and engine of development. Moreover, the development of Civil Society brings people a better quality of life.

Thus, strengthening Civil Society is not only a means to development but also a goal of development.

Over the last couple of years we have witnessed an exponential growth of Civil Society and Non Governmental Organisations in Sierra Leone. The pertinent question here is how effective are these organisations? Do they meet the criteria outlined above`? What must Government and International NGOs do to develop their capacities?

Civil Society/local NGOs in Sierra Leone require capacity building developing skills and attributes that will promote a healthy society. Simple skills such as book keeping and literacy are important for governance. Many of them lack the capacity to participate effectively in the policy formulation process. They lacked the capacity for policy analysis, and access to up to date information. Government and International NGOs must help to develop capacity building for such organisations without destroying their autonomy.

For this to happen at the governmental level there is the need for a new relationship between the state and officials on the one hand and members of the Civil Society on the other. Until the 1990s, the relationship between the two was adversarial. The challenge in the present time is to transform this adversarial relationship into an advisory one.

A new vision of society, it is argued calls for new forms of organisation and methods of operation. Civil Society /NGOs in Sierra Leone as elsewhere are the gadflies of good governance. They have to practise what they preach. However this is not the case. Many NGOs exhibit the same characteristics for which they rightly criticise the government. They lack transparency and accountability. Some of them are the personal properties of one or few people who practise extreme centralisation of power.

In Sierra Leone, we have too many NGOs or Civil Society championing the same cause such as; human rights, youth problems, gender equality. They all seek financial and **material** Support from the **same International Non Governmental Organisations. The resulting competition ensuing from this is that we are beginning to notice that rather than working together CSO and NGO are working against each other. Such like criticism against CSO, local and International NGOS in post conflict Sierra Leone abound.**

However, of central importance in the search and quest for good governance in Sierra Leone is what needs to be done to build effective pro people organisations on the ground. How can CSO/NGOS become the effective link between the people, the government and international community to lay the solid foundation of good governance in Sierra Leone?

2.9. CAMPAIGN AGAINST NATIONAL INDISCIPLINE

There are a number of disturbing facets in the life of post conflict Sierra Leone which any keen social observer cannot help but notice. Many of these touch on our very existence as a nation, and the path its development will take and follow. Therefore, it is proper that this malaise with far reaching implications for our social existence be identified, diagnosed and cured, One such malaise, is the social cancer that has eaten deep into the body politic of our nation is national indiscipline.

The current mentality, attitudes and values of most Sierra Leoneans are anti-ethical to the realisation of good governance or the rapid transformation of the country. If we are serious about moving forward, we perforce have to find a way not only to address this attitudinal problem but solve it.

- In the era of participatory democracy the way to eradicate national indiscipline is not just by passing harsher legislation in Parliament nor putting more police in the streets or building more prisons. We have to explore new ways and means such as; the self organisation of the people at the micro and macro level to identify and solve the problem. The thrust of the public policy against national indiscipline must and should be to use participatory methods to encourage active involvement in identifying, diagnosing, and implementing solutions to the problem.

I N S T I T U T I O N A L R E F O R M

In post conflict Sierra Leone good governance and maintenance of international standards are the operational principles of government. Good governance program is enshrined in the national recovery plan which is itself a product of a participatory consultative process involving over two thousand Sierra Leoneans. It has seven key elements amongst which are; institutional restructuring, combating corruption

and strengthening the judiciary and legal system to safeguard human rights. In all these areas reforms are on-going and with time they will positively impact on all aspects of our national life.

However, from the public perception nothing is going on. The so called revolution of heightened expectation makes government an arduous and challenging task. According to public perception only the faces in the seat of power have changed but the system remains. High sounding words like good governance, participatory democracy, transparency and accountability are derisively dismissed as political sloganeering in their daily encounters with the state or public institutions they come into contact with public servants who still operate on the old dictatorial ethos of masters rather than servants of the people.

More so the public is very critical about the age old disjuncture between public policy formulation implementation and evaluation: in their candid view laws are made today only to be forgotten tomorrow. This atmosphere of cynicism and suspicion is certainly inimical to the growth and development of a new democratic culture in post conflict Sierra Leone. Great nations are not built by cry babies. But bold and creative people who having learnt and discovered the pitfalls in their society take decisive steps and actions to correct it and move ahead.

What all this points to is that there seems to be breakdown of communication between the govern and the governed in post conflict Sierra Leone. Good governance among other things is consensus building between the govern and the governed to agree or disagree as to what new direction the country should take, the sacrifice all and sundry need to make in the national interest. What is really essential is education.

Public Hearings of the
Truth and Reconciliation Commission of Sierra Leone

Statement by the
United Nations Development Programme (UNDP)
May 7th, 2003

Mr Chairperson and members of the Commission: I am honoured to represent the United Nations Development Programme, Sierra Leone Country Office, in making a statement at these public hearings of the Truth and Reconciliation Commission. We understand this process as the effort of Sierra Leone, with international support, to establish the truth about eleven years of recurring violence against its citizens and against the state. We hope the disclosure and documentation of the truth will lead to national reconciliation and to personal healing for so many aggrieved individuals.

Yours is the mandate for historical inquiry, to uncover the truth by asking the right questions. Ours is the mandate to respond to those questions, as it is the task of development to prevent the recurrence of war by addressing its causes.

We are not the repositories of the information you require to document the truth about Sierra Leone's years of conflict. We may assist your work, however; by sharing the analysis that underpins the work UNDP is doing in this period of post-conflict recovery and stabilization.

After 11 years of conflict, Sierra Leone was left with massive destruction of livelihoods and infrastructure and a traumatized population, more than half of which had suffered repeated and/or long periods of displacement. In 2002, Sierra Leone was ranked 173 out of 173 countries with enough data to be considered in the Human Development Index. (Eighteen countries were not ranked). What this status report does not take into account is that in 1991, when the war started, poverty was endemic, corruption was rampant, injustice was the rule, and marginalisation was a fact for most young people and women.

The causes of the war go back well beyond the nineties, and are rooted in the erosion of good governance, arbitrariness and injustice by traditional and state authorities, abuse of fundamental rights, described often by Sierra Leoneans as marginalisation of youth and women, and economic and social exclusion resulting in abject poverty.

Breakdown in Citizen Security and the Collapse of the State

The breakdown in citizen security at the village level which manifested itself in the early episodes of the war, eventually led to the collapse of state security in Sierra Leone There was a progression in what can be described as two stages of the war. During the first stage, before the Armed Forces Revolutionary Council (AFRC) Coup of 1997, the war was a !ow-intensity insurgency almost entirely directed at village targets in the Southern and Eastern provinces, using tactics of terror to recruit child combatants, cause civilians to flee their villages, and humiliating traditional authorities into submission or flight. This rendered the areas under rebel control ungovernable by the national government, and unliveable for the villagers who fled as refugees to neighbouring countries or became internally displaced persons in the safe havens of Bo and Kenema, provincial capitals secured by contingents from the West African forces, ECOMOG.

After the 1997 coup, with the alliance of the Revolutionary United Front (RUF) rebels and the AFRC, the rebels took control of the North, the provincial cities, most of the diamond-producing areas and the capital, Freetown. A national condition of un-governability ensued, due to extensive "civil disobedience" or civilian defiance, until ECOMOG troops, assisted by Civil Defence Forces loyal to the Constitutional government, pushed the AFRC/RUF alliance out of Freetown, and the Constitutional government returned from exile. International sanctions, the depletion of the AFRC/RUF stock of loot, and other factors of a stalemate brought the rebels to the negotiating table.

The fundamental reason for success and escalation of such an insurgency in the first place was the inability of government security structures to cope with it in its early stages, manifested by the deterioration of the

discipline and performance of the army, and culminating in its treason and alliance with the rebels. Thus, weaknesses in governance and security structures were responsible for the breakdown in citizen security, which eventually led to the breakdown in the security of the state.

A longer discussion would consider in greater detail the "root causes" of the collapse of the state, and specifically how and why security structures became so ineffective. There was also a general degradation of all sorts of social organizations, as reflected in the level of poverty, economic stagnation and other characteristics of the combination enclave-and-subsistence economy of Sierra Leone prior to the war. The crisis of governance in Sierra Leone developed over many decades. Elected local governance disappeared in 1972.

Despite the many negative features of governance, it is important to acknowledge some positive turning points, even during the trouble-packed nineties. Some analysts assert that military rule in 1992 was not unwelcome at first, given the abuses of previous governments. It became increasingly unpopular as it did not fulfill citizens' expectations of improving welfare, and failed to bring peace to rebel domination of many rural areas. Nevertheless, it was the military government that agreed to relinquish power to an elected government in 1996, pressured by civic movements, particularly a coalition of women's organizations and activists.

Whereas the newly elected government was not victorious over the rebels, and the first peace agreement (Abidjan) fell apart, nevertheless the Lome Peace Agreement reinforced constitutional democracy, as the RUF acknowledged the legitimacy of the constitutional government, and accepted post-conflict roles in appointed office.

The role of international security forces is also important to an understanding of post-conflict challenges. In Sierra Leone, some elements of the security mosaic that brought closure to the war were: UNAMSIL peace-keepers; West African ECOMOG forces: the Civil Defense Forces (CDFs), that secured parts of the South and East of the country: the Guinean army on its border, that closed off the Northern escape and supply route in the final stages of the war; UN sanctions (diamond sanctions and general sanctions), that reduced the scope of the Eastern supply routes and international economic staging grounds; British military assistance, that dismantled the West Side Boys, broke the most violent remnants of the AFRC/RUF alliance, began retraining the army, helped maintain discipline in the CDFs, and maintained the threat of direct British engagement; United States training of ECOMOG forces, that increased the military capability of the West African contingents in UNAMSIL, and increased the potential threat of future Nigerian/ECOMOG force.

The role of UNAMSIL in post-conflict Sierra Leone has been determinant in maintaining the peace, in the year since the official end of disarmament and demobilization (January 2002). UNAMSIL entirely replaced the functions of the army for a certain period of time, while national forces could be vetted, retrained and gradually deployed. The withdrawal of UNAMSIL will depend on the successful restoration of government authority in all areas of the country, and the creation of viable security structures. To this end. benchmarks are systematically monitored to ensure progress on a detailed program of institution-building and capacity-building.

The link between justice and security is the same link as that between citizens rights and the security of the state, and it is a causal link. Injustice and violation of citizens' rights ultimately lead to a weak state, as reflected in weak institutions. In the extreme case, this leads to a failed state. This is an important point to consider in the institutional strengthening in a post-conflict period.

UNDP Interim Assistance 2002-2003

During the complex emergency in Sierra Leone, the UN system provided assistance primarily related to humanitarian and peace-keeping needs. In 2002. framed by the Millennium Development Goals, which seek to reduce extreme poverty by fifty per cent by the year 2015, UNDP created three practice areas: recovery, poverty reduction and governance. This reflects the consensus among Sierra Leoneans that the decade-long war was rooted in a breakdown in governance and the exponential increase in extreme poverty.

Recovery

Following the war, the restoration of state authority to all areas of the country has been a key priority of the government. Restoring district-level administration and services has been difficult, and government institutions are still weak and lack the capacity and means to effectively discharge their responsibilities. Moreover, outside Freetown the judiciary is largely absent and the courts, police stations and prisons dilapidated or destroyed. Though much is already done, many courts, Court Barrie and police stations and most prisons and lock ups still need interventions. The same goes for district government facilities where some offices have been rehabilitated though the majority are working from temporary premises and lodging facilities. Furthermore they work under severe conditions, lacking mobility, communications, furniture, office equipment and stationery.

The basic needs of the most vulnerable people (including water & food security, shelter, basic health and primary education) are of highest priority and pose considerable challenges for the government considering the number of displaced, others affected by the war and the devastation of infrastructures. Over 300.000 houses were destroyed and the majority of water sources, health posts and schools are either completely destroyed or need major interventions. Of the Primary Schools, 78% need minor/major rehabilitation or reconstruction and only 13% of those have been addressed.

Sierra Leone has a particularly youthful population: over half the population is estimated to be under 15 years of age, and average life expectancy is only 38. Marginalisation of youth was one of the primary factors that led to the war, creating resentment and a sense of hopelessness in the first place, and ensuring the existence of a willing pool of recruits for the fighting factions. During the war, youth have been exposed to more trauma, responsibility and experience of power and authority than ever before. As a result, they are now more politically aware and carry greater expectations for involvement in decision-making and desire for economic opportunity than ever before. For both short and long term national stability and growth, it is therefore essential that youth be engaged and involved in planning, decision-making and implementation at all levels.

Women form a major component of the rural workforce in Sierra Leone, planting, weeding and threshing, conducting backyard vegetable and poultry production to supplement the household's nutritional intake, cooking, and collecting water and firewood. However, women face enormous barriers; lack of encouragement or opportunity to stay at school due to demands of domestic chores: increased exposure to medical risk, due to multiple births with grossly inadequate medical support available: lack of opportunity to vote for chiefdom authorities, to name but a few.

From both a short-term and long-term recovery perspective, therefore, it is vital that positive steps are taken to ensure the full participation of women in all political, economic and social interventions and processes.

While most areas in the country have been resettled and communities are reverting to normalcy, some are still receiving resettling populations and grappling with problems of occupied property, security established but fragile, high number of ex-combatants waiting for their reintegration projects and local governments without means or skills to address the problems. All these factors are more pronounced in the border areas, particularly in the East.

Based on a needs assessments conducted at the district level, a "Sierra Leone Recovery Strategy for Newly Accessible Areas" was finalized in May 2002. A comprehensive National Recovery Strategy, focusing on immediate actions to address essential needs of the population, was ready by September 2002 and is now the main document for the recovery process.

The Recovery interventions constitute an effort by the Government to restore its leadership role while capitalizing on the support received from its partners. It is promoting a people-centered approach, seeking community and Civil Society empowerment with increased and broader participation in the recovery process.

UNDP's Interim Recovery & Peace-Building Programme includes the following components:

1. Consolidation of State Authority by ensuring that district-level administrative functions are operating effectively by the end of 2003. Support rehabilitation of government infrastructure, including radio and telex over radio communication and furnishing of buildings.

2. Rebuilding of communities through rehabilitation of feeder roads and markets, and small quick impact projects; rehabilitation/reconstruction of infrastructure or production units; and through community based shelter provision using locally produced materials, with skills training and participatory community processes.

3 Youth engagement and supporting job opportunities for youth, including support to a nationwide youth gender sensitive network, workshops, development of training modules, training of trainers, income generating activities, organisational skills development, sensitization campaigns. civic education, HIV/AIDS prevention and similar activities.

4. Support to the National Recovery Committee and its district representations for policy development, data gathering and monitoring capacity.

UNDP-supported activities are coordinated with projects implemented through the National Commission for Social Action (NaCSA), the Human Security Fund in partnership with the National Commission for Disarmament. Demobilisation and Reintegration (NCDDR) and the UNAMSIL Disarmament, Demobilisation and Reintegration (DDR) section, using funds from Government, HIPC funds and other donors.

Poverty Reduction

Poverty in Sierra Leone is endemic and pervasive. Eleven years of conflict only exacerbated its depth and severity.

The human development and social indicators, including illiteracy, primary school enrolments, life expectancy, maternal deaths, malnutrition, and child mortality rates, are among the worst in the world. The infant mortality rate (IMR) is about 182/1000, while life expectancy at birth is about 38 years compared to 45 years for Sub- Saharan Africa. The adult literacy rate is estimated at 30%, while the population with access to safe drinking water is about 34%. Endemic diseases, especially malaria and HIV/AIDS, loom as a menace. About four-fifths of the population lives in absolute poverty, with expenditures below US$1 a day.

The major causes of poverty in Sierra Leone are multi-dimensional and include high unemployment and underemployment, high debt burden, poor growth performance and lack of access to basic social services.

The long-term stability of Sierra Leone will depend in large part on the efforts of government and its development partners in mobilizing the population for reducing poverty.

UNDP's Poverty Reduction Strategy is a collaboration with the Government and other international donors through interventions in five key areas, as follows:

1. Preparation of the PRSP and its implementation
Support to:

• Key PRSP preparatory activities such as the sector reviews, developing and strengthening the consultative processes and promoting participatory tracking of budget inputs and outcomes.

• Build institutional capacity through the creation of an incentive package to attract skilled professionals, particularly Sierra Leoneans in the Diaspora in the PRSP formulation process and the subsequent implementation of poverty reduction programmes, and related national re-building programmes.

2. Capacity building in key poverty related institutions and organisations

Support for

• Capacity development of civil society organisations and community based organisations for promoting national dialogue and advocacy on poverty issues, promoting participatory tracking of poverty budget inputs and monitoring outcomes

• Capacity development for enhancing pro-poor policy formulation poverty analysis and monitoring in key government ministries:

• Increasing awareness campaigns on the Millennium Development Goals (MDGs) and tracking progress for preparation of the Millennium Development Goal Reports (MDGRs).

3. Private sector development

Support for:

• Creating an enabling environment for private sector investment in small and medium scale enterprises (SMEs) as a means of promoting self-employment and income opportunities for the poor,

• Building indigenous business enterprise capacity to ensure the effective participation of local entrepreneurs and small business operators in competitive trade and industry, through SME development skills, strengthening of Micro Finance Institutions (MFIs) and access to micro credit

4. Improving the livelihoods of the rural poor

Support for

• Increasing access to productive assets for poor farming households through the provision of appropriate and sustainable micro-finance facilities, including special facilities for increasing women's access to farm resources.

• Agricultural extension services to improve farmers' education in farm management for increasing productivity and output, minimizing post-harvest losses and promote the income security of small farmers.

• An integrated rural development programme through the review and establishment of a framework for harnessing renewable energy resources to alleviate the energy needs of the rural poor.

5. Increasing the income opportunities of youth and women in productive economic activities

Support:

• Assessment of the employment and income opportunities for women and youth to identify potential income-earning activities for their involvement.

- Skills training and access to resources for small business development.

Governance

Sierra Leoneans affirm that two fundamental causes of the war are bad governance, leading to the collapse of state authority and services, and "disenfranchisement" or marginalisation of youth, including massive illiteracy and lack of opportunities for employment and social mobility. To build lasting peace. good governance needs to be created and youth need opportunities for a better life, through education and income-generating employment.

An Interim-Poverty Reduction Strategy Paper (I-PRSP) was finalized in June 2001 under the co-ordination of the Ministry of Development and Economic Planning. It calls for a transitional phase with emphasis on: national security and good governance: re-launching the economy; and provision of basic social services to the most vulnerable social groups. UNDP's Interim Governance Project 2002-2003 (IGP) provides for immediate implementation of the governance priorities identified in the I-PRSP.

The problems of governance, identified by Sierra Leoneans as causes of the war, are also the causes of poverty; thus there is synergy and complementarity between the governance effort and the poverty reduction effort, to achieve the Millennium Development Goals (MDGs). Specifically, problems of marginalization of youth and women from political influence, and from access to savings and investment, are rooted in the same political structures at the local level.

In August and September 2002, UNDP supported four Governance Round-Tables (Freetown and three up-country regions) which provided an opportunity for broad consultation with government, representatives of civil society organizations, the academic community, journalists, representatives of ex-combatants in process of reintegration, and religious and traditional leadership. Special attention was given to spokespersons of youth and women, particularly in the regions.

The Governance Round-Tables informed the preparation of the Interim Governance Programme, with five strategic areas of focus. These focus areas are briefly described as follows, with some key intended outcomes and activities that are being carried out in 2003.

1 Decentralisation And Local Governance

Support to the Decentralisation and Local Government Task Force to prepare a new Local Government Act with definition of services to be decentralised, local authorities to tax and spend, and new mechanisms for accountability and transparency; support for local government elections: training of local government officials and staff; enhanced capacity for citizen participation in governance, especially at district level; increased participation of women and youth in elected and appointed office.

2. Justice, Rule Of Law And Human Rights

Improved access to justice by citizens, especially improved access by women and youth to statutory law institutions; equip and train Justices of the Peace, clerks and bailiffs for nation-wide service; public information/sensitisation on human rights standards, especially for women and youth; support to local NGO activities related to the Truth and Reconciliation Commission and reconciliation/community healing.

3. Public Sector Services And Public Sector Reform

New Civil Service Code and Regulations adopted and progress on implementation of reforms; comprehensive public procurement reform. including transformation of the Central Tender Board, professionalisation of procurement offices and processes to ensure accountability, transparency and efficiency.

4. Security Sector

Participation with other donors in training and capacity-building of police and offices of security, especially those providing security at the district and chiefdom levels; improvement in the knowledge and practice of human rights by security and law enforcement personnel and institutions; improvement in the protection and respect for women's and children's rights.

5. Capacity Building For Governance And Democracy

Increased capacity of civil society, especially women and youth, to participate in governance activities and in their own development initiatives; enhanced capacity of Parliament, especially to relate to constituencies; improved standards of ethics in journalism; increased interaction between and among government and civil society personnel at all levels.

The cross-cutting themes of anti-corruption, accountability, and opportunities for youth and women are emphasized throughout. Activities are being carried out simultaneously at the district level, where citizens' vulnerabilities manifested themselves early in the war, and in the development of key national institutions of governance.

A Consultative Group of international donors with the Government, meeting in Paris in November 2002, agreed to a short list of security, governance and economic benchmarks of progress. These are also present in the benchmarks of the National Recovery Strategy, which deals primarily with the physical infrastructure and enabling environment for resettlement and reintegration of communities. The Consultative Group benchmarks are as follows.

Consultative Group: Results Framework
Paris, 10-11 November 2002
i

	2003	2004
Security	'	Eno
~^	End	
. Additional 2000 police recruited, trained, equipped and ceployed.	;	
• Completion of the NCDDR reintegration programme	',	End
• Reinsertion package developed and offered to demobiiised officers and	~	
• Disbandment of the Civil Defence Forces fully completec		
• Sierra Leone's security forces to assume full responsibiiity for security in vacated by UNAMSIL	Continuous '	Continuous
Poverty Reduction		
• Full PRSP completed, with representative participation of 'he poor as well mplementers	End	
. P•imary net enrolment rates increased to 60°% and girls/boys ratio in the naeased to more than 90°.%	End	Sc`1CC1
• Fully immunized coverage increased to 60% national average	End	
• Safe drinking water source and sanitation facilities provided to an additienai 346.000 and 5.:0.000 beneficiaries respectively	January Eno	
• Resettlement of IDPs completed and repatriation of at least an additional 50.000 returnees	Continuous	CantinucLs
Country-wide oublic awareness of HIV/AIDS		
Governance, Justice and Human Rights		
• Revised public procurement procedures promulgated and operating and	June	
the Corruption Survey Published	End	
50°% of cases lodged by the ACC brought to prosecution and/or concluded	End	
Elected district councils functioning		Eno
Elected district councils received human rights orientation	June	
Magistrates Courts operating in all Districts		
. Pre-trial detention delays significantly reduced to meet constitutional TRC completed its work		I~I End
Economic Performance and Production	' Continuous	
I		End
• PRGF successfully implemented	'	
• Production levels of paddy rice increased to 1991 level		
• Diamond exports increased to at least US$ 60 million and rutile production restarted	September I End	
• New comprehensive investment code promulgated	End	
• Complete implementation of limited scope CFAA action plan		
• Three public enterprises brought to the point of sale		
Aid Flows and Management	Continuous	Continuous
	~ Continuous	Continuous
Aid flows to be sustained to meet financing gap and sector needs		
Annual HIPC funds fully disbursed	' Marcn	
. Bi-monthly aid coordination meetings begin and restructured national aid coordination unit put in place -		

Through the implementation of the Interim Recovery, Poverty Reduction and Governance Programmes, UNDP, in partnership with other donors and assistance

' Target dates for achievement of the benchmarks.

providers. is supporting the efforts of the people of Sierra Leone to achieve these benchmarks of recovery and stability.

Justice

The institutions of transitional justice in Sierra Leone, the Truth and Reconciliation Commission and the Special Court, are instruments emanating or deriving from the Lome Peace Agreement, for the purpose of addressing war crimes, and helping victims deal with trauma and grief, and ultimately reconciliation, both as a technique for healing, and as an instrument for reintegration of ex-combatants.

Because injustice is identified as one of the causes of the war in Sierra Leone, the expansion of access to the institutions of justice, especially for those who perceive they have been marginalised, is part of the challenge of addressing the causes of the war. Impunity, marginalisation or exclusion from the protection of the law, miscarriage of justice through corruption and patronage, and sheer lack of coverage of the institutions of justice must be addressed.

The reality of deep poverty, competing priorities in reconstruction, and the state of institutional degradation in the judiciary create significant challenges in the justice sector Comprehensive law reform is under way, with multi-donor support, however some urgent attention is required to improve access to justice. An example of some immediate solutions is the training and equipping of Justices of the Peace (Jps).

There are only four Magistrates assigned to duty outside of Freetown, and only ten serving Magistrates for the entire country. Until November 2002, Magistrate courts had not sat in the Northern region for five years, the region most affected during the final stage of the war.

The Government's solution to the paucity of magistrates was to expand the scope of Justices of the Peace, sitting in pairs under the supervision of a Magistrate. With their deployment, the government has been able to expand access to justice for the ordinary citizen, with resident officers of the Court in eighteen locations, a significant improvement over what was in practice for the past decades.

Before deployment, the JPs received intensive training from the Sierra Leone Law School, covering principles of justice, criminal and civil procedure, evidence, limits and description of jurisdiction, customary law, human rights and related topics. Special emphasis was given to historical problems of justice for women and children, international principles and standards of human rights, and issues of transitional justice related to the Truth and Reconciliation process and the Special Court.

This was the first time that human rights was considered part of the core curriculum of legal training in Sierra Leone by the Law School. This was also the first time that the Sierra Leone Law School embarked on paralegal training.

The JPs are supervised by a Magistrate, who visits their location every month, and hears cases beyond their jurisdiction. In addition, UNDP, UNAMSIL and the British Department for International Development (DFID) are building or repairing buildings for Magistrate Courts in these 18 locations. This is an example of the many initiatives that must be undertaken to provide access to justice, in an effort to address one of the fundamental causes of the war.

Time does not permit a full description of UNDP's integrated support in the recovery, governance and poverty reduction areas. We will remit to the Truth and Reconciliation Commission the full texts of UNDP's interim recovery, governance and poverty reduction programmes, as well as a collection of six issues papers written by Sierra Leonean authors on subjects related to reconciliation and creation of governance in the aftermath of the war.

The Basis for Lasting Peace

To build lasting peace, good governance needs to be created and youth need opportunities for a better life, through education and income-generating employment. This analysis is not new. It has been said over and over again since civil society led the movement for democratic elections in 1996. There was hope at that time that Sierra Leone might put the war in the past, but we know that an even more comprehensive collapse occurred in 1997.

Today, Sierra Leone has finally achieved stability. This time we must collectively succeed in addressing the causes of the war to build lasting peace. The temporary strategies for recovery, for dispensation of justice, and the mosaic of security institutions with international support must be developed into durable, inclusive and effective governance institutions. Sierra Leoneans must find a way to reduce the dichotomy between the literate minority with access to wealth and the vast majority of citizens. especially youth and women, whose empowerment to increase their economic welfare will substantiate the peace. But the first step is to deal adequately with the aftermath of violence, through reconciliation and justice.

NATIONAL COMMISSION FOR DEMOCRACDY & HUMAN RIGHTS
(NCDHR)
9TH FLOOR, YOUYI BUILDING

P.O. BOX 437
BROOKFIELDS, FRETOWN
SIERRA LEONE
Tel: 241907/242241/240596 Fax: 232-22-234001 E-Mail:ncdhr2000@yahoo.co.uk

29th July, 2003

The Executive Secretary,

Truth & Reconciliation Commission

Brookfields

Dear Sir,

Presentation to the TRC

In response to the request of your Commission for information on the activities of the NCDHR in the area of human rights, I submit the attached summary (10 copies).

Yours Sincerely,

George Coleridge-Taylor
Ag. Chairman

Activities/Programmes of the NCDHR in the area of Human Rights

Within its terms of reference, the National Commission for Democracy and Human Rights (NCDHR) is mandate to:

Formulate, implement and oversee programmes intended to inculcate in the citizens of Sierra Leone an awareness of their civic responsibilities and an appreciation of their rights and obligations as a free people.

Investigate on its own or on complaint by any person any contravention of the fundamental human rights protected by the Constitution, and take such steps as may be necessary for the abatement of such contravention including associating itself with all efforts aimed generally at ensuring the observation of the human rights of the individual.

Recommend to the President effective measures for the promotion of human rights, including compliance by Sierra Leone with any international treaty obligations on human rights.

Our activities in this regard have been in consonance with the requirement of both the UNGA Resolution 57/206 on Human Rights Education and the objectives of Resolution 57/212 on the Decade for Human Rights Education.

Specifically, the following programmes may be cited:

1. **The Commission has drawn up a Civic Education curriculum for the formal education system covering the entire primary and secondary school range of which Human Rights Education forms a significant component.**

2. Civic education textbooks have also been prepared for all levels in the primary and secondary school system and human rights education themes feature prominently in these texts. Areas emphasized include:

Constitutions and legal rights

Right to judicial protection and a fair trial

Right to protection against discrimination on basis of gender race, or any distinction

Right to security of life and property and freedom from arbitrary arrest or detention, torture or inhuman treatment

Right to privacy and freedom of association, and speech.

Rights to vote and contest elections

Economic, Social and Cultural Rights

Right to employment opportunity

Right to food security, shelter, health, education, information, freedom of worship

Right to free choice of one's partner

Right to enjoy the benefits of international instruments embodying human rights principles and practices, principally the UDHR, CEDAW, CRC and the International Bill of Rights.

The Commission is now seeking funds to print and launch these texts within the next school year before the Decade runs out.

3. This year, a review of our curriculum has been undertaken under the umbrella of the Commonwealth Secretariat to accommodate stakeholders in the preparation of our national civic education programme, but without prejudice to our prepared textbooks.

4. At the tertiary educational level, the NCDHR has collaborated significantly with the Peace and Conflict Studies programme of the University of Sierra Leone in constructing a curriculum which is already operative.

5. In the non-formal sector, human rights education has been pursued

(a) Through radio and television discussion programmes on topics related to human rights awareness, principally:

- Gender equality
- Gender related violence (against women/girls)
- Empowerment of women /girls for political, economic and social emancipation
- Right to the disabled and aged
- Rights and responsibilities of children, parents and guardians
- Meaning and application of human rights
- Human rights, peace & development
- The TRC as an instrument of justice
- The African Charter on Human and Peopls's Rights

(b) Community meetings, seminars, workshops to educate the citizenry and to raise awareness not only of the rights of participation but which also focus on respect for the rights of others. Target groups have been composed of traditional leaders, religious leaders, urban and rural community leaders and members, disadvantaged urban groups, women's groups, youth groups, student unions

and other student groups, Awareness Raising Clubs (formed by NCDHR in educational institutional), the police, prisons and military forces, journalists and the business community.

Of special significance was our nation wide series of workshops conducted on behalf of UNICEF to educate both adults and children on the contents of the Convention on the Rights of the Child (CRC) and to elicit their inputs as a prelude to its ratification and absorption into local legislation. It has been quite successful and stimulated a lot of interest and awareness among both children and adults.

(c) Several discussion programmes were held specifically on the TRC as a transitional justice system to address human rights violations and the problems of impunity.

(d) A special pamphlet entitled "The TRC at a glance" was prepared for popular education and, together with a set of "Twenty Questions about the TRC" was translated into the four major local languages and disseminated.

(e) To mark the 50th anniversary of the Universal Declaration of Human Rights (UDHR), it was also translated into the same four major languages and widely distributed.

(f) A Human Rights Newsletter was also put out but was discontinued after a few issues because funds were not forthcoming for its continuation. We had hoped that Civil Society organizations, to which all international funding was being diverted, would continue with a publication to fill the gap, but we were disappointed. UNDP and UNAMSIL between them put out their own publications but local initiatives are also most desirable in areas of education and awareness raising.

(g) Pamphlets and posters have also been published and distributed to educate the public on their rights. Prominent among these are:

Know your Rights

Your Rights at the Police Station

The Constitution at a Glance

The State and the Citizens

Citizens Participation in Government

Civil Society and Democracy

6. Human Rights education cannot be complete, sustained or relevant without programmes of capacity building or the existence of a credible database and appropriate research.

The Commission has therefore sought to improve its own competence as a human rights education agency by:

(a) undergoing training in seminars, utilizing UNAMSIL expertise in the areas of human rights advocacy, monitoring and reporting of violations.

(b) participating in similar external (international) programmes.

(c) establishing a **Research** and **Information Centre which is temporarily stifled as the staff and funds to operate it are lacking.**

7. In a recent review and consultative exercise on the post-war agenda for Sierra Leone, a human rights programme was drawn up jointly with 6 Civil Society members. The following excerpts, which relate to Human Rights education, are currently occupying our attention:

- **Documentation of human rights violations and abuses in the country**
- **Nationwide human rights education programme, to be delivered at community, organizational and institutional levels**
- **Put structures in place where they are non-existent for the promotion of human rights, and strengthen existing ones to monitor and report human rights violations**
- **Support the work of the Special Court and the Truth and Reconciliation Commission as conflict resolution and peace-building instruments**
- **Human rights education, advocacy and intervention extension to all in need**

8. **One of the very useful mechanisms established and operating within the community was the setting up of Monitoring Committees on**

-Women and children

-The Police

-Prisons

-General

These committees are constituted by persons from various walks of life and include Parliamentarian, journalists, religious and civic leaders, students, lawyers, teachers, NGO staff, doctors, academics, the police, prisons, traders and other private citizens.

Their task involved constant monitoring of the human rights situation within their specific portfolios and the submission of reports with recommendations to the NCDHR.

Problems with staffing, funding and transportation have made it virtually impossible to sustain these committees but the Commission is anxious and committed to reviving them when operational conditions improve.

The Commission also maintains a Legal Aid and Counselling Clinic which operates twice weekly and is widely used by members of the public. Its main beneficiaries are the disadvantaged, who cannot afford the cost of legal services or are unaware of how to access the judicial and other remedial services. We are assisted by professional volunteers, who receive only minimal honorarium. The clinic has proved itself, especially to young people involved in paternity disputes but cases of child mistreatment, gender abuse and administrative injustice are also referred to us and we refer the latter to the office of the Ombudsman, as this is his prime responsibility.

NCDHR Report to the TRC - 2nd July, 2003.

Mr. **Chairman, Honourable Commissioners of the TRC;**

Recalling the events which gave rise to the TRC has always been a traumatic experience, even for those whose interest may be only academic. For those of us who have dedicated our life, and work to the preservation and advancement of our motherland, watching its rise and fall has been simply devastating. Our only consolation derives from the realization that the **revelations** and **reflections which engage the attention of this Commission are destined to reverse the course of this nation's fortunes and put her back on the path to recovery through reconciliation.**

Against the background of the NCDHR's mandate for the protection and advancement of democracy and human rights, my presentation will be concerned with the ways in which the observance or disregard of these concepts can help to explain our historical past and prepare the way for a historic future.

The **people of Sierra Leone have invariably shown a marked preference for democratic values. Bai Bureh declared war because he was required to pay tax but denied representation. Sengbeh Pieh rebelled because he was denied equality, justice and human dignity.**

In more recent times, men like the Hon. H. **C. Bankole Bright, who opposed the divide and rule strategy of the pre-independence elections, accepted the results because they expressed the will of the majority.**

It is not surprising, then, that Sierra Leone was so peaceful through our first years of independence, when free association free expression and commodious living made us the envy and admiration of nations far and wide.

Regrettably, it has to be admitted that this was a reflection of the colonial administration and its after glow. The indigenization of politics unleashed the interactive cultural stresses between the supremacy of the popular will and welfare on the one hand, and the indigenous ideal of a benevolent autocracy which turned out to be negligently malevolent.

Political divisions and loyalties were tribally delineated; wealth and power were co-extensive and restricted to the privileged elite; minorities were either marginalized or excluded and avenues for redress or complaints either non-existent or virtually inaccessible.

In this climate of deprivation, discontent was fomented as a national reaction, resulting in alienation of the masses from the ruling class. In their delusion of security, little thought was given by the rulers to the welfare of the people or the interest of the nation. Poor financial management and disastrous fiscal policies soon led to a catastrophic economic climate in which unemployment flourished among the youth while over - centralization of power and wealth engendered and condoned corruption, injustice, nepotism, disregard for law and order, which together produced a recipe for bad governance.
Powerless and dispossessed, the people waited impatiently for relief to the point of exasperation. Many were even ready to sacrifice an elected government for an autocratic military dictatorship.

As it turned out, it was the politicians who initiated this retrogressive practice. The coup of 1967, the first of an unfortunate series, actually introduced the practice of manipulation of the military by the politicians, thereby opening Pandora's box and preparing the way for future interventions.

The **NRC, NPRC and AFRC were logical outcomes of that first misguided act, transforming the noble institution that won honour and glory at Mayoung to the - Sierra Leone version of West Side Story.**

Of course, the army had its own gripes, deeply anchored in causes which are happily becoming 'a thing of the past'. They resented the political manipulation which encouraged and invited them to intervene when it was convenient for one side or the other. Recruitment was equally politicized, as politicians sought ethnic and constituency quotas to facilitate election thuggery and strengthen their power bases.

A major and very important fact ignored by these politicians was that soldiers were recruited from civilian populations and carried their discontent with them into the army. The army thus represented a melting pot of incompatible ingredients. On the one hand, tribal divisions were tearing them apart in competitive rivalries as each sector strove for
dominance in influence and numbers. In contrast, they were united by discontent with the status quo.

When this situation was compounded by a deliberate policy of marginalizing them, the recipe for revolt and disloyalty was complete and it persisted into the war.

Marginalization manifested itself in low and delayed salaries, inadequate and uncomfortable accommodation, denial of benefits for the family; with holding the supply of arms and uniforms, which constitute the pride of the soldier's profession, and subjecting them to the ultimate indignity of creating a rival and better equipped national security force.

This confluence of negative forces was a dynamic stimulus for violent rebellion, and provided a prominent, persuasive platform for the demagoguery of Foday Sankoh, while the lure of easy wealth, accessible through pillage and banditry, attracted many. For others it provided access to the envied acquisition of inordinate wealth, corruptly acquired and displayed with defiant ostentation by corrupt officials.

As with all civil strife, the nation was plundered. The foundations of its economy were destroyed, its institutions scuttled, citizens killed, violated and displaced. The difference in Sierra Leone was the sub-human depth to which it sank and the bestiality of the atrocities visited on innocent, unarmed civilians. These have already been revealed in tearful and gruesome detail by witnesses before this Commission.

Through these changing scenes of one party rule, military dictatorship and civil conflict teleguided from abroad, the underlying craving for a return to democracy persisted among the majority of the citizens.

This explains the unusual fact that a military regime, the NPRC, should have set up the National Commission for Democracy by Decree in 1994 with the primary aim of cultivating a democratic tradition and advancing the democratic process. The **Commission's success has been largely demonstrated by the increased civic awareness of the citizenry and the emergence of a strong and vibrant civil society. It is no secret that the Commission played a leading role in the preparations for the 1996 and 2002 elections and in guiding attitudes to post electoral democracy.**

Following the addition of a human rights portfolio to its mandate, the Commission has encouraged and, in some cases, spearheaded human rights awareness through interventions at various levels of the community ..... schools and students, war - affected children, women's groups, youth groups, ex-combatants, internally displaced groups, the business community, security forces and other arms of government. It also initiated the idea and coordinated the participation of civil society groups in the Lome Peace Talks and propagated the Peace Agreement.

Through our involvement with both sides in governance i.e. the government and the governed .....we have embraced and promoted the idea that repentance, forgiveness, reconciliation and respect for human rights are necessary pre-requisites for lasting peace and development. Underlying this equation is, of course, the fundamental adherence to good governance (including equitable dispensation of justice) and responsible citizenship on the part of all.

This dispensation of justice is being admirably actualized by the functioning of your esteemed Commission, the TRC, and the Special Court as transitional justice systems. They are transitional because they are not ends in themselves but we hope you will be the means to a desirable ideal, which is Peace with Justice.

To be of lasting success, however, your institutions must be buttressed by ancillary programmes and systems confronting and addressing the ills which contributed to the darkest chapter in our history.

Having outlined most of them at the outset, I do not wish to repeat those ills here. It is enough to state that good governance and good citizenship demand attitudinal changes among our people.

Patriotism, above all must be enthroned. Our first duty to our nation is to make it peaceful, prosperous, prominent and proud. Only then can we expect to benefit as citizens.

Unfortunately, our orientation has been totally materialistic and this has been the slippery slope to our downfall. We recognize the need for material prosperity and a comfortable quality of life for all. But if we build our future on a culture without values and positive attitudes, then our material prosperity will only lead us to worse doom and destruction than we have ever witnessed or experienced.
This is the greatest challenge confronting us as individuals and as a nation and this is the greatest preoccupation of the NCDHR because it is the core of our mandate. We are committed to the management of attitudinal change in a nation poised for recovery, but we need the men, materials and funds which are in very short supply at the moment.

We are miserably deprived and this is a national mistake that can lead to a national disaster.

In conclusion, I shall use this public forum to appeal to the authorities and the international community to provide every possible support ..... staff, equipment, transportation and programme funding .....to facilitate that task so that we can continue to make a difference.

I thank you.

A PRESENTATION SUBMITTED TO THE TRUTH AND RECONCILATION COMMISSION AT THE THEMATIC HEARINGS ON BEHALF OF THE SIERRA LEONE PEOPLE'S PARTY (SLPP)

THEME: (GOVERNANCE)

ONE COUNTRY ONE PEOPLE



COUNTRYFIRST!

DR. PRINCE ALEX HARDING Ph.D (Lond.)

NATIONAL SECRETARY *GENERAL, SLPP*

My Presentation is going to be based on the following sub-headings to enable us to know where we are coming from, where we are now, and where we are heading to:

1 Structure of the Party

2 Historical perspective of the SLPP

3 SLPP in Governance

4 Causes of the war

5 Recommendations

THE STRUCTURE OF THE SLPP

The Sierra Leone People's Party (SLPP) has a highly decentralised organisational structure: it is organised at the national, regional, direct, constituency, chiefdom and zonal levels, to ensure that grassroot members participate in decision-making processes.

The women and young generation wings of the party are responsible for mobilising women and young persons as supporters and members of the party and for organising and coordinating their affairs.

The SLPP also operates overseas branches in the United Kingdom and Ireland, USA/Canada, Israel, Germany, Saudi Arabia and other countries.

The Party's National Conference is the supreme governing organ which constituency, district, regional, national and overseas delegates attend to elect members of the National Executive Council (NEC),

nominate the Party' Presidential candidate/Leader and the National Officers of the Party. It is responsible for the general direction and control of the party.

The National Chairman is the administrative Head of the Party but is not qualified to be the Party's Presidential candidate. The Chairman does not only preside over meetings of key committees and councils but also promotes the policies, principles and programmes of the Party.

Whenever the Party is in control of government the National Leader charts the course of government, steers the ship of state and ensures that the policies, programme, operations and conduct of the government and its executive functions are in the best interest of Sierra Leone.

The National Secretary-General is in charge of the day-to-day administration of the Party, including the custody of all records and documents. As the vote-controller he is also in charge of the fortunes of the Party. He/she conducts the correspondence of the party, internally and externally.

The National Organising Secretary is responsible for organising and co-ordinating Party activities and for generating membership for the Party throughout the Country and elsewhere. This officer is the principal liaison between the various arms of the Party.

The National Executive Council (NEC) is the principal administrative organ of the Party. When circumstances and or political expediency demand this body can transform itself into a National Conference and take crucial decisions, all in the interest of the Party to achieve defined objectives. The NEC as well as the Party Conference has membership right across the length and breadth of the Country. It carries out the programmes and policies determined by the Party Conference.

The National Policy Council (NPC) which comprises key national officers is the principal policy articulating and monitoring organ of the Party.

The Parliamentary Council is composed of all members of the Party in the National legislature. It ensures that members regularly and promptly attend sessions of Parliament and its committees. It also ensures that members speak and vote in accordance with agreed party lines.

It is instructive to note that implementation of party policies are partly done by standing committees (normally set up by the NEC) and ad hoc committees set-up by the NEC or the National Secretariat or the appropriate authorities within the established party structures.

Notable standing committees are FINANCE AND GENERAL PURPOSE (F&GP), STRATEGIC PLANNING, ELECTIONS, FUND RAISING, MONITORING ETC, Ad Hoc committees are exemplified by, NATIONAL CONSULTATIVE, CONSTITUTION REVIEW, etc. Ad Hoc committees are transient and are put together for specific purposes at a particular time to address or achieve that purpose.

An organogram is attached to show the relationship between the different administrative strata. Each stratum below the NEC has an elected executive of not less than 10 members, which manages and directs the affairs of the party at that level within broad outlines of the party's principles, rules and objectives.

The SLPP Constitution is designed in such a way that no one man/woman or group is absolutely in control of or owns the Party. This is in stark contrast to other parties formed. In that the demise or prolong absence of their leaders cum owners meant the collapse or total disintegration of the Party. Let me give a few examples: The once vibrant PDP disappeared with the death of their charismatic Leader, Thaimu Bangura; the UNPP disintegrated into different obscured parties courtesy to their dictatorial antics of their "HELICOPTERED" Leader, KAREFA SMART, who is currently hibernating in the USA waiting to come for another election, of course with a return air ticket. The death of Siaka Stevens has left the APC in complete disarray. They are at each others throat and still searching for a Leader.

As for the SLPP, the deaths of the past leaders (eg Dr and Lawyer Margai) have had no lasting negative effect on the SLPP Party. The Party is going from strength to strength.

Mr Chairman I have decided to go to some length to show the inherent democratic nature of the SLPP, an essential virtue for good governance. It therefore becomes a natural instinct for the SLPP to practice good governance at national politics in consonance with the common adages: "that charity begins at home" and `you cannot practice what you don't know'.

When the SLPP was in power before the APC era, we upheld and supported the institution of chieftaincy and local government along democratic lines. This was, however, subsequently bastardised by the APC. They created new ruling houses, anointed their own chiefs, and removed chiefs who were perceived to be opponents of the Party.

Fortunately, with the advent of the SLPP back in power in 1996, we have worked assiduously to restore the dignity of chieftaincy.

Currently, we have allowed election of Paramount Chiefs to be done without any Government interference. This was done in a violent-free atmosphere.

The result is that Paramount Chiefs representing Natural Ruling Houses have been popularly elected.

In addition, modalities are already been put in place for Local Government elections to be held to enable the people at every level within our society to decide on and implement what is good for them.

The "Big Brother" syndrome usually associated with Government has been eradicated. Other areas of governance are following suit, for example in the Ministry of Education, interviews for scholarships are now held at regional levels.

Scholarships are now awarded to deserving students. In essence the SLPP Government has reversed the negative adage that was common in the APC days, eg "Education is a privilege not a right". Today the SLPP is saying that education is a human right not a privilege, especially for the girl child.

Other Government Ministries are also in the process of decentralising. For example in the Ministry of Agriculture and Food Security there are now Regional Directors in addition to the Director General in Freetown, to ensure among others that the appropriate agricultural inputs get to the farmer at affordable price and on time.

In the Ministry of Health and Sanitation, Health Management Boards have been set up, at all District and Regional Levels to work in concert with the Local Government machinery.

Recently, the Vice President Mr Solomon Berewa was all over the country to announce that contracts for projects should be awarded where feasible to local contractors within the beneficiary communities. This policy will surely enhance equitable distribution of wealth and retard the usual on-sided migration to the capital in search of centralised greener pasture.

HISTORICAL PERSPECTIVE

The Sierra Leone People's Party (SLPP) was founded on April 27, 1951 partly in response to constitutional changes effected by the British Colonial Administration after the Second World War and partly to represent the views and aspirations of the people. It was the product of a merger of the Sierra Leone Organising Society (SOS), the Protectorate Educational Progressive Union (PEPU) and the People's Party. The Party was established on the ideals of Unity, Freedom and Justice, which were bequeathed to the nation at Independence.

The Philosophy of "ONE COUNTRY, ONE PEOPLE" was adopted as its motto and the Green Palm Tree as its emblem. The Palm Tree was chosen because of its national geographic coverage, its straight line posture signifying uprightedness, resistant to fire and wind signifying toughness, and of its economic and other utility values - ranging from making bridges, soft timber, roofing, source of food, beaverages to medicine - giving a total of about 28 uses.

Furthermore the Party's Motto underscores the importance which the founding fathers attached to Unity as a solid bedrock of national cohesion, stability, progress and prosperity.

The regional, ethnic and cultural origins of the founding fathers are evidence of the Party's national character and outlook. Amongst others, notable founding fathers were P.C. Bai Farma Tass II, Kandeh Bureh, Siaka Stevens and Dr John Karefa Smart, from the Northern Region, from the Southern Region Dr M A S Margai, Rev Paul Dunbar and P C Bockarie Samba from the Eastern Region, and Rev E M Jones a k a Lamin Sankoh,
M S Mustapha and H E B John from the Colony of Sierra Leone, now the Western Area.

It is instructive to note here that it was P C Bai Farma Tass II of Kambia District who willingly relinquished the leadership of the Party in favour of Dr M A S Margai on the legitimate grounds that his duties as Paramount Chief would not allow him sufficient time to devote to national politics. He settled for the deputy leadership of the Party. Other key national officers were A J Momoh, First Vice President, Lamina Sankoh, Second Vice President, Kandeh Bureh, Treasurer and H E B John, National Secretary-General. Thus, the SLPP emerged as a party in which every ethnic group, every region, every religious group and every shade of opinion was well represented.

In the general elections of 1951 the SLPP won (13) thirteen protectorate seats and (2) two colony seats. As leader of the majority party, Dr M A S Margai was invited to nominate five members to become un-official members of the executive council. The following were given responsibility for Ministries in 1953. Dr M A S

Margai, Health, Agriculture and Forests; A M Margai, Local Government, Education and Welfare, M S Mustapha, Works and Transport, A G Randle, Trade and Commerce, Posts and Telegraphs, and Siaka Stevens Land, Mines and Labour, P C Bai Farama Tass II was appointed Minister without portfolio. The ethnic and regional balance in this embryonic cabinet was to characterize subsequent cabinet appointments of SLPP leaders.

Other Political Parties were formed before the next elections in 1957 notably, the United Peoples Party (UPP), the Kono Progressive Movement (KPM), and the Sierra Leone Independent Movement (SLIM), but the SLPP won again. It scored forty-four (44) out of the **fifty(50)** elected seats in the House of Representatives by entering into alliance with successful "independent" candidates. However, in 1958 the internal split between "moderates" under Dr Margai and "radicals" under his brother, Albert Margai, came to the fore with the latter breaking away and forming the People's National Party (PNP), with Albert as Leader and Siaka Stevens as his Deputy.

Indeed, after ten years of political awakening and conscientization, honest dialogue and judicious cooperation with the erstwhile colonial masters spearheaded by the SLPP under the revered and able leadership of Sir Milion Margai, Sierra Leone attained Independence without resort to the use of violence on April 27th, 1961. Indeed it was a peaceful transition from colonial rule to self-determination.

Consequently, Sir Milton Margai became the first Prime Minister of Modern Sierra Leone. The ensuing seven years of SLPP rule was charactised by peace, political tranquillity, remarkable socio-economic infrastructural development, a robust economy with a strong currency (the Leone), self sufficiency in food production with a normal surplus for the export market, affordable health care and educational facilities, observance of the rule of law and tolerance of organised dissent, an equitable distribution of the national cake, and a negligible level of unemployment. The high standard of education and self-reliance in food production in the country earned it the prestigious names of the "ATHENS" and Bread Basket of West Africa.

In short the SLPP established a culture of respect for the rule of law, meritocracy, honest and dedicated service to the nation and, above all national cohesion.

Between 1960 and 1962 the SLPP was the dominant party in the House of Representatives. Outside Parliament, its authority was challenged by the All Peoples Congress Party (APC), which emerged in 1960 under the leadership of Siaka P Stevens. In 1962, it conducted free, fair, peaceful and transparent General Election in which the APC won 16 (sixteen) seats drawn only from the Western Area and the Northern Province. The APC thus formed the official opposition in Parliament. The SLPP secured a working majority by entering into alliance with successful "independent" candidates who failed to secure the SLPP symbol.

Sir Milton's charismatic and astute leadership as well as his moderate and cautious approach to the problems of nation-building prevented the disintegration of the SLPP. When he died on April 28, 1964, he left behind a legacy of a party system, which was highly pluralistic in nature and highly tolerant of organised dissent.

Section 58(2) of the 1961 Constitution, which empowered the Governor-General to appoint as Prime Minister a Member of Parliament who appeared to him likely to command the support of a majority of the members of the House was invoked by Sir Henry Lightfoot-Boston to appoint Sir Albert as a successor to late Sir Milton Margai.

M S Mustapha who has twice acted as Prime Minster, Dr Karefa-Smart , Y D Sesay and S L Matturi initially challenged Sir Albert's appointment. Their subsequent dismissal as Ministers exacerbated internal conflict in the Party, Dr Karefa-Smart and some Northern Politicians who were dissatisfied with this development left the party to join the APC at once. Furthermore, Albert's attempt to re-organised the Party merely antagonised the conservative elements within its fold.

Indeed, Sir Albert Margai muted the idea of a single party in 1966 and actually passed a Republican Bill in 1967. These in addition to the allegation that he had transformed the SLPP into a Mende-Party provided the opposition with added ammunition which was used to discredit him in the 1967 General Elections.

From the foregoing, it is evident that the SLPP contested the 1967 General Elections as a deeply divided Party. Controversy followed the declared official result of SLPP 32, APC 32, and Independent 2. This created a stalemate which prompted the army to seize power and ushered in a military interregnum, the National Reformation Council (NRC). The elections in 1967 exposed the dangerous state of ethnic and regional tension in Sierra Leone. However, the SLPP went on record as being the first in post-colonial Africa to have conducted free and fair elections with the opposition emerging as winner.

From 1961 to 1967 the SLPP laid the foundation of a solid parliamentary democracy in the country. It provided accessible and affordable quality education and health care facilities for the people. It maintained a stable economy and embarked on infrastructural development projects aimed at accelerating social-economic progress and prosperity.

When the National Reformation Council (NRC) was overthrown by the Anti-Corruption Revolutionary Movement (ACRM) in 1968, the SLPP participated in a government of National Unity under the Leadership of Siaka Stevens of APC. However, the Government was constantly and consistently undermined by the APC and in 1969 the SLPP emerged as the official opposition in Parliament under the distinguished Leadership of Salia Jusu-Sheriff.

Besides the enactment of a series of Laws aimed at undermining the viability of the SLPP as an opposition, the APC used raw violence and intimidation to Kow-tow opposition figures into submission. 1973 and 1977 elections were characterised by unprecedented violence and intimidation against political opponents. A one-party system was imposed on the people of Sierra Leone in 1978. Salia Jusu-Sheriff and eleven Parliamentarians performed the heroic but dangerous role of official opposition to the autocratic and despotic APC.

The sum total of this all is that when the APC wrenched power from the SLPP in 1968, they did not only stop at that, but went further to shatter the foundation for peaceful coexistence by institutionalising and legalising violence as acceptable avenues for attaining political power. It organised and perfected a highly sophisticated syndicate which fixed huge waste pipes on all revenue-generating institutions through which

billions of leones drained into private bank accounts in and out of the country, thereby depriving national developments projects of revenue. In short the APC did not only undermine the socioeconomic development of this nation but got it started on the path to persistent economic decline. Ironically and paradoxically as well, the APC became richer than Sierra Leone itself. Little wonder the Chinese Government then refused to hand-over the projects to the APC for implementation. Instead Chinese Government sent Chinese technocrats, technicians, construction personnel including cleaners and painters and materials and implemented all their projects. Thank God for that strategy, today we can boast of the National Stadium, Police Headquarters and Youyi Buildings.

Another significant development albeit retrogressively in the APC era was the legalisation and consolidation of the culture of unbridled corruption: a reversal of the positive gains of the SLPP: The Voucher and Million-gates speak volumes for themselves. Infact, and pathetically the central figure in the voucher gate scandal is still holding high office in the APC and even had the audacity and temerity, shamelessly though, to stand on this platform to accuse the SLPP of corruption.

The two common adages in krio said it all: WU SAI DEN TIE COW, NAR **DAE E GO EAT and DEN SAY BAILOR BARRIE YOU SAY DAVIDSON NICOL.** Financial and moral corruption reigned supreme.

Let me give a typical example of one of the so-called 99 Tactics the APC employed to deplete the resources into their pockets. The Kabasa Lodge was built with state-money at an unrealistic cost-the excess of course as kick backs. Next it was given to their Leader on one of his numerous birthdays as a state gift. After sometime, he sold it back to the state at exorbitant price. That is the APC basic economics of recycling resources. Uptil now we don't know who actually owns Kabasa Lodge.

Disheartening enough, the judicial system was destroyed with reckless abandon. The Constitution was amended and mutilated to suit the whims and caprices of those in power. The judiciary was converted into an open market place where lawyers, magistrates and judges battered justice for money or favours. In short it denigrated into a state of lawlessness where the so-called "Constructive Nationalism" became "Destructive Nationalism". Justice was denied to the under privileged, sending the signal that there was first and second-class citizens within Sierra Leone.

The re-introduction of democratic pluralism in 1991 witnessed the re-emergency of the SLPP under the dynamic leadership of Salia Jusu-Sheriff. Unfortunately, the democratisation process was interrupted by the Corp d'etat of April 29, 1992 which ushered in the National Provisional Ruling Council (NPRC).

However the NPRC was no better as it helped to prepare the stage for the eventual formalization of the unholy alliance between the soldiers and the RUF. Soldiers abandoned their constitutional role to defined the people of this country but opted instead to butcher them in cold blood: a criminal conspiracy against the defenceless citizens of this country.

Agitation for a return to civilian rule gained momentum in 1995. The Bintumani Conferences (I & II) and external pressures forced the NPRC to reluctantly conduct Presidential and Parliamentary elections in early 1996 in which Alhaji Ahmad Tejan Kabbah and the SLPP emerged victorious. Thus the SLPP came to form a Government after nearly 30 years of mis-rule. It is important to note that other parties including the APC were given and took positions in Government. Expectantly, the SLPP inherited a completely collapsed state.

A failed state that is. The soldiers though, half-heartedly handed over power but refused to be confined to the barracks, thus creating problems for the party to root and firmly anchor democracy and good governance in this country.

The first year of SLPP under the charismatic and effervescent Leadership of Alhaji Dr Ahmad Tejan Kabbah was characterised by traditional SLPP trade marks, progress on all fronts- the leone appreciation, inflation dropped from 100 to 6%, prices especially for our staple food, rice plummeted from Le30,000 to Le12,000 a bag on the average, a minimum wage of Le21,000 was introduced, the list goes on.

Again, on Monday 25, 1997 the sobels/rebels violently overthrew the legitimate and democratically elected Government which ushered in nine months of hell-on-earth of junta mis-rule, destroying all the gains made by the SLPP. There was unprecedented human rights violations, reckless destruction of our socio-economic infrastructure, and the wanton rape of the country's treasury and national resources. Luckily, the majority of Sierra Leoneans rejected the AFRC/RUF regime. The Media in particular played a key role, and mostly bordering on suicide to expose and discredit the Junta.

No country in the world recognised the Junta. Eventually the combined forces of the international world led by ECOMOG, combined loyal forces of the Army and Police and the Civil Defence Forces (CDF) drove the AFRC/RUF out of power.

The SLPP - led Government immediately set in strategies to put a halt to the declining situation and opted to bring peace, unity, freedom, justice and national development.

Again on January 6, 1999, the AFRC/RUF and its mercenary allies struck the nation and its city with unparalleled barbarity, looting, rape and arson.

On behalf of the SLPP Party, may I once more take this opportunity to send sincere condolences to those who lost their loved ones or friends during those 10 or so years of rebel activities as well as sympathise with all those who were subjected to human rights violations of any sort and others who lost properties and families who are irreconcilably separated.

THE SIERRA LEONE PEOPLE'S PARTY IN GOVERNANCE

Between 1951 and 1957 the SLPP emerged as the only political party which commanded the confidence and allegiance of majority of the people in the country. It has a comfortable majority in the Legislative Council and the newly constituted House of Representatives. Its leader Dr M A S Margai, was appointed as Chief Minister in July 1954 and towards the end of 1957 as Premier, and by the provisions of the independence constitution of 1961, as Prime Minister. The Party corroborated the efforts of the British colonial administration in laying the foundation of a solid parliamentary democracy in Sierra Leone.

The SLPP, under the charismatic dynamic and astute leadership of Dr M A S Margai, championed the struggle for the political and economic emancipation of the Country. It formed the United National Front (a coalition of political parties) which ushered the country to independence on April 27, 1961

From 1961 to 1967 human rights, the rule of law, freedom of the press, freedom of association and independence of the judiciary were rigidly respected. Political stability, social justice and economic prosperity were the order of the day.

The regional, ethnic and professional diversity of the SLPP Cabinet was and still is, in line with the principles and practice of the politics of inclusion aimed at fostering national cohesion and stability. Sir Milton Margai appointed Dr John Karefa-Smart (Loko), Siaka P Stevens (Limba), Kandeh Bureh (Temne) from the Northern Province, D L Sumner (Sherbro) A J Demby (Mende) and R B Kowa (Mende) from the Southern Province, M S Mustapha (Aku), H E B John (Krio) and R G O King (Krio) from the Western area, Taplima Ngobeh and Salia Jusu Sheriff from the Eastern Region.

The Sierra Leone People's Party was tolerant of organised political dissent. In 1962 it conducted free, peaceful and transparent general elections in which the opposition All Peoples Congress Party (APC) gained a sizeable number of seats in the House of Representatives. In 1967 the Party went on record as being the first in post-colonial Africa to have conducted free and fair elections with the opposition emerging as winner.

The autocratic and tyrannical rule of the APC which followed is a clear testimony to the fact that the SLPP was and still is, a national democratic party. The APC imposed a republican and one-party system against the wishes of the traumatised majority.

The APC misrule and economic mismanagement continued fort 24 years until the military interregnum (April 1991-1996).

After that, the SLPP came to power when it won the Presidential and Parliamentary elections in **1996.**

The SLPP, under the dynamic, capable and wise leadership of President Alhaji Ahmad Tejan Kabbah, puts high premium on respect for human rights, the rule of law, an unprecedented freedom of expression, social justice and strict financial and economic accountability and transparency. This has invariably earned the Country considerable international support. The British military and technical presence as well as the proliferation of international NGO's are testimonies to this fact. Moreover, international institutions like the IMF, World Bank, Africa Development Bank, Islamic Bank and others have found the SLPP-ruled Sierra Leone a fertile and safe place to do business.

The SLPP believes that peace is sine qua non for national progress and that a peaceful resolution of the then conflict was a must for national cohesion and sustainable socioeconomic development. Furthermore, sustainable peace and security will provide an enabling environment for each and every individual to maximise his or her potentials. In this regard, the SLPP signed a number of peace accords with the RUF including the Lome, and Abuja Peace Accords, which eventually got us the much sought after peace.

The choice of political leadership at the national and local levels has included all ethnic groups across the length and breadth of the country. Similarly, conscious efforts have been made in other spheres of life to maintain an ethnic balance in the military, the police, the civil service and in civil society generally. It has also opened an arena for unhindered operation of civil society movements.

The major objective of this strategy is to foster and secure the much-elusive national cohesion. There is ample evidence that the SLPP has made giant strides in unifying the Country; one such example is the cordial relationship between the legislative and executive arms of Government.

It is interesting to note that in the last Parliament the SLPP with twenty-seven (27) members in a legislature of eighty (80) was able to enact its bills into laws with minimal hitches.

Our National Leader, H E President Ahmad Tejan Kabbah has played a cardinal role in fostering national cohesion and in preserving democratic values and practices. His Cabinet appointments embrace all ethnic groups.

GENERAL ELECTIONS 2002

The conduct of the last Presidential and Parliamentary Elections ushered in a new era in the politics of Sierra Leone. Local and International observers who monitored the elections were unanimous in their reports that the elections were transparent, free, fair and free from fear.

The SLPP filed in candidates in all the electoral districts of the country a task which other political parties found difficult to accomplish.

The SLPP made significant in roads in areas which were erroneously perceived to be the APC stronghold like the Northern and Western Regions.

Out of 112 seats SLPP had 83 seats, APC got 27 seats and the Angel (PLP) 2 seats, illustrated as follows:

		SLPP	APC	PLP	ALL OTHERS
1	Northern Province	18	22	0	0
2	Western Area	9	5	2	0
3	Eastern Province	24	0	0	0
4	Southern Province	32	0	0	0

It is worthwhile noting that the import of this illustration shows that SLPP did not only get representatives from all regions, but also had representatives from all the districts.

The message from this unique achievement is that the SLPP had finally arrived at the platform of national cohesion as espoused by her sacrosant motto of "One People One Country". By the next election, we hope to improve on this achievement to continue justifying our party's name - Sierra Leone People's Party.

Also in the Presidential Elections, the SLPP .Presidential Candidate H E Alhaji Dr Ahmad Tejan Kabbah won a landslide victory in the first ballot with 70.6% of total ballot; a tall order by any standard.

SOME OF THE ACHIEVEMENTS OF THE SLPP SINCE 1951

1 POLITICAL

The SLPP, under the dynamic and wise leadership of Sir Milton Margai formed the United Front which ushered the country to independence on April 27, 1961 Sierra Leone emerged as a young but dynamic and vivacious nation.

It preserved the democratic principles, values and institutions inherited from the British colonial masters.

Respected and still respect the fundamental rights of the individual and the rule of law.

Maintained maximum peace and stability in the country during its tenure of office.

Respected the independence of the judiciary and never used extra judicial means to attain any political end and, any other objective for that matter.

2 EDUCATION

Encouraged missionaries and Local Government authorities to establish schools throughout the country. Founded the Njala University College and the Milton Margai Teachers College. Awarded scholarships to deserving students to study at home and abroad. Education was a right and not a privilege.

Technical Institutions offering vocational and skilled training were also established. Established the National School of Nursing. Introduced free feeding in Primary and Secondary Schools.

3 HEALTH AND MEDICAL SERVICES

Provided a decentralised and affordable medical system with qualified doctors and nurses. Provided free medical care for students, provided pipe-borne water supply in key towns in the Country, Guma Valley in Freetown and the Degremont Water Supply projects in the provinces.

4 AGRICULTURE

Established the Sierra Leone Produce Marketing Board (SLPMB) to enhance the cultivation and marketing of agricultural produce. Agricultural cooperatives were formed to also help farmers maximise their profits.

Established Rice Corporation in order to provide our staple food at affordable prices and for export to other Countries.

Oil Palm plantations were established.

Piassava was exported from the Sherbro Island, Ginger was similarly exported from the South especially within the Moyamba District.

5 INDUSTRIAL DEVELOPMENT

Encouraged rapid development of efficient manufacturing industries, especially those which utilised raw materials as well as other local resources.

The Wellington Industrial Estate was set-aside for this purpose. Government granted special generous tax concessions to new manufacturing enterprises as investment incentives.

6 TRANSPORT AND COMMUNICATIONS

Built the Deep Water Quay, the National Harbour Improved and maintained the railway.

Established first-class road network in the country. Encouraged river transportation on all of the navigable rivers. Developed the Lungi Airport to international standards and established airfields in all provincial headquarters.

Established the Sierra Leone Road Transport Corporation (SLRTC) in April 1965 to operate Bus services and road haulage throughout the Country at reasonable prices. Sierra Leone Broadcasting Service (SLBS) and Sierra Leone Television, (SLTV) helped to inform, educate and entertain the people.

7 MINING

Renegotiated the Mining lease with the SLST. The Lease was reduced from 99 years to 36 years.

Introduced the Alluvial Diamond Mining policy, which made provision for African participation in the diamond industry. It operated diamond and gold buying and exporting offices in Freetown, Bo and Kenema.

Established Sierra Rutile and SIERROMCO Mines to mine rutile and bauxite in Southern Sierra Leone.

.

Iron ore was mined at Marampa by DELCO. Chromite was mined within the Kenema District.

Judicious use of the proceeds from the mining industry helped in the structural development of the country.

8 CENTRAL BANKING AND COMMERCE

Established the Central Bank in Sierra Leone and preserved a conducive climate for the operation of commercial Banks. It offered sound and constructive advice on monetary and fiscal policies.

Introduced the decimal currency (the Leone) with a par value with the pound sterling but stronger than the American dollar.

Operated a stable economy thereby enabling the citizenry to live within their means (salaries) with the option to save.

9 ENERGY AND POWER

An adequate and reliable supply of electricity is vital for economic development. There has been an absence of this in Sierra Leone for the past two decades. The infusion of donor funds and

substantial subsidies by Government has improved the situation, lately, **but power sector requirement are immense.**

Through fund provided by the EU and the Government improvement were made to the distribution system. Thanks to these funds, some problems relating to low voltage and poor electricity supply to certain areas of the city have been addressed.

Some substations have been refurbished and vital equipment bought to effect repair to certain areas of the distribution system.

On different occasions a technical audit team from the ADB and the World Bank (WB) team recently reviewed and inspected the Bumbuna operations respectively. Donors (ADB, WB, Italian Government) have now agreed to fund the Project. It is hoped that this Project which will provide 5OMW electricity in the first instance (with a potential of about 350 MW maximum) will soon be initiated with a completion period of 12-18 months. This will greatly enhance Sierra Leone's power generating and supply capacity.

The Guma Hydro-electric plant, which has been non-functional since 1977, will be reactivated this year by Government through the help of the Chinese. When completed it will have an installed capacity of 2.8MW.

Water Supply

The SLPP Government has taken considerable strides in improving both urban and rural water supply.

The Banda Treatment Works at Lungi is being rehabilitated and would soon be commissioned to guarantee 24 hrs water supply to the airport and the environs of the township.

Materials for the emergency water rehabilitation project in Makeni have been procured, and the project completed.

10 TRANSPORT AND COMMUNICATIONS

The Transport and Communications Sector is at the heart of macroeconomic development in most countries the world. -Sierra Leone is no exception.

Most of over 11,000 km road networks were in very advanced stages of dilapidation by this time. The SLPP made a point of maintaining the structural integrity of our roads even during the war as long as access was possible.

Our international airport was a death trap only a few years ago. With improvements on the runway, perimeter fence, edge lighting and terminal building, sanity has been restored. The terminal building is now respectable. Passenger and baggage screening and baggage recovery equipment have been installed to enhance air safety and elevate the airport to ICAO Standards.

With the merging of the Sierra Leone National Telecommunications and Sierra Leone External Telecommunications (SLET), SIERRATEL was born. This single commercial strategy brought international telecommunications right into the bedrooms of many Sierra Leoneans. The SLPP also radically reformed the sub-sector with the issuing of licence to private operate of all phones and internet cafes. This has really proleterianised and improved the telecommunications service sub-sector. These services are being extended throughout the country.

11 AGRICULTURE AND FOOD SECURITY

In conformity with HE's vision for agricultural food self sufficiency, the Government has recently accepted and adopted an Agricultural master plan for Sierra Leone aimed at charting the country's vision for agricultural development up to the year 2015.

- The SLPP Government has made tremendous strides to restock all forms of livestock

Operations of the North Central Agricultural Development Projects which were suspended due to war have now resume full operation. The remaining fund of US$3million for the programme will be utilised for agricultural activities in the Tonkolili and Kono Districts.

Funds provided by the ADB will be used for feasibility studies - the following areas:
Rolakoh Rhombhe irrigated rice cultivation

Impact of the combined efforts of all the above is expected to increase agricultural productivity by at least 5 percent every year.

12 SOCIAL SAFETY NET

A novel idea of the SLPP has been the establishment of a "social safety net" otherwise known as the National Security Scheme. The net covers the disabled, the needy and those without regular income, although it focuses on widows and separated children to help them become participators so that they would be re-integrated into society. Another novel SLPP scheme is the National Social Security Scheme. This one is designed for ablebodied Sierra Leoneans between ages 18-60. Contributors to the scheme will benefit from its various pensions and disability programme on retirement.

13 HEALTH AND SANITATION

Several years of neglect and mismanagement and the destruction of health facilities left 90 percent of our health care delivery facilities nonfunctional. Lack of drugs, equipment, and supplies characterised our health delivery service. Overcrowded and sanitary living conditions exacerbated the situation, leading to a sharp increase in infectious diseases.

The SLPP Government has made steady progress in providing basic health care services to the majority of Sierra Leoneans including those in displaced/refugee camps.

Capacity building for doctors in public health, environmental health, officers, clinical specialists, tutors for the training institutions, MCH and other nurses and 1,355 TBAs were successfully undertaken.

Through the help of donors and from Government funds, drugs were procured and made available on a cost recovery basis in our hospitals.

The Connaught Hospital, the nation's foremost referral health institution, has a modern laboratory facility, and it is to be rehabilitated soon.

SLPP has decentralised health delivery services.

14 NATIONAL COMMISSION FOR SOCIAL ACTION (NACSA)

1 Relief and Humanitarian Assistance

Since its establishment, the commission and its humanitarian partners provided relief assistance to nearly half a million refugees through (UNHCR) and over 1.6 million internally displaced persons and vulnerable communities. Through this effort, war victims benefitted from temporary shelter, health, education, water and sanitation, food and non food items.

2 Assessment Coordination and Resettlement

With marked progress in disarmament in 2001, NCRRR actively coordinated various assessment missions in newly accessed areas in the North and East of the country. District recovery plans were designed and round table conferences held to mobilise resources for each accessible district. In collaboration with UNHCR, government facilitated the return of 60,000 Sierra Leonean refugees in neighbouring Guinea and Liberia through the Commission, and also facilitated the resettlement of over 2million Sierra Leoneans.

3 Re-integration

The Commission's long-term re-integration programme targets ex-combatants as well as war victims in resettled communities who have benefited considerably on a various committee based programmes outlined below:

(a) Community Based Programme

(b) SAPA Programme

(c) Support to Resettlement and Re-integration Project

(d) Emergency Recovery Support Fund

THE SIERRA LEONE PEOPLE'S PARTY (SLPP) HAS PLEDGED TO CONTINUE TO PURSUE THE FOLLOWING POLICIES WHICH ARE CRITICAL TO FORSTER GOOD GOVERNANCE

PEACE AND INTERNAL SECURITY

Explore and exploit all legitimate avenues to secure sustainable peace and national security in Sierra Leone. Re-organise, modernise and re-equip our security forces.

RESETTLEMENT, RECONSTRUCTION AND REHABILITATION

Mobilise and efficiently utilise local and international resources to resettle displaced people and refugees and to contribute meaningfully in the reconstruction and rehabilitation of their war-ravaged homes.

JUDICIARY

Respect and uphold the Rule of Law, human rights and the principles and practice of democracy.

Provide justice for all irrespective of race, religion, political, social and economic background.

Respect and protect the independence, dignity and effectiveness of the judiciary.

CIVIL SERVICE

Restore honour to the civil service by upgrading standards of operation and renumeration.

ECONOMIC POLICY

Wage a relentless war on corruption and economic indiscipline that have undermined national development.

Device and implement a comprehensive programme aimed at optimising the use of human and material resources in the best interest of the Country.

AGRICULTURE

Promote high agricultural productivity for self-sufficiency, and economic prosperity.

FINANCE

Implement the principles of transparency, accountability and probity in financial affairs.

Review the method of collecting revenue, make judicious use of national resources, and objectively negotiate conditionalities with the IMF, the World Bank and other International Organisations.

Strengthen the Banking system and device policies and programmes to control inflation.

Implement a need oriented, self-reliant, people centred, human development strategy.

LOCAL GOVERNMENT

Uphold and support the institution of Chieftaincy and local government along democratic lines.

TRADE AND INDUSTRY

Enhance opportunities for the citizens to effectively participate in the commerce and industrialization of the nation.

Encourage industries to maximise the utilization of local factors of production in preference to imports.

TRANSPORTATION

Establish a convenient, safe, reliable, efficient and economic transport system for meaningful national development.

EDUCATION

Build on the giant strides already made towards making quality education free at every stratum of the educational system.

HEALTH

Provide efficient, decentralised medical services accessible to all and sundry irrespective of social background.

TOURISM

Work with professionals, foreign governments and NGO's to create a profitable but ecologically sound tourist industry in the Country.

FOREIGN POLICY

Search for diplomatic and other options to end the on-going rebellion.

Establish and maintain embassies which are cost-effective, with status of accreditation.

Respect and honour international treaties and obligations.

MINING

Strengthen the Department of Mines and improve on its international marketing links.

Review the investment policies of the mining sector and seek foreign participation from reputable investors and companies, laying emphasis on the security of Tenure and a win-win situation for all concerned.

Effectively monitor the diamond mining **industry** not **only to minimise/eradicate smuggling but also enhance the realisation of the benefits of this sector for the generality of Sierra Leoneans.**

Harmonize the national programmes and policies on mining and the environment with a view to minimising environmental degradation and ensuring the rehabilitation of affected areas.

INFRASTRUCTURE

Encourage the development of community participation in all aspects of infrastructural development, including urban and rural water supply by wells and gravity systems.

ENERGY AND POWER

Ensure that power generation is improved to cater for rural areas as well as urban/industrial/mining areas, with a view to operating these facilities on a sustainable basis, while ensuring a fair distribution of electricity to all parts of the country.

Develop and harness hydro schemes aimed at reducing our dependability on oil for electric generation.

Invite NGO's to help us harness as much solar power as possible on a cost effective basis.

HOUSING

Encourage the development of a housing, building construction industry, taking into consideration the role of the public and private sectors, suppliers of building materials, housing, financing insurance and mortgages, buildings and land tenure, building code, and use control.

GENDER

Develop programmes designed to promote the social and economic status of women, enlarge their legal rights and opportunities for economic development.

Support women empowerment, which will include the setting up of mechanism to guard against the abuse of women and children.

YOUNG GENERATION

Design special, relevant and viable programmes for the young generation.

SPORTS

Formulate a comprehensive programme for the promotion of sports and encourage participation at all levels in order to create a congenial competitive atmosphere.

BAD GOVERNANCE UNDER THE APC WAS CHARACTERISED BY:

1 Electoral fraud

2 Refusal of constitutional rights and protection for political opponents.

3 Elimination of institutional checks and balances.

4 Centralisation and concentration of state power in the office of the President

5 Termination of open party politics by the introduction of the single party system in 1978.

6 Regulation and confinement of political participation within the framework of the recognised Party- the APC.

7 Use of coercive methods to enforce compliances.

8 Recruitment into the Army based on the ticket system and not on merit.

9 Fusion of the Party and national accounts.

10 Promotion of tribal interests over and above the national as exemplified by the Akutay Syndrome. This was buttressed by no less person than the then President and Leader of the APC, Momoh decreed that everyone is at liberty to develop itself along tribal lines.

11 Award of dubious contracts to party members only.

12 The inclusion of the Army and Police in Parliament and Cabinet as far back as 1974.

13 Declaration of an economic state of emergency occasioned by economic mismanagement thereby exposing the military to corruption through manning of economic/financial check points.

14 Declaring the police and the military as self-accounting.

15 Economic marginalisation of areas perceived to be opposed to the APC.

16 Abuse and erosion of the authority of traditional rulers.

War as a political weapon

17 Foday Sankoh chose to launch his war against this nation from the safety of Liberia through the east. Basic common sense will tell you that for a guerrilla war to be sustained in Sierra Leone you need cover offered by the forests in the East and part of the South and a launching pad of relative safety when military withdrawals were needed - Liberia in this instance.

Since the East and South were perceived by the APC as non-conformist to their ideals the war was deliberately kept at bay in those areas as a punishment and a way of decimating the voter population.

The Military regime, NPRC, initially prosecuted the war with vigour and sincerity and therefore temporarily successful. However the APC soldiers in the army broke away and formed an unholy alliance with the rebels to destabilise the Government and the country. Unfortunately though, the NPRC having tasted the sweet of governance stage-managed the war with the hope of keeping them in power longer.

In addition, Sankoh chose the east and south as the launching pad for economic gains. He did not have the funds to sustain such a war. He cleverly took over those areas - Kono for its diamonds, Kailahun for the agricultural products and Pujehun for diamonds. These areas we all k now are commonly referred to as the bread basket of Sierra Leone. From then on Sankoh had sufficient sources to exchange for lethal weapons needed to kill mother Sierra Leone. It is obviously clear that it is juvenile and expensively ridiculous on the part of anyone to link SLPP to the RUF. If that was true the RUF would have easily turned over the country to the SLPP when we democratically took the reigns of power in 1996. Instead they joined the soldiers to over throw us in 1997. In addition, if the war was our war, why didn't we form an alliance with the RUF or further still merge to contest the 2002 General Elections. Instead the RUF and APC were visibly seen frolicking together during 1997 AFRC/RUF, regime, and during and after 2002 General Elections.

Certain members of the APC served diligently without coercion in the AFRC/RUF junta, and helped in the persecution of SLPP supporters and democratic forces like the media. Paradoxically, an APC Member of Parliament who was obviously part and parcel of the democratic process that was overthrown sought and got appointment as Executive Chairman of a sensitive parastatal. He use the monies belonging to the people of this nation to fund the junta and his personal desires.

At this juncture, I will like to state here without hesitation that uptil now there is no known genuine SLPP Member who took any position in RUF Junta Regime.

Mr Chairman, Commissioners of TRC, Distinguished Ladies and Gentlemen, if I may ask, who then is an RUF Collaborator/Member? The APC or SLPP. The answer is elementary - the APC.

18 The undertaking of White Elephant projects either to gain cheap political popularity and/or for personal aggrandisement. Two such example were the green revolution of the APC where huge sums of money were diverted into pockets, luxury vehicles and other luxuries were paid for while the nation was waiting for the so-called harvest.

The other was the hosting of the OAU Conference in 1980. The economic burden were so unbearable that Sierra Leone's fragile economy completely collapsed. Inflation ate the social economic foundation in the homes and the country at large thereby disturbing peaceful co-existence; the value of the Leone plummeted out of orbit and it is only now that we have managed to bring it into the market economy orbit.

SOME OF THE CAUSES OF THE WAR

1 One of the major causes of the rebel war was greed, hatred and jealousy of the success of others.

2 Furthermore, people refused to play their roles according to their actual potential. Soldiers catapulted themselves into prominent leadership positions knowing fully well that they were ill-equipped to perform such roles. Corporals and Sergeants wanted to become Heads of State. In short, the unbridled ambition of soldiers and the never-do-wells ignited the rebel war.

3 The APC policy dismantling not only the local government structures but also of interfering with Chieftaincy even at the village level was another cause of the war. This obviously eroded the authority of traditional rulers and culture creating indiscipline and lawlessness.

4 Concentration of political power in the hands of members of one ethnic group was another cause of the war. J S Momoh was the President of Sierra Leone, Bambay Kamara was the Inspector-General, the Speaker of Parliament, Mr William Conteh etc were of one ethnic group.

5 The explicit and incontrovertible public pronouncement by J S Momoh that he had failed the nation was also a cause of the war. From that moment the people lost confidence in him, yet he tenaciously held on to power against the wishes of the people.

6 Unbridled corruption coupled with unbearable economic hardship dwindling standard of living of the people was another cause of the war. Mass unemployment was the order of the day providing a comfortable breeding ground for potential recruits into the rebel outfit.

RECOMMENDATIONS

1 Since the current 1991 constitution was made by and for the APC, we recommend that the Constitutional Review Committee made public its findings as soon as practicable.

2 That Local Government elections be held on partisan basis as dictated by the tenets of multi-party democracy. This will also enhance participatory democracy at the grassroots levels.

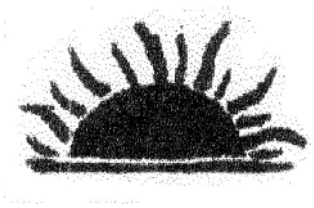
3 That the forthcoming general elections and subsequent elections be conducted on constituency basis in conformity with the dictates of the national constitution.

4 In that respect, it is further recommended that constituency boundaries be re-demarcated to eliminate the anomalies associated with the APC gerrymandering and to also reflect the current demographic picture.

5 That political contest and regime change be strictly limited to the ballot box. In this regard, all intensive civic education campaign should be launched to sensitise the masses, particularly the young generation, on the need to sustain democracy. Peace studies should also be incorporated into the school curriculum. The military should also be made aware of the fact that the basic tenet of democracy is the subordination of the military to civilian control.

6 That Government should implement without delay the President's policy to solve the youth problem taking on board the fact that youth are in the majority who have been used by the APC, RUF/AFRC to wreak havoc upon this nation and consequently suffered as well.

SUBMISSION BY THE



ALL PEOPLES CONGRESS (APC)

TO THE

T

TRUTH AND RECONCILIATION COMMISSION (TRC)

March 2003

All Peoples Congress (APC) Party - Submission to the TRC

TABLE OF CONTENTS

TABLE OF CONTENTS..... 1

2.0 PREAMBLE .....:.... 2

3.0 THE ALL PEOPLES CONGRESS (APC) - A HISTORICAL PERSPECTIVE...:..... 3

4.0 GOVERNANCE UNDER THE SLPP - (1961 - 1967) 4

5.0 SIAKA STEVENS - FOUNDER AND LEADER OF THE APC .....:..... 6

6.0 THE, ONE PARTY SYSTEM OF GOVERNANCE..... 8
7.0 PRESIDENT J. S. MOMOH AT THE HELM 10
8.0 REINTRODUCTION OF MULTI-PARTY DEMOCRACY AND ITS POSITIVE AND NEGATIVE EFFECTS ON GOVERNANCE..... 12
9.0 SOME OF THE NATIONAL DEVELOPMENT RECORD OF THE APC 13
10.0 THE REBEL WAR..... 14
10.1 THE REBEL WAR - A NATIONAL TRAGEDY. 14
10.2 THE REBEL WAR AND THE INTERNATIONAL CON.SPIRATORS..... 14
10.3 THE REBEL WAR AND TRIBALISM..... I S
11.0 THE 1992 COUP D'ETAT AND THE NPRC JUNTA..... 16
12.0 THE SLPP IN GOVERNANCE- (1996-1997) 17
13.0 THE AFRC JUNTA AND FOREIGN MILITARY INVASION 19
14.0 THE SLPP IN GOVERNANCE (1998 - 2002)..... 20
14.1) THE HUMAN RIGHTS PROFILE OF THE KABBAH GOVERNMENT..... 20
14.2) AHMAD TEJAN KABBAH, THE BUNGLING PRESIDENT. 21
15.0 TREASON TRIALS AND COURT MARTIALS..... 24
15.1 TRIALS DURING THE APC
i) Brig. David Lansann and Others
ii) Brig. John Bnngura and
iii) Mohammed Sorie Fornah and 14
iv) G. M. T Kaikai, Francis Minah and Others
15.2 EXTRA JUDICIAL KILLINGS BY THE NPRC JUNTA 24

15.3 THE 1998 SLPP TREASON TRIALS I COURT MARTIALS ..... 25 15.3.a) The SLPP 1998 Treason Trials..... 25 15.3. b) THE 1998 SLPP COURT MARTIAL .....:..... 26

16.0 CONFISCATED PROPERTIES AND THE DEPRIVATION OF ENTITLEMENTS, ETC 27

17.0 SUMMARY AND CONCLUSION.....29

2.0 PREAMBLE

The All Peoples Congress (APC) Party hereby acknowledges receipt of your letter dated 29th November 2002 requesting it to make submission to the Truth and Reconciliation Commission.

(b) The APC considers this an opportunity to present its side of the story relative to the causes of the war which has devastated the country.

(c) The people of Sierra Leone, with the full support of the International Community have won this war. It has not been won by any one man or woman, or by one party or by one tribe or by any particular group of persons.

(d) The APC made significant contributions in ensuring the present Peace. We supported government when me saw it fit to do so and in this regard, our Parliamentary representatives voted with government to make the Lome Peace Accord become an Act of Parliament. Our initiative and full co-operation in introducing the 1991 Constitution (Act No. 6 of 1991), our subsequent participation in both the 1996 and 2002 General Elections also helped in sustaining the current multi party democratic dispensation. Our acceptance of the outcome of both the 1996 and in particular the flawed May 2002 elections is the foundation of the current peace exercise.

(e) The people of Sierra Leone have achieved victory in war. Now the people want prosperity in peace. We have learnt an instructive lesson as a nation that peace is not an abstract thing. To be real, it must be won and it must be worked for.

(f) As we have experienced from the failed Abidjan and Conakry and Lome Accords, Peace Accords do not necessarily guarantee lasting peace.

It is the socio-economic policies and political will which follow the cessation of hostilities that determine the sustainability of peace.

(g) The APC is desirous of sustainable peace and welcomes the Truth and Reconciliation Commission as a conflict resolution mechanism and an instrument for creating an objective historical record.

(h) The APC is convinced that without freedom and justice there can be no peace. The TRC would therefore be required to objectively address the deprivation of both justice and freedom from the depressed people of this country and recommend appropriate measures to prevent any future occurrences.

(i) The people of Sierra Leone deserve and must be assured of a happier future. This must be done quickly and in time to prevent their hopes and aspirations being replaced once again by disaffection and apathy. The APC regards this as a sacred mission.

(j). The APC further hopes that the issues presented to the TRC will not engender TRIBAL, RELIGIOUS OR REGIONAL CONFLICT, but issues that will permanently enhance our NATIONAL DEVELOPMENT, SOCIAL AND ECONOMIC PROSPERITY.

To this end, we hereby submit the position of the APC to the T.RC as our party's contribution towards unveiling the TRUTH as an ingredient for National Reconciliation.

3.0 THE ALL PEOPLES CONGRESS (APC) - A HISTORICAL PERSPECTIVE.

(a) The APC was founded in the wake of Sierra Leone's Independence struggle, and was officially declared a political party on the 17th October 1960. This was in response to the clarion call by democrats to address injustices emanating from the poor colonial dictatorial form of governance that the British were bequeathing to the SLPP in the wake of the wind of change in Africa. A populist grassroots democratic political party, the APC was formed to address the needs of the poor, deprived, abused, underprivileged, depressed and marginalized within the elitist and undemocratic SLPP setup. In addition, there was a demand for "ELECTIONS BEFORE INDEPENDENCE" as was the case in other former British Colonies. Elections are the best form of eliciting the participation or concurrence of the electorate. This demand to involve the masses of the people was flatly rejected by the SLPP Government, hence the formation of the "ELECTIONS BEFORE INDEPENDENCE M0VENIENINT" which later metamorphosed into the APC.

(b) The history of the APC in office is one that is chequered with coups and attempted coups instigated by some SLPP big guns. On the very first day the APC won the 1967 Elections, the late Brigadier David Lansana ordered Lt Hinga Norman (now Minister of Internal Affairs and Co-ordinator of the SLPP Kamajor Militia) to arrest the Governor-General (Head of State), the newly sworn-in APC Prime Minister, Siaka Stevens, and other APC stalwarts at gunpoint, and declared Martial Law. That treasonable action was the genesis of military coups and political instability in our country. We in the APC will always remember that horrible incident and for which we hold the SLPP responsible as the original cause of the continued political instability in Sierra Leone. Because the SLPP refused to bow to the democratic wishes of the people expressed through the ballot box in 1967, free and peaceful elections and consequent peaceful change of government has not been the norm in our country for a long time.

(c) To blame the APC for the devastating war that ruined almost every infrastructure which our Party in government constructed, is not only unfair, but glaringly shows a lack of knowledge of the source of our country's instability. Since the APC was returned to power after the SLPP led Military interregnum in 1968, the ever present threat to remove the party from office by force of arms, forced successive APC governments into a self-defense and state defense posture. In the process, internal security and stability assumed a very prominent place on government agenda thus slowing down the full impact of our development strategies. Even so, the APC is proud to present to this nation significant achievements in nation building, a reality which even our political opponents will acknowledge.

(d) In spite of this stark reality, those opponents have continued to engage in an intensive smear campaign of vilification, mudslinging, misinformation and downright lying against the APC. This evil propaganda gained prominence during and after the Strasser Coup d'etat of April 1992 and the devastating 11-year-old war. Eleven years thence, there is still no discernable national development in the country. We in the APC proudly look back and affirm that the only significant infrastructural development in Sierra Leone since Independence was provided by our party in government.

4.0 GOVERNANCE UNDER THE SLPP - (1961-1967)

The SLPP was the first party in governance following the attainment of independence in 1961. The SLPP was therefore given the opportunity to manage and nurture the new multi-party democratic experiment of the young state. Unfortunately, some of their policies led to most of the problems our country is experiencing today.

The APC is a party formed to put an end to the autocratic rule which the SLPP was wont to continue after independence. The Party, which was initially a movement advocating elections before independence clearly shows its democratic credentials. The Party demanded the participation of the people of the country in determining the type of independence they would prefer. They wanted for their country an independence without strings attached. The participation of the people in decision-making could only be by election or referendum. The demand for election was denied our party and on the eve of independence, the SLPP under Sir Milton Margai accused our leaders of treason and detained the senior leadership of the APC at Pademba Road Prison. Those detained included - Siaka Stevens - the Party Leader, I. T. A. Wallace Johnson, S. I. Koroma, C. A. KamaraTaylor, S. A. T. Koroma, Ibrahim Ortole Kargbo and many others. They were only released after Independence without charge. Thereafter, obnoxious legislations such as the Public Order Act of 1965 were promulgated.

The APC participated in the first post-independence general Elections in 1962. The SLPP used the advantage of incumbency and converted otherwise contestable Parliamentary seats to the SLPP. This happened even before the elections were conducted. This action of "Unopposed Seats" deprived the APC opposition the chance of a free and democratic contest in those constituencies that had been declared unopposed. At this point vices such as tribalism, nepotism and electoral violence reared their ugly heads. Non-Mende tribes resident in the South and East became victims of SLPP harassment and intimidation and in some cases, naked violence for supporting the APC. This trend characterized subsequent elections up to the controversial 2002 General Elections. The APC together with its ally - the Sierra Leone Independence Movement (SLIM) won 20 seats out of 66 seats in the 1962 general elections. Our Party then accepted the outcome of the election in spite of the massive electoral anomalies.

It is particularly important to acquaint the TRC and the public of abuses of power perpetuated by the SLPP before, during and after the 1967 General Elections. The All Peoples Congress (APC) Party won 32 seats, the SLPP 28 and the Independent Candidates 4 seats. The handpicked SLPP Electoral Commission shamelessly and recklessly concocted the results and announced APC 32 seats, SLPP 32 seats. This created a lot of confusion and uncertainty.

The Paramount Chiefs Parliamentary results, which were still trickling in were tampered with. The Electoral Commission, in contravention of the law and established convention, announced that all the twelve Chiefs had declared for the SLPP. In fact the Chiefs were a separate class of MPs expected to support the Party which wins the Majority of ordinary member seats. The Governor, who represented the Queen of England, had the authority to appoint as Prime Minister the person who appeared to command the support of the Majority of MPs. Those Paramount Chief Elections results contrary to law were being announced as favouring the SLPP even though it was no longer a secret to the populace that the APC had clearly won the elections. As has been said, the Chiefs in Parliament were expected to support the winning party.

In the face of such blatant display of naivety, callousness, corruption and disregard for the wishes of the electorate, a smooth transfer of power from the SLPP losers to the APC winners through the democratic process became impossible. A gun-toting Lt. Hinga Norman then ADC to the Governor General (now Minister of Internal Affairs and head of the proSLPP Kamajor Militia) arrested the newly sworn-in APC Prime Minister Siaka Stevens and some of his new cabinet Ministers in addition to the Governor General who was representing Her Majesty the Queen of England. Those arrests were at the instance of the then Head of the Military, Brigadier David Lansana himself an SLPP stooge. It was therefore the SLPP that introduced the soldiers and their coupist ambitions into the politics of our country. When a ruling party uses foul means to hang on to power against the popular wishes of the electorate like the SLPP did in 1967, there can hardly be national concord and reconciliation or the inculcation of a culture of democratic change. The 1967 elections were conducted on the foundation of gross electoral malpractices on the part of the then ruling SLPP. The Justice Dove Edwin Commission of Enquiry into the conduct of the 1967 General Elections clearly documented the fraudulent and flawed nature of the said General Election.

When the APC was returned to power in April 1968, the twice-appointed Prime Minister the late Dr. Siaka Stevens undertook a national reconciliation move by appointing a National Government which included the SLPP and the Independent Candidates as follows:

APC	-	8 Ministers
SLPP	-	4 Ministers
Independents-		2 Ministers

5.0 SIAKA STEVENS - FOUNDER AND LEADER OF THE APC

Siaka Stevens was the founder and first Leader of the All Peoples Congress Party and he remained Leader until he retired in 1985. He led the Party in the first post-independence General Elections in 1962. The APC won 16 seats, its ally the Sierra Leone Independence Movement (SLIM) won 4 seats and the SLPP 46 seats. Siaka Stevens served as the Opposition Leader until the 1967 Elections, which he won and was appointed Prime Minister. Earlier, Siaka Stevens had been elected Mayor of the Municipality of Freetown when the APC won that City Council Elections in 1964.

As has been noted, the victory of the opposition APC under Siaka Stevens was abruptly ended when an SLPP instigated coup d'etat under the Force Commander Brigadier David Lansana aborted the democratic experiment. The newly sworn-in Prime Minister Siaka Stevens was arrested on 22nd March 1967 on the very day he was appointed. Thirteen months later, in April 1968, Siaka Stevens was re-appointed Prime Minister.

There has been a lot of condemnation of therule of Siaka Stevens spanning the period 1968 to 1985. The APC hereby presents an assessment of his reign in the light of the socioeconomic and political conditions of his time.

•He formed the first opposition Party in Sub-Saharan Africa which unseated an incumbent government in 1967 through the ballot box.

•He formed a government of National Reconciliation in 1968, a year after he was deprived of power giving 4 Cabinet Posts to the SLPP and 2 to Independent Candidates as against 8 seats for his Party.

In the opinion of majority of Sierra Leoneans, Siaka Stevens stabilized our country in the period between 1968 and 1985.

This was the era in West African history when military coups were the order of the day. The 17 years following the fall of Juxon Smith's Military Regime in 1968 saw much stability, development and forward and upward social mobility that no other period in post-independent history of Sierra Leone had recorded. This was the era during which most of the post-independence infrastructural development took place. Roads replaced bush paths, bridges replaced ferries, social services such as Health Care delivery and education, communication and awareness expanded and spread to many parts of the country.

These achievements by Siaka Stevens were neither by accident nor were they by good fortune. On he contrary, they were the results of deliberate policy, prudent calculations, wise counsel and good knowledge of the people and politics of Sierra Leone. These developments are a living testimony to his vision and include, but are not limited to, the under listed:

(a)The Youyi Building
(b)Police Headquarters
(c)Military Headquarters
(d)Aberdeen Bridge
(e)Hill Court Road Bridge
(f)Juba Bridge
(g)The Mange and Kambia bridges
(h)The Masiaka - Bo Road
(i)The Makeni - Kono Road
(j)The Makeni-Kabala Road
(k)The Makeni - Lunsar Roads
(l)Bo - Kenema Road Freetown -
(m)Masiaka Road

Furthermore, Siaka Stevens succeeded in binding and holding the country together clearly using among other things the following combination of techniques:

i. He endeavoured to maintain his image above tribal sentiments by downplaying his own tribal origin.

ii. He brought together as many of the dissenting groups as possible and deployed them at all levels of governance and administration. In short, he instituted a national unity government with a heavy South/Eastern presence through the introduction of a One Party State.

iii. He fostered broad based participation by all tribes in all spheres of social, economic and political endeavours with across-the-board ethnic involvement.

iv. He gave special prominence to the Southern and Eastern ethnic groups in his administration.

Siaka Stevens ensured Military and Police representation in Parliament and Cabinet to ensure their participation in government and cooperation of those vital security institutions.

This had an assuaging effect on their members and for a long time national security and stability were maintained.

By the end of both the administrations of Siaka Stevens and J. S. Momoh, a total of more than 69 senior cabinet posts had been manned by South-Easterners as against a combined total of 40 senior cabinet positions for their Northern counterparts.

6.0 THE ONE PARTY SYSTEM OF GOVERNANCE

Between 1961 and 1978 Sierra Leone had a multi-party system of government. This period covered the reigns of both Sir Milton Margai and Albert Mlargai (1961 - 1967) and Siaka Stevens from 1968 - 1978. An attempt to introduce a one party system of governance was made by Sir Albert Margai when he introduced a Bill in Parliament in December 1965.

The people of Sierra Leone were ill prepared for this type of government under Sir Albert. The socio-political situation of the country then did not favour a one-party system of government.

The strong-arm tactics and the unguided outbursts of Sir Albert Margai were frowned upon. His arrest of several Senior Army Officers of Northern and Western Area orientation and replacing them with his South-Eastern tribesmen did not go down well.

Sir Albert Margai's maneuvers to introduce the one-party system of government were vehemently opposed by the APC on grounds that he was not trusted at that time.

Sir Albert's enthusiasm was dampened by the decisive defeat of he SLPP in the local District Council Elections held in May 1966. The APC contested 95 seats in the Northern Province and won 72. Earlier in the Freetown City Council elections, the APC won a decisive victory thus unseating the SLPP administration in the Municipality. Siaka Stevens, leader of the APC Opposition in Parliament, was elected as Mayor of Freetown.

When the 1967 Elections were decisively won by the APC, The SLPP instigated the Army to intervene. Since then the Military's ambition to interfere in state governance has been unbridled. A junior officers' coup ousted the NRC Junta of Juxon Smith in196S and Siaka Stevens who had won the 1967 General Elections became Prime Minister. His government contended with several coup attempts as tribal and regional

cleavages became exacerbated as a result of the failure of the SLPP to accept democratic change. During the 1973 elections, unprecedented violence was unleashed by the SLPP in the South and East in an attempt to rig the elections. However, the results showed that the APC had a commanding lead in the whole country. After those elections, Siaka Stevens embarked on a national pacification drive to reduce tension in state governance. Much needed development funds were diverted to state security and the maintenance of law and order.

Meanwhile, the APC leadership had appealed to a cross-section of its membership from the Chiefdoms to the District up to the Regional and National levels to open up and accept people from other parties. Thus, the Party was circumspect enough not to force the one party system on the people. The Party leadership refrained from any action likely to give an indication that it intended introducing the one-party system arbitrarily. Eventually, the one-party system became a household topic. Paramount Chiefs and Chiefdom elders particularly from SLPP strongholds in the South and East came to Freetown on delegations requesting the APC government to introduce a one-party system of government. Many prominent SLPP members saw the APC government's all-inclusive and pragmatic approach to state governance as encouraging and voluntarily transferred their allegiance to the APC.

From the above, it became clear that the country needed unity and concord to address the problem of divisiveness at all levels - tribal, regional and religious. The country needed good roads, clean water supply, food, health facilities, etc and only the combined efforts of Sierra Leoneans could provide those services. The country was in a state of economic emergency, health emergency and in short, development emergency. So in May 1978, in response to the national call for a one-party system of governance, a National Referendum was conducted which overwhelmingly endorsed the system.

As has been mentioned in another section of this submission, the country benefited tremendously from the peace and stability which followed the introduction of the one-party governance. Infact, the change from the oneparty to multi-party significantly weakened the state governance apparatus. The country could have better addressed the rebel war if the plethora of political parties had not emerged to vie for power even if it meant destroying the country. The RUF would not have been able to receive support from some sections of the civilian population in the country under the oneparty rule. Opposition parties such as the SLPP and some newly approved parties in 1991 were believed to have given tacit support to the rebels and even encouraged the success of the military coup that toppled the APC, in April 1992..

Most of the major infra-structural development that took place in Sierra Leone occurred during the period of one-party rule. No one can deny the fact that all political talents were integrated in the one-party and every section or tribe contributed to what happened under the system. Political energy was channeled away from tribalism and sectionalism while national development and peace reigned until the reintroduction of multi-partism in 1991.

7.0 PRESIDENT J. S. MOMOH AT THE HELM

President Siaka Stevens was succeeded by Major General Joseph Saidu Momoh as Head of State in October 1985. In the view of the APC, the spate of attempted military coups had in the past hampered

national development and created instability in the country. The choice of the Head of the Army as the new Head of State was intended to obviate the grim prospect of the Army usurping power. Consequently, Momoh received overwhelming endorsement at the General Elections in October 1985.

President Momoh ushered in the New Order of Change which many people misunderstood at the time. As soon as his New Order government came into force Momoh initiated political and economic changes. In preference to the IMF Monitored Structural Adjustment Programme, Momoh distanced himself and his government from business tycoon Jami1 Sahid Mohamed, thus removing that tycoon's stranglehold on the economy. Not many African leaders in his era were brave enough like Momoh to introduce IMF programmes.

Momoh was very honest to tell the population after one year in power that his plea for them to - give him their total support having failed, he was unable to remove the country from the economic quagmire he had found it in. He said he would be moving on to accepting the bitter taste of the IMF conditionalities. This statement was quoted out of context by his detractors who said Momoh told the nation that he had failed. The APC submits that Ex-President Momoh has tremendous respect for education and educated people. He had many highly educated people in his cabinet up to the time of his overthrow. At a meeting with Senior Members of the Academic Staff at Njala, he wanted to know the college's capacity in terms of accommodation for students. Momoh was told that thousands of students normally fulfill the academic entry requirements but only a few hundred could be accepted annually because of the limited space. So in addressing students of the college he said those lucky to gain acceptance in that college should count themselves fortunate and privileged since thousands of their kith and kin could not make it. This statement was also quoted out of context. Today, when the SLPP talks about education, they simply say APC said education was a privilege. This is why Sierra Leone is where we are today because of this type of dishonest presentation of people's views.

President Momoh took the bold steps of inviting the IMF and opening up the political process by introducing the 1991 Multi-Party Constitution within a free market economy.

It was not easy for Momoh to reintroduce multiparty democracy and accept the IMF conditionalities. Even Momoh's critics would agree that it takes courage and determination for a leader to undertake economic and political reforms simultaneously. Removing subsidies on fuel, rice and other essential commodities under the IMF Structural Adjustment Programme though courageous, is always at the peril of the government of the day and particularly its leader. Additionally, making the political adjustment from a one-party to multi-party is equally fraught with political land mines inimical to the government of the day and its leader.

Like Gorbachov and his policy of "Glasnosts" and "Perestroika" which dismantled the oneparty system in the USSR, President Momoh introduced the 1991 multi-party democratic Constitution (Act No 6 of 1991) which ended 13 years of one-party rule (1978 -1991). Indeed like Gorbachov, Momoh himself was over-whelmed by those changes and he subsequently became the sacrificial lamb on the altar of both the political and economic reforms he initiated and implemented. Nevertheless those reforms opened up the economy only to be plundered by a youthful, ruthless, corrupt and illegal Military Junta, the NPRC and their sponsors and collaborators, the SLPP.

Precedent to ushering in the 1991 Constitution, Momoh demonstrated a good spirit of National Reconciliation through the rehabilitation of a number of SLPP big guns who had been in selfexile for decades. Beneficiaries of this conciliatory gesture included President Ahmad Tejan Kabbah who was invited home and given back his houses and properties confiscated by the Military junta that took over from the SLPP in 1967.

The question of confiscated properties by Military Juntas in 1967 and 1992 are addressed under a separate heading. But it is relevant and important to note here the fact that even though President Kabbah was in a position to advise against the NPRC seizures in his capacity as the Chairman of the said junta National Advisory Committee, Tejan Kabbah advised the junta to strip his benefactor J.S. Momoh of all his titles, and confiscated his properties and his Military pension. Kabbah had the opportunity to rescind the junta's unconstitutional decisions relating to most of the seizures when he came to power in 1996. As a lawyer, Kabbah knew that the NPRC White Papers on the seizures were mostly at variance with recommendations by the Commissions. Those who were adversely affected were not granted permission to appeal.

\Mhen habbah attempted reconciliation, he brought in a West Indian lawyer Justice Cross. Under undue political pressure, Justice Cross left Sierra Leone without completing his job and his conclusions were selective and smacked of vengeance. For example, General Tarawalie who had served as a Commissioner on the BeokuBetts Commission of Enquiry in 1967 that recommended sanctions against Kabbah was singled out for punishment. He did not only lose his properties wrongfully confiscated by the NPRC, Kabbah's white paper on the Justice Cross Commission also deprived him of a building which was not a subject of the NPRC Commission of Enquiry. This is just plain politics of vengence.

In the case of Momoh, President Kabbah ensured that he was deprived of his retirement benefits as President to ensure that he did not pose any threat to him. The sad thing about the Momoh affair was that invitation given to him by President Kabbah to return home was done in bad faith. In 1996, Momoh's wife died in exile in Guinea. When he came to Sierra Leone to bury his wife, he received an enthusiastic welcome from the populace. This did not go down well with Kabbah. The Cross Commission which was wrongly called National Commission for Reconciliation and Unity was woefully manipulated to the extent that even the NPRC recommendations and decisions were milder than the Cross Commission towards Momoh. That Kabbah orchestrated commission deprived Momoh of everything he had worked for. He came home after Kabbah lured him home to face huge embarrassment at all levels.

The terms of his return home, as clearly stipulated on paper by Kabbah included:

i. Provision of a house

ii. A monthly remuneration of Le900,000.

iii. Provision of security

iv. Prepaid domestic staff /servants

v. Office and a secretary

vi. Monthly allowance of Le250,000 for his wife.

After Momoh returned home on February 22, 1997 those promises ceased to mean anything. The government permitted him to reside in his house, which was in an advanced state of disrepair, with the proviso that the house was government property. In fact it was the APC that undertook the repairs of the house before Momoh occupied it in 1997.

An orchestrated Radio phone-in programme was arranged in which a paid radio audience used unprintable and vitriolic language against a former president. This unsavouiy situation elicited no intervention from the government. In the end, Kabbah told Momoh he could not pay the Le900,000 and the other perquisites promised since students and the radio audience had protested against government paying such benefits. Momoh should be granted the opportunity by the TRC to explain the treatment meted out to him on his return at the explicit invitation of President Kabbah.

As we talk about Truth and Reconciliation we must listen and go beyond the verbal pronouncements of the SLPP leadership which are insincere and only intended to placate the domestic public and the international community. In actual fact, no serious effort has ever been made by the SLPP to encourage genuine national reconciliation. Rehabilitating a former Constitutionally elected president like Momoh would have gone a long way towards bringing national unity and reconciliation. Momoh is today destitute in Guinea deprived of all what he had worked for including his properties and even his Military and Presidential retirement benefits.

> Momoh has appealed to the Appeal Court but nothing has yet been done.

8.0 **REINTRODUCTION OF MULTI-PARTY DEMOCRACY AND ITS POSITIVE AND NEGATIVE EFFECTS ON GOVERNANCE.**

Following the fall of the Berlin wall in 1989, in the wake of Gorbachev's far reaching policy of "glasnost" which resulted in the break up of the Soviet Union and the end of the Cold War, monolithic Party institutions in many African countries broke up. A wind of change ushered in a new era of Democracy, and just as the APC of the seventies succumbed to the fashionable idea of One-Party, so again did it without pressure, respond to the democratic wind of change by re introducing a Multi-Party Constitution in 1991. By this Constitution, the One-Party system of Government first proposed by the SLPP under Sir Albert Margai and

later put into effect by Siaka Stevens through extensive consultations among existing political Parties including the SLPP, formerly came to an end.

Opinions will continue to differ in the unending debate regarding the negative and positive effects on society of the two systems of one Party and multi-Party in the Governance of Sierra Leone. In the context of that debate, the APC submits that the change from One-Party to Multi-Party led to intractable weaknesses in State Governance. Those weaknesses to a large measure fuelled the rebel war from its very beginning and eventually led to the overthrow of the Momoh Government by the NPRC Junta.

In the view of the APC, it would have been highly unlikely that under One-Party rule the RUF would have received succour from the civilian population of the Southern and Eastern regions where the rebels first struck. The truth is that both the RUF rebels and hard core SLPP elements took advantage of the dispensation provided by the 1991 Constitution to whip up support for rebel activities from within the civilian population of the East and South of the country. It is also true that as the rebel war raged, the common objective of both the SLPP and the RUF to overthrow the APC Government became inseparable and had to be achieved by all means, foul and violent.

Thus, in the view of the APC, although the reintroduction of Multi-Party Democracy may have given Sierra Leone a new image of acceptability in the eyes of the Western countries advocating democratic systems and practices, it is incontrovertible that the change to multi-party gave rise to serious political cleavages that impacted negatively on our politically uneducated society. The splits into groups of many Political Parties with ill defined agendas and goals prevented the formulation and pursuance of a cohesive national policy needed to initially counter the menace of the marauding RUF rebels when they first struck. Many political parties including the SLPP saw the RUF rebel incursion as an opportunity to gain power once the APC lost it.

A major challenge of the Truth and Reconciliation Commission therefore is to unravel the inexorable Truth about who really started the war and why. Was Foday Sankoh's RUF acting alone from beginning to end of the war? Pin pointing responsibility for starting the war and the reasons for it, is a major challenge to the TRC.

APC's record of bad Governance has often been cited as a reason for the war. However, the nature and conduct of the rebel war, from its very beginning to end, belies that claim. If the RUF objective was the removal of the APC for whatever reason, why did the war continue and increase in its intensity long after the APC Government was removed in 1992? Why were all parts of the country affected especially after the SLPP was voted in Government in 1996? Surely, the unrestrained spread of the war did not happen because of dislike of the APC by the people of Sierra Leone. The spread of the war was deliberately orchestrated by the SLPP to ensure that the Northern part of the country which is the support base of the APC is destroyed.

9.0 SOME OF THE NATIONAL DEVELOPMENT RECORD OF THE APC

Among the many monumental APC infrastructural development are the following:

(a) All the country's good roads and two lane bridges

(b) The National Stadium, Youyi Building, the Police and Military Headquarters, the Kennedy Building, Students Hostels and the Mary Kingsley Auditorium all at FBC.

(c) The Bo, Bumbuna, the Makeni, the Port Loko and Milton Margai Teachers Colleges

(d) The Bo - Kenema power service. The Dodo Hydro Electricity and the BoDanida Thermal Electricity

(e) The Magbass Sugar Factory and several IDA Agricultural Projects in the hinterland

(f) Institute of Public Administration and Management (IPAM), the Law School, the Medical School, the School of Hygiene and the Para-Medical school in Bo.

(g) The Cost Recovery Medical Drugs Programme

(h) The construction of Low Cost Housing

(i) The expansion and construction works of Military Barracks in Bo, Benguima, Jui, Lungi, Makeni and Goderich.

(j) Extension and dredging of the Queen Elizabeth II Quay, extension of Lungi Airport to international standard

(k) The modernization of SIEIRR.ATEL and the provision of Earth Satellite Station.

(l)The construction of OAU village

(m)The building, extension and refurbishing of Mammy Yoko, Bintumani, Cape Sierra and Brookfeilds Hotels

(n) The creation of Sierra Leone Roads Authority (SLRA)

(o) The construction of schools and health care centres all over the country.

(p) The establishment of the Opportunities Industrialization Center (OIC)

(q) The Mano River Union and the Mano River Bridge linking Sierra Leone and Liberia.

(r) Commencement of the Bumbuna Hydro - Electric Project

The above examples show glaringly that the APC left its indelible marks on the development map of Sierra Leone. Since the overthrow of the APC by the NPRC military junta in 1992, the country has been sliding backwards and the situation has been exacerbated by the uncaring SLPP Leadership of Ahmad Tejan Kabbah. The APC submits that there was no need for a rebel war in view of the stability, security, peace and development our party was giving to Sierra Leone. We further submit that the ballot box is the proper medium for change of government.

10.0 **THE REBEL WAR**

In apportioning blame for the causes of the war, it has been fashionable for the opponents of the APC to falsely put it at the doorsteps of our Party. They say the war started because of bad governance under the APC. This, in our view, is a simplistic and escapist attempt on the part of our detractors to distort the true causes of the war. On the contrary, it has to do to a great extent with the inability of the SLPP to peacefully accept change through the democratic process. One has to look far beyond the APC Administration to have an objective assessment of the causes of the war.

10.1**THE REBEL WAR - A NATIONAL TRAGEDY.**

The RUF war is the worst tragedy that has befallen our country. Cpl Foday Sankoh and his cohorts including power hungry politicians in the SLPP took up arms to remove the APC government from power. When they struck and wherever they went, the RUF marauders danced with palm leaves, the symbol of the SLPP. It is an undisputed fact that the SLPP supporters in the South and East warmly embraced the RUF fighters. Soldiers of the Sierra Leone Army suffered great loss of life and limbs as they were wrongly labeled as "Momoh's sojas". While the APC vehemently resisted the RUF incursion and denounced their horrible atrocities and abuses of human rights, the SLPP was dining and dancing with them. The SLPP saw the RUF as an extension of the infamous "Ndorgborwusoi" war of the early 1980s during President Siaka Steven's reign. The RUF fighters in the initial stages of the war included foreign mercenaries thus underlining its international dimension. Foday Sankoh who had earlier been imprisoned for treasonable offences was bent on revenge against the APC. He thus became an easy tool to be manipulated by the SLPP and the international mercenaries who invaded Sierra Leone.

In the end, the RUF menace rapidly escalated throughout Sierra Leone and became a national tragedy. In the wake of the mayhem the entire country became devastated. Large numbers of innocent people were maimed or amputated. In addition social set-vices such as education and health delivery efforts were adversely affected as the economy totally collapsed.

10.2 **THE REBEL WAR AND THE INTERNATIONAL CONSPIRATORS**

It is relevant to draw the attention of the Truth and Reconciliation Commission to the role of external forces in encouraging rebel wars in West Africa.

The 1960s and 1970s were characterized by military coups in the sub-region. The use of rebels to overthrow governments took center stage in the 1980s and the 1990s with disastrous consequences for the affected countries. Libya became a training ground for West African dissidents. Foday Sankoh, and others were amongst the core group of RUF dissidents who received military training and ideological indoctrination in Libya to stir up insurgency in Sierra Leone. The foundation of our rebel war was therefore laid outside Sierra Leone and it was only a matter of time for our country to experience the bitter taste of rebellion.

Foday Sankoh and his RUF rebels used Liberia as a launching pad to attack Sierra Leone.

The war could not have been started in Guinea since that country's Regime opposed it. At the same time, the pro-APC residents bordering the Northern Frontier of Sierra Leone and Guinea would not have welcomed the insurgents. Liberia was therefore the best conduit through which the war against the people of Sierra Leone could be launched. That is where the SLPP had its strongholds.

The NPFL rebellion against President Doe attracted the attention of the sub-regional ECOWAS group which eventually formed the Economic Community of West Africa Monitoring Group (ECOMOG). Sierra Leone became the main take-off base for the ECOMOG forces and it was not surprising that Charles Taylor quickly used this as an excuse to support a rebellion against Sierra Leone. ECOMOG jet bombers took off from Lungi to bomb NPFL targets in Liberia.

When Foday Sanhoh announced the start of his rebellion and said it was intended to overthrow the legitimate government of Sierra Leone, the West African Heads of States should have been prepared to use ECOMOG to support and defend the country against the insurgents. But countries like Burkina Faso and the Ivory Coast had actively supported the rebel activities by either directly sending troops to fight on the side of rebels or providing safe havens for them. It was no secrete that Burkinabe soldiers actively fought on the side of the NPFL of Liberia and the RUF of Sierra Leone. Ivory Coast became the training base for RUF insurgents at a place called Danane. There was therefore no early ECOMOG intervention in Sierra Leone.

The APC in governance distanced itself from the Libyan regime by refusing to use the principles contained in the Green Book of Col Ghadaffi. For this reason the Libyan Leader encouraged dissidents from Sierra Leone to destabilize the country.

It is therefore not surprising that Libya went all out to support Foday Sankoh in his war effort against the APC government. These were the external forces at play in Sierra Leone at the time immediately before the war. It is therefore unfair and totally unacceptable to assert that the rebel war was solely caused by internal misrule. Whilst the APC accepts that mistakes were made during the period of our governance of the country, we maintain that international conspirators played a decisive role in fueling the war and destroying our country.

Our diamond resources helped the rebels and their external supporters to prolong the war and thus the suffering of our people.

The TRC might find it useful to investigate the role blood diamonds played in the Sierra Leone rebel war.

10.3 **THE REBEL WAR AND TRIBALISM**

Under APC governance, tribalism and its negative consequences virtually disappeared. The leadership of the Party initiated and developed a deliberate policy of bringing together all the tribes under the national banner. Before this, each tribe considered itself as a distinct group prepared to defend and protect the parochial interest of its membership.

Unfortunately, tribalism again reared its ugly head in 1991 when the RUF rebels declared war on the people of Sierra Leone. They received support from the South / Eastern tribesmen who swelled the ranks of the RUF. The fact that Foday Sankoh, a Temne, was the Leader of the RUF did not in any way affect the large South/Eeastern composition of the movement. He was a stooge in the hands of the SLPP who used him to "remove hot chestnuts from the fire". The senior cadre of the RUF and the rank and file, were predominantly South/Eastern SLPP supporters and sympathizers.

The truth of the matter is that the rebel war became an expression of the SLPP tribalism with the initial support for the rebels coming from the pro SLPP support base in the South and Eastern Provinces.

11.0 **THE 1992 COUP D'ETAT AND THE NPRC JUNTA**

On the 29th of April 1992 a group of renegade soldiers left the war front and abandoned their constitutional role of defending the country from the marauding RUF rebels and violently overthrew the legitimate government of Sierra Leone

Reference has been made to close sanguinary ties between the SLPP and majority of RUF fighters hailing from the Mende ethnic group. The RUF was formed to topple the APC government from power and they received support of the SLPP. When elements of the RUF and the foreign mercenaries entered Sierra Leone on 23rd March 1991, they carried palm leaves, the symbol of the SLPP.

Many people dishonestly tried to justify the war by advancing reasons ranging from the non provision of logistics to prosecute the war to corruption of the APC government. The above assertions are erroneous as the APC government robustly resisted the rebel incursion by providing adequate arms other logistical support including increased food rations for the fighting men. By the time of the NPRC coup the rebels had been pushed to a small portion along the Liberian border in the Kailahun District. The NPRC military junta cannot use the lack of logistics as a plausible reason for abandoning their traditional role of protecting the people of Sierra Leone and turning their guns against the legitimate government. Furthermore in an effort to minimize corruption the APC government had by 1991 completed the implementation of political and economic reforms.

Sierra Leone had been given a clean bill of health in August 1991. The IMF and World Bank agreed to provide Sierra Leone between $40 million and $50 million to help pay for essential imports. The European Community agreed to provide similar sum and other donors were prepared to follow suit.

The party initiated economic and political reforms which led to the government securing an IMF Rights Accumulation Programme (RAP). Under this program the requirement for a country to make capital payments to the IMF was suspended. Having successfully put in place the required economic reforms the APC government was granted the right to accumulate amounts under a Structural Adjustment Facility (SAF). By February 1992 the World Bank had funded the importation of essential goods including petroleum and petroleum products. Money had also been made available for the rehabilitation of the Kingtom Power Station. These were all as a result of prudent economic policy initiated by the APC Government under President Momoh.

In 1991 the APC promulgated the multi-party Constitution which had been endorsed in a nationwide referendum thus ending thirteen years of one party governance. With the introduction of the multi-party system of government elections were slated for October 1992. In response to this the following political parties emerged:

(a) Sierra Leone Peoples Party (SLPP)

(b) National Action Party (NAP)

(c) Unity Party (UP)

(d) Peoples Democratic Party (PDP)

(e) Democratic Peoples Party (DPP)

(f) All Peoples Congress Party (APC)

It is against this favourable economic and political climate that both the rebel war and the military coup were unleashed on the people of Sierra Leone! Contrary to the high expectations of their admirers, four years of reckless and treasonable NPRC rule created more problems for this country than they actually promised to solve. The indiscriminate killings of perceived political opponents will be cataloged under human rights abuses in this presentation.

12.0 **THE SLPP IN GOVERNANCE- (1996-1997)**

When the APC Party agreed to support the SLPP Presidential candidate Ahmad Tejan Kabbah during the 1996 Presidential election run-off, it did so in the knowledge and belief that the SLPP as a Party had connections with the RUF rebel group that took up arms against the APC Party, as well as with the NPRC military junta that subsequently overthrew the APC.

Since both RUF rebels and NPRC junta activities led to nothing but chaos, lawlessness, massive looting and unprecedented violence, it was the view of the APC that their common ally, the SLPP, should be called upon to clean the mess which all of them created. Furthermore the APC realised that the NPRC Junta under Julius Maada Bio could only have handed over power to the SLPP, and to no other party! For the same reason the APC Party also believed that a good chance to strike a peace deal with the RUF rebel group existed only if the SLPP was in power.

The APC believed that the stage for the early attainment of peace with the RUF had been set before the departure of the NPRC Junta under Maada Bio himself a declared SLPP. He had identified Foday Sankoh as the rebel leader and had actually spoken to him by radio to the hearing of many Sierra Leoneans. Prior to that, there were doubts as to the existence of Foday Sankoh as leader of the RUF. All that Kabbah needed to do on assuming power was to deal with Foday Sankoh, with sincerity and determination.

The people of Sierra Leone must consciously recollect that Kabbah, upon assuming office, could not convince himself about the reality of Foday Sanhoh. He took the position that there was no one to talk to. This explains why peace was achieved only after so much loss of life and property, and shows the extent of President Kabbah's bad judgement for which he should take full responsibility.

Managing the peace process was indeed an important, delicate and sacred assignment that needed careful attention and judgement. Did President Kabbah see it that way? Did his policy, if any, show an urgent desire to achieve genuine peace and reconciliation with the RUF rebels in accordance with the mandate of the people of Sierra Leone through the 1996 election?

The people of this country know very well what happened. President Kabbah misjudged and bungled the situation he inherited. He underrated the force of the RUF and its level of organisation. There was therefore no committed policy to deal with them with a sense of accommodation in order to end the war quickly and reconcile the country.

The Abidjan Peace Accord later signed by President Kabbah and Foday Sankoh could not be implemented because Kabbah signed it in bad faith. After the signing of the said agreement the SLPP government instigated a coup plot against Foday Sankoh by senior RLJF members who had been despatched to Freetown on a mission to consolidate the said Agreement. As it turned out, that coup plot against Foday Sankoh failed woefully when the coupists, upon their return to the bush, got arrested by fellow rebels and charged with disloyalty to Sankoh. Their fate has never been known, but the rebel war raged on because of that failed coup plot. At the same time, the National Army may have become war weary and disillusioned and were perhaps unwilling to fight the rebels any more. As a result, the rebels swept right across the country with little resistance from the army.

At this stage, SLPP anger against their presumed RUF ally reached boiling point because they had failed to acknowledge the attainment of their common objective of forming an SLPP Government. This led some SLPP elements within the RUF rank and file to break away and form the Kamajor Militia, which became fiercely hostile to the RUF. That SLPP militia, a mono-ethnic force operated far beyond its local vicinity contrary to the operational requirement of a civil defence force. The Kamajor was accorded full recognition by Government and provided with substantial financial and logistic support contrary to the Constitution. This was at a time when the National Army was ill provided with such support. No other local defence force by any name in the country received any such attention and support as the Kamajor. This led to discontent and disillusionment within the rank and file of the Army.

At that point, Government seemed like dangerously running two opposing Armies. In fact, in some areas this led to hostility and open war between the Army and the Kamajor militia while RUF rebels stood by and watched. It had then become obvious to many observers that sooner or later one of these armies would rebel against the Government of President Kabbah.

It was in fact elements of these disgruntled soldiers who eventually illegally overthrew the Kabbah Government and formed the Armed Forces Revolutionary Council (AFRC). That overthrow plunged our country into the worst political quagmire it had ever witnessed since independence. This gave rise to unprecedented loss of life and property. President Kabbah confessed that he knew of the coup three days before the miscreants struck. Why he failed to put in place the necessary deterrent security measures should be of interest to the TRC. In the opinion of the APC, it bears repeating that President Kabbah and his SLPP Government should be held responsible for such grave human tragedy and the destruction of Sierra Leone, which in every respect was the product of bad policy and poor judgement.

13.0 **THE AFRC JUNTA AND FOREIGN MILITARY INVASION**

One of the most disturbingly destructive actions of Kabbah's Presidency was that of requesting the late Nigerian dictator, Sani Abacha, to send troops to Sierra Leone to reverse the AFRC coup and restore him back to power, whatever the human and material cost. Dr James Jonah, then Sierra Leone's Permanent Representative to the United Nations, was a strong advocate of that position. Abacha, seeing the invitation as an opportunity to divert Nigerian public and international attention away from his unpopular dictatorial military junta, quickly despatched forces to "restore Democracy" in Sierra Leone. People wondered why Abacha could be so willing to do this while blatantly denying his Nigerian people that so-called Democracy.

On June 2°d 1997 Abacha's army randomly bombarded the city of Freetown from Nigerian naval boats berthed in Sierra Leone's coastal waters of the Atlantic. On that fateful day, over eighty people, most of them civilians, lay dead. From that day on, the story of the Sierra Leone civil war was one of violent confrontations involving the Nigerian army and local forces of the Sierra Leone army, the RUF and the Kamajor militia. In time, each of these forces committed horrendous and serious crimes against poor innocent civilians. The extent of their violations of human rights and the crimes they committed against the civilian population has warranted the setting up of a Special Court in Sierra Leone in addition to the TRC.

To many people, it was obvious that Abacha had miscalculated in his belief that Nigerian military might could dismiss the AFRC Junta in a matter of days. That did not happen. On the contrary, initial Nigerian actions were bungled and unprofessional, contrary to Kabbah's characterisation of it as a professional Army. Local forces overran their positions capturing over three hundred Nigerian soldiers. They were eventually released, but there was no doubting the fact that Nigerian military temple of pride had been broken in Sierra Leone. This led to anger. To restore their battered image, a huge military build up was ordered and within weeks their base at Jui in the outskirts of Freetown had developed into a huge garrison. Dislodging that fortress was an impossible task for the AFRC Junta. Clashes with Nigerian forces led to great loss of life and property.

In order to conceal Nigeria's unilateral military action in Sierra Leone and more so to give it a measure of legitimacy in the face of heavy criticism nationally and internationally, the name ECOMOG was applied to their operations. However, everyone now knows that to all intents and purposes, the Nigerian military intervention in Sierra Leone was based on an understanding between Kabbah and Abacha. It had no UN or ECOWAS sanction or authority before it began on 2nd June 1997.

As it happened, embellishing naked Nigerian action with ECOMOG colours was not going to stand the test of time. Little wonder therefore that upon the death of Abacha the so-called ECOMOG idea also died. Kabbah had to hurry to Lome to negotiate with the RUF rebels at last under pressure from the international community. This was a position he had refused to take early in his presidency when it was most desirable in order to save life and property.

It remains the strong view of the APC that the Nigerian military intervention in Sierra Leone contributed to a large measure in the escalation of the brutal war. Some of the horrifying acts committed by local forces against ordinary citizens may have been intended to send a message of anger, protest and disapproval to Kabbah regarding atrocities and brutalities of Nigerian presence in Sierra Leone.

14.0 **THE SLPP IN GOVERNANCE (1998 - 2002)**

The SLPP governance since the treasonable invasion of Sierra Leone by foreign forces including Sandline Mercenaries and the forceful reinstatement of President Ahmad Tejan Kabbah in Februray 1998 is the period under focus in this section. During this period, many human rights violations were committed. At the same time President Kabbah's bungling policies during this period created a lot of hardship for the people of Sierra Leone.

14.1) THE HUMAN RIGHTS PROFILE OF THE KABBAH GOVERNMENT

One cannot deny the fact that the setting up of both the TRC and the Special Court in Sierra Leone is as a direct result of serious human rights violations committed since the coming into power of President Kabbah. In other words, the focus is on the Kabbah regime, for no other regime since Sierra Leone's attainment of independence has been wreaked with so much violence and bloodshed.

The human rights record of the SLPP between 1998 and 2002 is abysmal. Evidence of this exists in the statistics of the Pademba Road Prison relating to this period. That prison was designed to accommodate a maximum of 324 inmates. Between February and June 1998, it was overstuffed with 3,928 inmates most of them labeled "collaborators" who were arbitrarily arrested, tortured and detained. Among the inmates were under -aged children, disabled people, pregnant women and suckling mothers. By the end of that year the number of inmates had risen to a staggering figure of 4,685. Human Rights activists described the conditions under which people were held as overcrowded, unsanitary and inhuman.

Most of these arbitrary arrests were done in flagrant violation of the Sierra Leone Constitution, which provides for Fundamental Human Rights and Individual Freedoms as well as Protection from Arbitrary Arrest and Torture. Having ignored these provisions in the first instance, the Kabbah Government subsequently decided to legitimize its actions by introducing a Public State of Emergency with retroactive effect for all previous illegal arrests.

In addition, many other workers in both Public and Private Sectors faced summary dismissals and excessive harassment. These included teachers, journalists, trade unionists, university professors, businessmen, religious clerics of all denominations and distinguished private citizens of all sexes. Even the judiciary was not spared. Its Chief Justice, the Honourable Samuel Beccles Davies was despatched on premature retirement. His offence was that he had administered the oath of office to Johnny Paul Koroma as Chairman of the AFRC Junta. The spread of the net was so wide that only few in society were spared.

It is significant to state that most ordinary citizens arrested had campaigned in favour of a politically negotiated solution to the crisis rather than a military one. Hit lists of persons suspected to be anti-war or just simply opposed to the Government were prepared by SLPP stalwarts with the tacit agreement of Government. Some persons named in that list were summarily executed in the streets when caught. The relatively lucky ones were tortured, publicly frog-matched and dumped in the overcrowded Pademba Road Prisons. Many were eventually charged with treason.

A BBC Correspondent reporting from Freetown on the 14th of February 1998 had this to say: "civilians, mostly youths, are actually going out looking for soldiers, RUF rebels and other sympathizers of the AFRC, and in most cases, actually killing them on the spot".

The APC submits that most of those killed immediately after the restoration of the Kabbah Government were its party supporters. They were deliberately targeted because of their party affiliations, tribal or regional origins. Those killings represented nothing but premeditated vengeance that represents a sad chapter in our country's history.

The APC therefore further submits that the success of the TRC's work shall be measured and judged by the Sierra Leone public and the International Community in terms of the extent to which those responsible for these vengeful killings are identified and brought forward to confess their actions publicly and ask for forgiveness.

14.2) AHMAD TEJAN KABBAH, THE BUNGLING PRESIDENT.

Unlike Ahmad Tejan Kabbah, the Siaka Stevens and Momoh presidencies epitomize the advantages of reconciliation and atonement over vindictiveness, selfishness, intransigence and foolish pride which President Kabbah exhibited at the height of the civil war. The Kabbah administration could have borrowed a page or two from the Siaka Stevens / Momoh eras as a first step in the search for lasting peace in Sierra Leone.

Tejan Kabbah undertook a lot of bungling moves during his first 15 months in power as well as after his re-instatement in 1998. Those bungling moves included the following:

(a) He signed the Abidjan Peace Accord in bad faith and failed to lay that instrument before Parliament as required by the Constitution.

(b) He pitched the mono-ethnic SLPP Kamajor militia against the Sierra Leone Armed Forces thus causing an escalation of the civil war and general instability in the country.

(c) He pronounced that the Armed Forces were disbanded thus causing the army to become rebels.

(d) Kabbah unilaterally allowed a military foreign intervention into the Sierra Leone crisis without UN, OAU or ECOWAS approval thus causing mayhem in the country.

(e) Kabbah violated many sections of the Constitution since he assumed the presidency:

Appointment of Ministers from Parliament.
Failing to declare gifts

Appointment of the current Attorney General (Eke Halloway) without going through parliamentary approval.

(f) The Appointment of Chief Hinga Norman as Deputy Minister knowing too well that he is Commander of the Kamajor Militia.

(g) Kabbah's pronouncement in Makeni that the North should apologize to the rest of the country because Foday Sankoh, the RUF Leader has a northern name and is said to have hailed from the North. This was incitement to regional divide and ethnic animousity.

(h) Kabbah's poor handling of events after his re-instatement in 1998 caused the January 6th 1999 invasion of Freetown by rebels.

(i) When Kabbah was in exile in Guinea in 1997, he informed the world that all those Sierra Leoneans who stayed in Sierra Leone after the AFRC coup were rebels. Conversely, when he was re-instated in 1998, he again said that all those Sierra Leoneans who stayed in Guinea were rebels. It was not surprising then that the hitherto receptive Guinean Authorities unleashed unprecedented violence on defenseless Sierra Leonean refugees in that country.

(j) His failure to halt the rampant corruption in the SLPP government makes him an accomplice to the massive destruction of the Donor Funded Sierra Leone economy.

When all this is said, it is relevant to look outside of Sierra Leone to see how Kabbah is perceived by no less a country than the world's superpower and leading democracy, the USA.

The US Defence & Foreign Affairs Handbook on the Sierra Leone situation describing Kabbah's uncompromising and intransigent stance after his re-instatement; wrote thus:

`*The Government of Ahmed Tejan Kabbah continued to press its offensive against the rebels throughout the remainder of 9998, but without any real sign of conciliatory gesture. to build the country. The ,government continued to rely on ECOMOG forces, mainly Nigerian Armed Forces to sustain itself in power; the Sierra Leone Armed Forces were, to all intents, completely destroyed by the civil war.*

On October 19, 1998, in defiance of international and domestic calls for conciliatory gestures, President Ahmed Tejan Kabbah commented an the matter of 34 Military Officers who had been sentenced to death by a General Court Martial on October 12, 1998. He noted- 'I was unable to exercise the prerogative of mercy in favour of 24 of the convicted officers. In respect of these convicted officers, I have allowed the judgement of the court to stand and for the law to take its full *course. They have accordingly been executed today'! he commuted the sentences of the remaining 10 convicted officers to life imprisonment. Among those executed included Brigadier Hassan Karim Conteh, one of the former senior military leaders of the country.*

President Kabbah',s actions were badly received by most of the foreign states which had supported his reinstatement as Sierra Leonean Head of State. Many obswevers had concluded that the original coup had taken place largely because of poor actions by President Kabbah himself, and that his reinstatement had been brought about by the actions of foreign states (particularly Nigeria, other ECOWAS states and Britain), and not because of any leadership by President Kcabbah himself. As a result, his subsequent failure to help bring about conciliatory gestures in the country only served to sustain the rebel war in the countryside. "

We have decided to quote the American Handbook to indicate to the TRC how prudent leadership could have averted national disaster by a calculated study of the socio-political and military situation that existed then.

When President Kabbah signed the death warrants for the execution of 24 Senior Military Officers, the military and political situation in the country glaringly had two antagonistic factions facing each other with uncompromising anger and bitterness across a broad and drawn out battle front as follows:

i. Ahmad Tejan Kabbah with his governing SLPP and their protector the Nigerian interventionist army in league with Mr. Hinga Norman's mono-ethnic SLPP Kamajor Militia on one hand and
ii. J. P. Koroma with his renegade AFRC and the bulk of the Sierra Leonean Army in unison with Cpl Foday Sankoh's RUF on the other hand.

Beyond any doubt, those were two formidable military and political forces each with potential to wage a protracted, lethal and destructive war. The capacity of each to muster internal and external support should not have been underrated by Kabbah. Each of these groups had acquired the unsavoury reputation of imposing dastardly cruelty on hapless civilians. All that aside, Kabbah and his newly re-instated SLPP Government did not take cognizance of the fact that associations within each of the major forces may not be particularly stable. The Tejan Kabbah - Hinga Norman alliance had earlier shown cracks and cleavages of such serious nature that there had been talk of a major rift within the southern camp pertaining to the Kamajor Movement.

The people of Sierra Leone including the SLPP suddenly started seeing the Nigerians as an occupation army especially with the insufferable arrogance of their soldiers. History should have taught Kabbah that no country ever continues to stay in love with her conquerors for long. The fact that the position of Army Chief of Staff had been given to a Nigerian Maxwell Khobe, head of the interventionist force, and the fact that a Nigerian military officer was head of the Court Martial that passed death sentences on very senior military officers further enraged the army the bulk of whom were in the hinterland together with the AFRC and RUF forces. The players in the Tejan Kabbah theatre of war will definitely not continue to be agreeable bedfellows for long.

On the other side of the battle line, there was no telling whether and how long the allegiance of the RUF to Lt. Col J.P. Koroma will last. Kabbah should have discerned the unstable nature of this alliance because the incarcerated Cpl. Foday Sankoh remained the Supreme Leader and Mentor of the RUF. The Kabbah SLPP Government should have known that the AFRC / RUF union was an association of convenience, not a marriage of ideology. So when the coalition of disparate forces broke up in 1999, a faction moved on Freetown and the 6th Jan 1999 mayhem was the result.

Kabbah should have anticipated this explosion and stayed action in sanctioning the executions of senior army officers. Those executions may have fuelled the anger of the soldiers / rebels who invaded Freetown in January 1999.

If Kabbah had taken cognizance of the possibility of an explosion taking place within each of the two major belligerent groups, innocent blood spilt during the invasion of Freetown in 1999 could have been avoided. We have mentioned elsewhere in this submission the way President Kabbah mismanaged the Abidjan Peace Accord and later the Conakry Accord. He also did not handle with care the Army / Kamajor and the Army / Civilian relationships. He encouraged the dissemination of destructive propaganda by his pro-SLPP radio station FM98.1 under two people Julius Spencer and Alie Bangura) who were rewarded with Ministerial and Ambassadorial positions respectively. The third person (Hanna Fullah) was eventually made

Manager of the said radio station. The radio totally fueled the war in this country by deliberately misinforming the masses. During the invasion of Freetown in 1999 by the rebels, the radio misinformed the people to the extent that many casualties among the civilian population were directly the result of the misinformation bandied around by Dr. Julius Spencer and others. The role of that radio station should be of interest to the TRC and the Special Court. Spencer and Alie Bangura were the Goebells of Kabbah's regime who engaged in RADIO JOURNALISM similar to that which provoked and fuelled genocide in Rwanda.

15.0 **TREASON TRIALS AND COURT MARTIALS**

The APC is making reference to the various Treason Trials by successive governments with a view to ascertaining whether due process of the Law was observed. Thereafter, we request that efforts be made to ensure that extra judicial killings are addressed and discouraged. Also, the APC appeals to the TRC to recommend that the Laws of Treason be delicately and scrupulously guarded to avoid abuse and misuse.

15.1 TRIALS DURING THE APC GOVERNANCE

i) Brig. David Lansana and Others

The first treason trial was the case of David Lansana and others in 1968. That case is reported in the All England Law Reports, 1969 (Sierra Leone Edition). The APC stands by the records in those reports. That action by Lansana and Hinga Norman directly aborted our democratic experiment and brought the military into the politics of this country. In spite of this, during the APC administration, David Lansana, Berthan Macauley and others appealed against their conviction and the Court of Appeal presided over by judges of high integrity upheld the appellants appeals and they were accordingly freed.

ii) Brig. John Bangura and Others

The APC inherited an Army and a Police Force that were already very politicized. The first few years of APC rule were spent at repelling coup attempts by the Army and in the process valuable time was spent on consolidating national security. After several attempts by Brig. Bangura to overthrow the government, he was tried and convicted by a Court Martial through due process of the law. The views of the new Leadership of the APC regarding political executions is radically changed and our hope is that the Laws of the country relating to Court Martial would be revised in view of current international human rights considerations.

In particular the APC would urge that the process of appeal be maintained for Court Martial cases.

iii) Mohammed Sorie Fornah and 14 Others

Those treason trials lasted for almost two years and went through the due process of the Law. Death sentences were subsequently carried out. It will be recalled that both Mohammed Sorie Fornah and Ibrahim Taqi were Senior Cabinet Ministers in the first Stevens' government in 1968. They left the APC and formed a new political party which unleashed unprecedented violence in the country. The violence was so extreme that the government was left with no alternative but to ban the Party. In their frustration, they resorted to subversion and treason for which they were tried and found guilty. Records of those trials are a testimony of the truth in defense of the APC and the Laws of Sierra Leone.

iv) G. M. T. Kaikai, Francis Minah and Others

That matter went through all Superior Courts of judicature. In all those courts - High Court, Appeal Court, Supreme Court, Mercy Committee, the verdict was guilty. The Chief Justice at that time was the late M. S. F. Kutubu, a Mende of known SLPP sympathies. That verdict was carried out in accordance with the Laws of Sierra Leone.

15.2 EXTRA JUDICIAL KILLINGS BY THE NPRC JUNTA

The NPRC Junta was an illegal, treasonous, brutal and inhumane regime. The APC believes that no legality could come out of an illegality and we humbly submit that whatever the NPRC did cannot be justified let alone the brutal extra judicial killings they committed.

The NPRC executed 29 people who had been allegedly convicted by a Military Court headed by Lt. Col. Kesboyah for allegedly plotting to overthrow the junta. All those executed with the exception of a handful of military officers including Major A. S. Jalloh and Col. Kahota Dumbuya were already in prison having been arrested on the 29th of April 1992 on the day of the coup. Bambay Kamara the ex-Inspector General of Police and Lt. Col. Yayah Kanu for example had been arrested and detained on the day of the said coup. All 29 people were allegedly tried on the night of 29th December and executed on 30th *December* 1992. The APC submits that no formal trials were conducted, but rather those 29 unfortunate Sierra Leoneans were tortured and killed extra judicially.

The victims of those extra judicial killings included 19 civilians who were arrested in a drinking pub at Lumpa village. Police had declared all of them innocent of the alleged crime. However, whilst detained at Pademba Road Prisons under the State of Emergency, they were dragged out of the Prisons and killed.

It is strongly alleged that those extra judicial killings were far in excess of 29 persons as announced by the NPRC Junta at the time. We appeal to the TRC to ascertain the number of bodies dumped in a mass grave at Kingtom Cemetery after those executions. In the interest of national reconciliation, the APC appeals to the TRC to recommend compensations to the families of the victims of this heinous crime. In addition we

request that the TRC recommends that the ring leaders of the NPRC junta including its leader, Capt Strasser and their Advisors come forward and confess their sins and ask for forgiveness.

15.3 THE 1998 SLPP TREASON TRIALS / COURT MARTIALS

When President Kabbah was re-instated in 1998, he abandoned the pacific and reconciliatoiy line as was required by the fluid military and political situation then. The SLPP vigilantes and Kamajors were let loose like wild dogs on defenseless people. In a most unprecedented manner, Public Servants and many others who were collectively called collaborators were arrested and tortured. It is reported that the number of so-called collaborators who were detained at the maximum-security prison at Pademba Road numbered about 5,000 people. This is a prison with a capacity for less than 400 inmates. Perceived political opponents of the SLPP government were all rounded up, tortured and detained. Many unfortunate Sierra Leoneans were lynched or burnt alive by hysterical SLPP youths and Kamajors. People like Musa Kabia, Sheikh Mustaba, Sakoma and Abu Black - all *members of the APC* - suffered this fate. Radio 98.1 played a decisive role in instigating those murders.

15.3.a) The SLPP 1998 Treason Trials

Those trials were vengeful acts and a travesty of justice. All suspects were tortured and brought before the three established treason courts. They were described by Solomon Berewa, now Vice President, as "collaborators". The Treason and State Offences Act 1963 has no place for collaborators! Was President Kabbah himself not a collaborator during the NPRC Junta which he served as Chief Advisor?

Public Notice No. 4 of 1998 issued by Vice President Berewa, then the Attorney General, is a disgrace to the integrity of all Sierra Leoneans. By that Public Notice which was issued after the offence of the alleged treason, Solomon Berewa deprived the accused persons of FAIR HEARING and violated Section 25 of the Constitution.

Public Notice No. 4 of 1998 also changed the old age Criminal Procedure Act of 1965 and the standard, historic and the unanimous 12-man verdict of the jury to a politically manipulated 8-man verdict of the jury. This was at the expense of the lives of innocent ordinary citizens of our country.

The treason trials were irregular, unfair and emotionally dressed up as the law even though they were not legal. In a desperate and exasperating effort by the Kabbah/Berewa SLPP Administration to exterminate perceived political opponents, that obnoxious Public Notice was issued. The APC appeals to the TRC to address that miscarriage of justice against political opponents in the interest of national reconciliation

15.3.b) THE **1998 SLPP COURT MARTIAL**

Never in the history of Sierra Leone has a government proclaiming itself a democratically elected government of the people, descended to such barbarous depths of brutality and revenge killings. When President Kabbah was re-instated in 1998, he appealed to all rebels and soldiers to surrender and promised that those who surrendered would be protected. A large number of soldiers thus surrendered to

ECOMOG or to the Guinean authorities in the Republic of Guinea. Killing surrendered soldiers did not encourage their colleagues in the bush to lay down their arms. As a result, some soldiers joined the RUF rebels in a self-defensive move. It was that group that invaded Freetown, broke into Pademba Road prisons and set free all inmates.

With indecent haste and reckless indifference, the Kabbah SLPP administration having Solomon Berewa as hatchet man, killed 24 (twenty -four) soldiers - most of *them Senior Officers* - They were shot and killed after a very poorly conducted Court Martial.

The current head of the Armed Forces of Sierra Leone and Nigerian Military Officers helped President Kabbah and Berewa to do this dirty job. No appeal was allowed! Can such act engender national reconciliation in a democracy? The answer is an emphatic No!

Of the 24 soldiers executed, only 2 (two) were coupists - *Tamba Gborie and -Abu Sankoh a.k.a Zagallo.* Both Gborie and Sankoh confessed in open court but Kabbah and Berewa refused to listen. To satisfy their whims and caprices, they tied valuable lives to stakes and shot them in cold blood. A woman Military Officer, *Major Kula Samba* in charge of rehabilitating child soldiers and combatants, was amongst those killed in cold blood.

We appeal to the TRC to investigate those Court Martial trials. The APC believes that President Kabbah's revenge arrests, trials and executions cannot promote national reconciliation. They are a bad precedence for our fledging democracy.

16.0 **CONFISCATED PROPERTIES AND THE DEPRIVATION OF ENTITLEMENTS, ETC**

The APC strongly requests the TRC to address the issue of confiscated properties to the State by Military Juntas starting with the National Reformation Council (NRC) under the late Lt. Col. Juxon Smith in 1967 to the National Provisional Ruling Council (NPRC) of Capt Valentine Strasser in 1992. Whenever the Military intervenes in the affairs of state governance, they are quickly surrounded by opportunistic opponents of the ousted government who chart a course of action which invariably targets marked individuals of the previous government. Commissions of Enquiry in Sierra Leone have been used by Military Juntas as a quick method of vilifying officials of deposed governments and justifying their illegal act of overthrowing a legitimate government.

Commissions of Enquiry were set up by both the NRC and NPRC Juntas. Whereas the former formulated their white papers and followed the recommendations submitted by reputable judges of the Commissions and based their actions on those reports, the NPRC mostly disregarded the recommendations of the judges and vengefully punished all those they perceived to be implacable enemies of the NPRC from among the selected Ministers and Civil Servants who were summoned to appear before the Commissions. Furthermore, whereas the NRC allowed those adversely affected to appeal against the decisions, the NPRC disallowed all appeals. Also, the NRC published the Reports of the Commissions, but the NPRC refused to publish their Commissions Reports contrary to Article 149(4) of the National Constitution, which stipulates that Reports of Commissions of Enquiry should be published within 6 (six) weeks of their completion.

The NPRC reports were only made available to the Cross Commission four years later, in 1996. The said Cross Commission selectively absolved top SLPP members who were Vice Presidents and Ministers in the overthrown APC government of J. S. Momoh.

President Ahmad Tejan Kabbah and Vice President Solomon Berewa, as Chairman and Member respectively, of the NPRC National Advisory Council, played decisive roles in influencing the bungled Commission Reports for which Berewa was a hostile Prosecuting Counsel.

The treatment meted out to Ex-President J. S. Momoh, his former Vice President Abdulai Conteh and other APC officials by the Kabbah sponsored Cross Commission was very selective and unjust. The decision of the Kabbah government to strip them of all their titles and properties was not done in the interest of national reconciliation. Particularly unfair is the decision to deprive the President and Vice President of their retirement benefits. Former Leader of SLPP Salia]usu Sheriff and who was also Vice President under Momoh was curiously rehabilitated˙ by Kabbah in spite of the fact that there was an adverse report against him. Our Party frowns at such high handedness and vindictive injustice handed down to our APC Leaders and Officials.

President Kabbah has been less than candid in his promises to restore to Momoh entitlements due him as a former President of Sierra Leone. The public and the international community are given the impression by Kabbah that he has returned properties confiscated from Momoh and rehabilitated him. President Kabbah told the UN General Assembly in 1997 that he had rehabilitated Momoh and accorded him treatment befitting an Ex-Head of State.

Compare the above treatment meted out to ExPresident Momoh to the humane reconciliatory gesture made by Momoh to President Kabbah when he returned home from his over 20 years self-imposed exile. The gesture included restoration of his own properties earlier confiscated in 1967 by the NRC Junta. President Kabbah ignored the implementation of the provisions of Act No2 of 1986 relating to Retirement Benefits for Ex-Presidents and Vice Presidents.

Even the late Dr Siaka Stevens was not spared the wrath of the NPRC Junta to which President Kabbah was Chief Advisor. The Parent decree establishing the Commissions of Enquiry did not cover the period of the late Dr Stevens' administration. However, a witch-hunt was directed against the late President. In the end, Dr. Stevens' properties were confiscated to the state in an unprecedented show of vengeance. As if that was not enough, the late Dr Stevens was stripped of all his titles and honours post-humously. In our view, this is a bad precedence which cannot engender national reconciliation and unity.

Against this background, Kabbah is believed to have dished a lucrative retirement package to his erstwhile Vice President Albert Joe Demby. We request the TRC to ensure that Ex-President Momoh and his Vice President Abdulai Conteh are given their gratuities and pensions using the same parameters. National Reconciliation demands compliance with legislative enactments.

The TRC may wish to find out where the NPRC leaders, who assumed a holier-than-thou attitude to their APC victims, stored their loot after they were removed from power. Most of them are believed to have bought mansions in Europe and America. Other civilian NPRC Junta leaders like John Benjamin and John

Karimu who championed the 1992 coup d'etat and known to have acquired considerable wealth both within and outside Sierra Leone were also instrumental in the seizures of APC properties under the NPRC Junta. Interestingly, they are today members of the SLPP holding high offices and receiving favours from the current government.

The APC requests that properties confiscated by the various Commissions of Enquiry from 1967 be returned to their owners in the interest of National Reconciliation. The TRC is requested to ensure that retirement benefits deprived of people affected by the Commissions be re-instated.

At this stage, it is pertinent to state that the SLPP Government continues to illegally occupy APC properties. These include the Party's National Headquarters at 39 Siaka Stevens Street and its Multipurpose (We Yone) Building situated at Old Railway Line, Brookfields. These properties were never the subject of any Commission of Enquiry. Their continued occupation by the present SLPP government is unfair and will neither enhance national reconciliation nor promote our new democratic dispensation.

17.0 **SUMMARY AND CONCLUSION**

i Our submission ends on the note that the strength of the APC lies in the many infrastructural developments the party undertook all over Sierra Leone. Our greatest pride and strength are found within the pages of the 1991 Multi-Party Democratic Constitution (Act No. 6 of 1991). This is the APC gift to Sierra Leone.

ii To our political adversaries, the SLPP, we ask that they kindly hold sacred this Constitution in the interest of National Reconciliation, Democracy, the Rule of Law and Freedom of the Press. We regret to note that President Kabbah has deliberately yet consistently violated many sections of this Constitution in his vengeful and autocratic tendency to downplay democracy and strangle opposition to his SLPP administration. Such a tendency cannot enhance national unity and reconciliation.

iii Politics in our country is an APC / SLPP affair even in the context of Multi-Party Democracy.

iv. Like the chicken and the egg situation relating to which of them is older, so it is with the SLPP and the APC with regard to which party did what and during what period in the history of the country.

v. The SLPP accuses the APC for all the evil befallen Sierra Leone. We in the APC flatly deny this charge and instead, we blame the SLPP, the oldest political party in our country for being the architect of all dirty political tricks and evil that have befallen Sierra Leone including, but not limited to, the under listed:

a. Nepotism
b. Tribalism
c. Corruption
d. Vandalism
e. Election Rigging
f. Military intervention in politics and coup d'etat
g. The tribal "Ndorgbomvosoi" war in Pujehun District in the early 1980s h.
h. The Foday Sankoh RUF War of destruction and devastation

i. Legislation of bad laws: The Public Order Act of 1965

j. Expulsion from Parliament of Opposition Members of Parliament

k. Political interference in judicial appointments - the Gershon Collier appointment as Chief Justice and Desmond Luke as Chief justice

1. Political interference in appointment in the Civil Service - the Peter Tucker and John Kallon appointments as Head of Civil Service and Establishment Secretaries respectively in the early 1960s.

m. Banishment of Paramount Chiefs and political opponents from their home chiefdoms into strange lands. n. n. Cannibalism and Ritual Murders

o. Use of Secrete Societies in politics - Poro Societies.

The list of examples is unending.

Vi. Accusing President J. S. Momoh of promoting the Limba Tribe through his love of Akutay is as good or bad as accusing Prime Minister Albert Margai of promoting Mende Tribesmen in all sensitive positions during his term as Leader of SLPP and Prime Minister of Sierra Leone.

Vii. Can anyone deny the fact that it was Prime Minister Albert Margai who refused to accept SLPP defeat at the polls in 1967?

viii. Can anyone deny the fact that the SLPP Prime Minister Sir Albert Margai urged Hinga Norman and Brig. David Lansana, Head of the Armed Forces to stage the first coup d'etat in 1967?

ix. Can anyone deny the fact that the BeokuBetts Commission of Enquiry into the special coffee deal indicted SLPP President Kabbah in 1967 and declared him unfit to hold public office for which good character and integrity are prerequisites?

x. Is it not a fact that with the approval and blessing of President Ahmad Tejan Kabbah, ECOMOG Forces and Sandlilne Mercenaries invaded Sierra Leone and killed thousands of innocent civilians and destroyed properties in the pursuit of his inordinate desire to be restored to the Presidency? Did he initially obtain ECOWAS and UN approval? No! No! No!

xi. Is it not true that President Kabbah killed 24 soldiers in October 1998 after a sham Court Martial? Kabbah also got 69 civilians condemned to death for Treason for serving a Military Junta even though Kabbah himself had served the NPRC military junta as Chief Advisor.

xii. These and many more unsavoury actions on the part of the SLPP are hard to forget. They are the issues that make national reconciliation difficult.

xiii President Kabbah and the SLPP have given the most inhumane treatment to former President Momoh. This treatment of Momoh is the worst any democratic country has ever given a former President. Rehabilitating Ex-President Momoh who is today a destitute in Guinea will be a big step towards national reconciliation.

xiv. Sierra Leone has been torn apart because of the vices of political administrators in the two political parties in this country - the SLPP and the APC. These vices are most prevalent and inherent in the political prostitutes with alternating allegiances. The likes of Dr. Sama Banya, S. B. Marah, Alex Koroma, Solomon Demby, J. B. Dauda, Harry Williams, Alhaji Daramy Rogers, Francis Conteh, Abu Aiah Koroma, Michael Abdulai and many more are dangerous in the context of national reconciliation.

x-v. The APC is under political persecution at the hands of the SLPP. Democracy is threatened by the over bearing ambition of the SLPP to continue breaching the Constitution in a desperate maneuver to hold on to political power even against the wishes of the people.

xVi. National reconciliation cannot be achieved with an SLPP hand picked National Electoral Commission. The APC accepted this commission's conduct of the May 14, 2002 Parliamentary and Presidential elections in the interest of National Peace and National Reconciliation.

xvii. The PEACE we are currently enjoying is a result of the resolve of all Sierra Leoneans to have PEACE. The APC congratulates all Sierra Leoneans for accomplishing this feat.

xviii. The APC denounces all evil elements and over ambitious politicians in the ranks of the SLPP for encouraging and supporting the criminal and ruthless RUF to wage war on and destroy this country.

xix. Can the RUF and the Kamajors - CDF and their collaborators justify cutting off hands and feet of our unfortunate countrymen? The APC is saddened at such heartless inhumane treatment the RUF / Kamajors have left as indelible scars of their unnecessary fratricidal war in the name of a conspiracy to overthrow and remove the APC administration from office. In our quest for national reconciliation, the APC submits that AMPUTEES should be appropriately cared for and compensated.

xx. The APC is proud of her records in office and these records are visible developments all over Sierra Leone. However, politics is not saintly and it becomes dirty with greed., impropriety and undemocratic overtures on the part of the players. As we urge our brothers and sisters in the SLPP to play the game according to the rules, we at the same time extend to them and all our countrymen and women, an open and forgiving heart and a hand of friendship and reconciliation. To all who the APC may have hurt in anyway what so ever, we say SORRY. Please forgive the APC and let us move this country forward.

xxi. For and on behalf of the APC, the Honourable Ernest Bia Koroma, Leader and Head of the All Peoples Congress (APC) extends to every Sierra Leonean his personal sympathy for the sufferings all Sierra Leoneans have been through. At the same time, the APC Leader extends to the entire country, love, friendship and good will.

xxii. In the words of Honourable Ernest Bat Koroma, Minority Leader of the Sierra Leone House of Parliament and Leader of the All Peoples Congress (APC) Party -

"The APC has forgiven the many people who connived to dismantle the APC and in the process, destroyed Sierra Leone and Sierra Leoneans"

"The APC embraces the 1991 Constitution, an APC gift to Sierra Leone and Sierra Leoneans"

"I invite Sierra Leoneans, in the democratic spirit, to put country before self and to turn a new page in the politics of this country."

"To all my countrymen and women, please note that a political party is like a soccer team playing a game. The coach and players keep changing and so are the rules governing the game. The APC blends the old and the new membership and as a party both new and old APC are our valuable assets to play the game of politics.
However, my countrymen and women, be assured that our coach has been changed; our rules of the game are changed within democratic parameters and the current Leadership of this glorious party is an embodiment of change for the betterment of Sierra Leone."

"The All Peoples Congress (APC) is urging the Truth and Reconciliation Commission (TRC) to exercise its mandate without fear or favour. I believe that only the truth can heal the many wounds inflicted on the people of this country and on both sides of the cultural and political divide."

"Forward Ever, Backward Never. Truth crushed to earth shall rise again."

For and on behalf of the All Peoples Congress (APC);

Hon. Ernest Bai Koroma
Leader and Head of the APC

Hon. Victor Chukuma Johnson
National Chairman – APC

Osman F. Yansaneh

National Secretary General - APC

TO: THE CHAIRMAN - TRC

RUFP STATEMENT ON GOVERNANCE

CONTACT PERSON: MR. JONATHAN KPOSOWA SECRETARY GENERAL
15 LIGHTFOOT BOSTON STREET FREETOWN.

RUFP STATEMENT ON GOVERNANCE

We thank the entire TRC for the chance offered us to give our own version on Governance in Sierra Leone.

From the reigns of Siaka Stevens up to the time of elections 2002, the roles played by the rulers and their counterparts had been oblique. They played in the fountains of autocracy, dictatorship, and as capitalists.

The RUFP is not interested in pointing fingers on the leaders as they are not targets for the war fought commencing form the wings of the RUFP. We are totally against the former systems and not individuals or a certain group. Of course it is clear that a political party cannot write without linting cupboards of other parties.

RUFP will speak here nothing but the truth. We encouraged the TRC to continue her transparent duties without fear or favour.

Fellow citizens, the slogans that circulates on the walls of the TRC are correct especially the one that vows in the tune the truth hurts. It is true that the war is over, but the RUFP is still indebted to the nation. RUFP needs to entrench all efforts to control and consolidate our ex-combatants and the peace. What makes it viable to consolidate peace? RUFP alone cannot consolidate peace if most of the ex-combatants are not employed after their reintegration by the NCDDR. The Governance should create venues for employments like what the president is doing now by encouraging investors into Sierra Leone, getting professionals in offices, sacking all those found guilty of corruptions, giving full power to legal professionals to perform without bribe and corruptive hands and should encourage youths to make decisions through the leaders, through the youth ministry.

Fellow Citizens, many oppressions are facing the ex-combatants now especially the RUFP. We are driven out of family circles, driven from houses and even banished from our homes by people not wanting to encourage peace. Few months ago, I was ignored by citizen's expert when there was an intervention of the NCDDR through a keynote player Mr. Sullay Sesay. We should now reconcile and forgive for a better future.

INDEPENDENCE:

Independence for Sierra Leoneans was called for so that the whiteman does not see the ill-practices of the rulers. Sierra Leone is still indebted to independent principles: Like been able to produce by manufacturing our own goods the rich men should have investments. How many ministers are paying 50 Sierra Leoneans monthly from their pockets? How many are donating vehicles to students, how many Sierra Leoneans are personally sending Sierra Leoneans abroad for studies?

Everybody should not rely on Government. We receive salaries from the Government and give our children scholarships meant for the poor. This is corruption. Independence lacking these factors is not independence but invitations for another neocolonialisms.

HURTY EFFECTS.

Coups and countercoups are not good for Sierra Leoneans. RUFP is pleading to all those hurt by the war to forgive and reconcile as the truth will reveal. RUFP is not ready to bring back wounds but to come up with solutions for good governance.

WHY THE RUFP WAGED WAR.

RUFP waged war on the systems of bad governance, corruptions, nepotisms, ignorance, sectionalisms and Zionism by systems. From the first volume of our footpath to democracy, the anthem never called any name of persons but the president and the APC oriented during the formation of the RUF under Cpl. Foday Saybana Sankoh. The APC Government came into power through bullets, selective sectional bloodshed and other means. Students have been killed by bullets because they demonstrated. RUF feels the only way to have taken such government out of power was through the same bullets.

Why we decided to end the war

After these exercises of the war, we have realised that the governance should be monitored and during the few months of good governance, there are much improvements. As I was seated by my radio, I heard my colleague calling the RUFP a tragedic entity. We are please to inform our friends now that the RUFP is a newly established party different from the RUF. We are obedient, rule abiding and willing to work according to the governing principles of the day.

However, though the governance is partially precipitating, there are still some remnants of corrupt elements of the past. One party or multi-party systems are not our problems in Sierra Leone but what we do to live on our resources?

There are now commissions like Anti Corruption, Anti - illegal Salary Collectors. Why set these commissions and blame the RUF for bringing war when one of the standing accusations has been corruption? Today we have ghosts receiving salaries, swaving of largest diamonds, pronouncements of people charged and convicted of corruptions.

ACHIEVEMENTS

RUFP has achieved in various forms: RUFP has made Sierra Leoneans to accomplish the first mission in the world to stop war for people to have peace,

Awareness time has been achieved by all Sierra Leoneans.

Villages that had few houses are piled with houses

Compulsory education is now in good swing. The governance has in the pipe ambition to build houses for Paramount Chiefs, and provide them with mobility.

Police of today is a force for good, the army is a revised army for Sierra Leone,

The grassroot system is a good vendor

If any government in powers praises herself, it is due to the listening of the ruling pilots to the people they rule (masses).

ISOLATED IDEOLOGY

RUFP will not embrace anyone/party to go to war because of bad governance in Sierra Leone because the ideology RUFP brought went through no success. No one won the war.

HOW TO AVOID VIOLENCE

- Concisely government can avoid violence by avoiding tribalism, -nepotism and sectionalism.
- Avoiding and punish all convicts of crimes incompatible to good governance
- Government should be transparent and accountable
- Government should take all politicians highlighted by political parties as been underground injectors to bad governance of the former systems out of governance immediately.

Let us set our eyes on the injection of RUFP into AFRC. During that reign, RUFP was still looked at to be vividly responsible for all bad acts. Sierra Leoneas should know that RUF was under a high command, Mr. Johnny Paul. This was in 1997. Any loyal personnel especially in the army takes command without excuse or no no in the army.

ATTENTION FOR EX-COMBATANTS

RUFP is now a party force, not a fighting force. We will allow only those who will abide by principles of governance and work adhesively with them. Don't ever accept aggravations by anyone to fight against your fellow Sierra Leoneans. RUFP will not fight in bullets any longer but to find solutions for good Sierra Leone. NCDDR is your way forward to good future plans.

NGO

We wish to thank the NCDDR family for her positive roles in the reintegration of all ex-combatants. We also express gratitude to other donors like:

DFID
UNICEF

NaCSA

NACWAC etc

Yet fellow compatriots, the reason for any prolongation of war is when the fighters are not reintegrated and employed. The RUFP will appreciate it highly were you to continue using your offices to find good jobs for these men after their various courses of interest. We are calling upon employers that government cannot do all. The criteria set for employments despite ex-combatants are very null. Software has been introduced in Sierra Leone not quite two years. How can an employer call for fifteen years experience?

Let us help.

I thank you.

Mr. Jonathan Kposowa Secretay General - RUFP

PLANTED PLANS FOR PARTICULAR TARGETS

RUFP has:

A. To sensitise people on methods of voting and how to bring up the party RUFP that failed in 2002 elections.

- To persuade the people to get more partisans for 2007

- To rebuild some structures of public importance destroyed during the war through centralised contributions and supporters under deep encouragement.
- To lobby in countries adapted to us either by ideology or had helped our political stand out.

RUFP will also defy negatively the notion that the RUF is responsible for atrocities in Sierra Leone, killing massively, destroying economy, raping and amputating citizens.

To build clinics free for the poor especially for our target groups like the vulnerable, students, old age and below five children.

To provide at least daily bread for most disabled people and make settlements for them in a form of lodge.

To provide affordable school system with three session format for morning, afternoon and evening to enable workers pursue further and better education.

B. My work prior to the conflict was professional classroom teaching. I experienced during the conflict that many lives and properties were lost by all warring factions and atrocities were also committed by the factions.

CURRENT ACTIVITIES BY RUFP ARE

Finding avenues to get finance for the next 2007 elections, persuade supporters, improve the living conditions of our ex-combatants by encouraging them to go through the NCDDR for a better bench to start in Agriculture, auto-mechanism, computer training, academic and other vocational know how. This method will help our human resources.

To discuss, and positively suggest to the GOSL issues for better governance.

To request for our ex-combatants to be employed by NGO, because GOSL cannot host all Sierra Leoneans.

RUFP has planned to encourage good governance and eradicate corruption partially, the goal for which the war was waged.

To make sure the masses are listened to for decision-makings in the country - GOSL often listens to the masses. D/E - the RUFP is monitoring the legal, political, and systems including the economy. If any fault is found, we will give in suggestions through the oppositional branch the APC for our voice to be heard faster for a redress.

F. Socially, the GOSL is improving. Artists are encouraged by the openings of clubs, hotels, etc. youths are involved in cleanings willingly, and GOSL is pleading for employments and vocational trainings are gong on by the help of NGOs. The war has been put to a halt, the restructuring of tourist houses by the GOSL like Bintumani, Cape Sierra, Lac, Paddys and so many are functioning.

Notwithstanding the economy of the state is <u>OBLIQUE</u> (not transparent). The constitution calls for the utilization of the resources in the state for the state. We are blessed with bigger diamonds now but they are always not accounted for by those who are responsible for them. Recently, we heard 1,004 carats changed to 104 and the 104 cannot again be found. We need transparency and accountability to boost the moral of Sierra Leone to cage democracy.

RUFP - RECOMMENDATIONS

The RUFP is pleased to recommend the following reforms and practical resolutions:

- That the parliamentarians pay at least a monthly visit to their areas of representations every three consecutive months to hear, dialog and bring up to Freetown the problems affecting his citizens for a redress. This scenario should not be objected because we believe the GOSL is providing vehicles, which are only driven to places of individual interests.
- The GOSL should try harder to talk to the international community to provide the trust funds that were to given to each political party (registered parties)

That all secondary schools encroach three sessions (morning Afternoon and night) for those presently employed. Professionalism should not stop this opinion because seminars can provide most forms five or six students roaming the streets of Sierra Leone to teach better.

Raping - Raping has become the topic for each day though Sierra Leoneans felt it was done by RUF, CDF, SLA, ECOMOG, Etc. RUFP is recommending that anyone who rapes, caught and found guilty under the due process of the law, should be sentenced or serves imprisonment not less than seven years. The prison yard must host a verse area for farming. Our self-sufficiency in Sierra Leone will come faster agriculturally. No negotiations, no bail for convicts.

That all investors to Sierra Leone should provide electricity, lodge, and good pipe borne water systems for the community in which the investor wants to operate. These dimensions should be pre-conditions to better investments and benefits.

I thank you.

THE CAUSES AND ANTECEDENTS OF THE WAR IN SIERRA LEONE

SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION

On March 23 1991 Liberia's two year-old war spilled over the border into neighboring Sierra Leone. Liberian rebels gave two reasons for this incursion. Firstly, it was claimed that the Sierra Leone government supported and harboured their adversaries. Secondly, Sierra Leone was being used as a base for cross border raids. After almost sixteen months of the incursion,

Sierra Leoneans were coming to terms with the scale and effects of rebel activities in almost forty percent of the landmass of the country.

The perplexity of the Sierra Leonean born Revolutionary United Front (RUF) leader Foday Sankoh of leading foreign bandits and murderers in the name of the National Patriotic Front of Liberia (NPFL), and few detractors of the RUF to kill many Sierra Leonean countrymen and desire to know the actual objective of destroying their properties which they have sweated to accumulate over the years is something many people pondered over.

People believed that Mr. Charles Taylor was the chief planner, chief architect, and chief executive official of the rebel war. Indeed, he was a kind of hub around which everything relating to the war that spilled over into Sierra Leone. Speculations about his personal ambitions for which the war was waged were abound, but pointers to his real ambition were not conclusively identified.

Prior to the March 23 invasion by the Revolutionary united Front (RUF), Charles Taylor, the leader of the National Patriotic Front of Liberia (NPFL), had vowed over the BBC report, sometime in October 1991, that he would ensure Sierra Leone taste the bitterness of war. The reason he advanced for this position was that Sierra Leone had allowed herself to be the base ECOMOG base. Also that ECOMOG operated not only to bomb his strategic military positions and installations, but also to otherwise prevent him from achieving his objective of capturing the Presidential seat in Monrovia- the Executive Mansion.

At the time of the October 1991 outburst by the NPFL Leader against Sierra Leone, there was no mention of a Foday Sankoh's so-called National Liberation plans. The March 23 1991 armed attack in Bomaru in kailahun district signaled the beginning of the war. The attack on the sovereignty and territorial integrity of this country could therefore be attributed directly to and be taken to be in fulfillment of the vow that Taylor had made.

Despite the initial denial by Charles Taylor, it was clear that Foday Sankoh was a mere surrogate to him, and that Taylor was giving all the manpower, equipment and logistical support to Foday Sankoh to destabilze Sierra Leone.

The RUF led by Foday Sankoh claimed it was fighting a war of National Liberation. If the real cause, as distinct from declared causes, of Foday Sankoh's effort was to liberate and if he had no hidden agenda, then why was the trend of his attacks directed mostly at the PRODUCTIVE AREAS of the country? And why did he not find a common group with the National Provisional Ruling Council of Sierra Leone, (NPRC), which equally was opposed to the system Sankoh was decrying?

An added reason, advanced later, by the NPFL Leader for being fiercely in arms against Sierra Leone was the presence of ULIMO, United Liberation Movement for Democracy in Liberia, an ethnic coalition of the late Samuel Doe and the alleged support given to it by Sierra Leone against NPFL.

Despite the foregoing argument against both Charles Taylor and Foday Sankoh, the general socio-economic climate and other circumstances prevailing in J.S. Momoh's Sierra Leone at the

time of the invasion, would appear to call for some deep reflection and national introspection to determine whether sufficient "provocation" did not exist to aggravate a rebellion or revolution. In Sierra Leone, taking all factors into account, including the nature of the startling revelations of the NPRC commissions of enquiry that were held, the answer would be a definite "YES" in favour of the revolution of the NPRC type, if only to make a change from deplorable situations.

Sierra Leone's economy was in ruins and social and economic life was in shambles. The poor people were getting poorer, while the few rich were getting richer at the expense and detriment of the poor. The ministers of government exploited the people inhumanly. They did not care for the suffering masses and they continued to amass wealth even in times of great economic deprivation for most of the population. The standard of living dropped and morals were not rejected since people had to find ways and means to at least keep on living. Embezzlement, prostitution, smuggling became rampant and accepted vices.

Education in Sierra Leone was no longer a right but a previledge. Only those who could afford it acquired better education for their children. Private schools were preoccupied with the sons and daughters of ministers and government officials. Government schools were totally neglected as they strive to cater for the under previledged.

Politically, for thirty years,different governments had misruled Sierra Leone. As is evident in the African setting, political heads act *Ultra Vires* by manipulating the constitution in order to perpetuate themselves in power. In the Sierra Leone scenario, the All People's Congress (APC) under the leadership of the Late Siaka P. Stevens skillfully maneuvered the said document, which kept them in power for nearly three decades. Sierra Leone was declared a one party state. This process effectively blocked the political participation of other political parties in the political process. These political parties were compelled under the prevailing circumstances to align themselves with the already powerful APC party. Others that sought not to affiliate themselves to the APC backed out of the process and subsequently lost their public profile.

In the Judiciary, the justices became so conspicuous that Sierra Leoneans were treated as second class citizens. There was lack of independent judiciary. Also a lack of independent media and civil society. There was no popular participation in political and governance systems. These acts became the order of the day. Infact, the judges were remote controlled by the then government officials. Where justice cannot defend the indefensible, one was definitely not going to seek justice in the court of law.

The problem of unemployed also contributed to the causes of the war in Sierra Leone. There was social exclusion, which led to the marginalization of whole groups. That is, groups like the youths, the rural poor and women. There was total economic decline; declining trends in poverty inflation, access to social welfare. There was a growing legacy of unresolved conflicts. Failure to implement dispute resolution mechanisms in any institution in governance therefore these conflicts became deeply embedded in grudges and hatred. It even became of concern when these

preoccupied themselves in ghettos and other places where they could be consoled. The youths were not empowered adequately, therefore it was not impressed on them the sense of national participation and development. It became no surprise therefore that, these volatile youths were identified to unleash terror and violence on the opposing forces to the government in power. The mass poverty and illiteracy gave way to the culture of violence. Thuggery and victimization became the order of the day. House breaking and thievery became so rampant that the Police could do little to effect a change or even combat the situation.

The private sector of Sierra Leone was totally disregarded. The Lebanese people controlled the economy of this country. The indigenes were not granted loans to undertake business activities. The reasons proffered were that they couldn't withstand the competition with the Lebanese who are trustworthy. Contracts and businesses were awarded on the 'Quota' system. Because of their access to capital the Lebanese flourished while the indigenous population did the opposite. Resentment towards them grew.

Amidst all these problems, one would be compelled to say, tribalism, nepotism, corruption to name a few, played an integral part which led to the war in Sierra Leone. But are these the root causes of the war in Sierra Leone? The answer is definitely no. Thirty years of misrule are the antecedent, which precipitated Sierra Leone into war. All the problems could be defined in two words: Bad Governance". Biblically, it is recorded in the book of Proverbs chapter 29 verse 2 that, "when the righteous are in authority the people rejoice, but when a wicked man rules the people groan".

According to this biblical quotation, a good ruler should be able to identify the needs of its people. When these elements are properly addressed, we can say such a government has a semblance of good governance. On the contrary, when the elements are neglected, there is a great outcry. It becomes apparent therefore that, bad governance is prevalent in such a government.

These and many more were the causes and antecedents of the war in Sierra Leone. The water could no longer hold and a war broke out in Sierra Leone on the 23rd March 1991 in Bomaru in Kailahun district. Kailahun, Pujehun, Bo and Kenema were the first districts affected; Kono and Bonthe were added at the end of the year. Eventually, it engulfed the entire nation.

Submitted by

Michael Kakpindi Jamiru

Print Correspondent

Search for Common Ground (SFCG)

Talking Drum Studio-AS Lone

44 Bathurst Street,Freetown

A PRESENTATION SUBMITTED TO

THEMATIC, EVENT-SPECIFIC AND INSTITUTIONAL HEARINGS BY THE TRUTH AND RECONCILIATION COMMISSION

""THE ROLE OF CIVIL SOCIETY AND IMMIGRANT COMMUNITIES" -PRESENTED BY CIVIL SOCIETY MOVEMENT- SIERRA LEONE (CSM-SL)

1. INTRODUCTION

Mr. Chairman, fellow civil society activists, distinguished ladies and gentlemen. The Civil Society Movement-Sierra Leone (CSM-SL) would like to associate itself with the Truth and Reconciliation Commission (TRC) in its endeavor to document events of the ten years rebel war so that the history of this country will be complete.

Civil Society Movement in Sierra Leone and all its membership share the view that sustainable peace can only be attained in this country when the truth is said and root causes of the conflict are identified and addressed.

2. WHAT IS CIVIL SOCIETY MOVEMENT?

Mr. Chairman, historical events in this country will be incomplete if civil society as a movement and as groups fail to add their voice to such a history. Our story can best be understood if people are informed about where we are coming from as a movements and what we stand for. Loosely defined, Civil Society Movements are independent and voluntary people's movements/organizations acting collectively to serve a common public purpose.

Civil Societies emerged into the world stage at the end of the cold war, which allowed people's movements; popular participation in public events; and discussion on human rights, and so on. These movements came into the scene as a result of the failure of authoritarian regimes that fostered top-down and centralized

models of development. This newly recognized power of people's movement sought to bring about major political and socio-economic changes in the world.

Against this background, Civil Society Movement all the world over are committed to the following:

(a) Resisting corrupt and illegitimate regimes and struggling for a leadership elected by democratic means.

(b) Building foundation and strengthening mechanism for a new socio-economic and political order.

(c) Building up and sustaining mechanisms for preventing and dealing with conflict and the protection of the rights of citizens.

(d) Working to bring about a transformed community and to foster a strong and self-sustaining civil society.

With the above goals in mind, Civil Society Movement in Sierra Leone (CSM-SL) has, since its inception in 1998, made considerable gains in its effort to restore democracy; protect the rights of the citizens of this country, protect the security of the state, and setting up of structures and strengthening them in order to carry out its mandate countrywide.

Mr. Chairman, Civil Society Movement in this country has its membership drawn from commercial Motor Drivers and Transport Owners; Petty Traders Association, the Sierra Leone Teachers Union, Youth Groups, Mine Workers Union, Women's Groups, other labour unions and a number of local Non-Governmental Organizations in the country. We are a constituent member of the Mano River Civil Society Movements through which the three Mano River Union countries (Sierra Leone, the Republic of Guinea and Liberia) are jointly pursuing the restoration of peace and economic stability within the three countries. The first Mano River Union Civil Society Movement Conference was held in Freetown in October 2001 - with CSM-SL as convener and the Second MRUCSM was held in Guinea in May 2002 with CSM-Guinea as the host. The instability in Liberia has not allowed the third MRU-CSM Conference. We are working with other civil society groups within the sub-region in Nigeria, the Gambia and the Republic of Senegal.

3. CSM-SL VISION, MISSION, MOTTO AND PROGRAMME PRIORITIES

Our Vision

The Civil Society Movement-Sierra Leone envisions a Sierra Leone that is free from arms conflict, violence, and a country that is peaceful and that has a culture of human rights, good governance and sustainable growth.

Mission Statement

The Civil Society Movement-Sierra Leone is committed to the promotion and consolidation of the culture of peace, good governance and human rights; designing and facilitating participatory programmes to mobilize the citizenry for positive actions that will transform institutions, communities and individuals for peace, democracy and sustainable development in Sierra Leone.

Motto

The Motto of the Movement is "Vox Populi, Vox Dei" (The voice of the people is the Voice of God)

Programme Priorities

The programme priorities of the Movement include the following:

Capacity Building

Citizen Education

Sensitization and Information Dissemination * Advocacy/Lobbying

Peace and Development Initiatives

Development and Humanitarian Affairs

Research and Documentation

International Networking

4. CAUSES AND CONSEQUENCES OF THE WAR

Mr. Chairman, it has become common knowledge that the major causes of the ten years rebel war are bad governance, mismanagement of public funds, bribery and corruption and the lack of accountability and transparency in public offices, nepotism, tribalism, sectionalism, regionalism which is a divide and rule technique that hinders cohesiveness to address issues of national concerns.

The consequences of the war are also too familiar. Sadly enough, our membership, especially commercial motor drivers, petty traders, women and the youth bore the greatest brunt of the war.

The war came to a point when the Sierra Leone Army and the rebels pitched camps together and turned their guns against defenseless citizens. The high ways all over the country were no longer safe as a result of ambushes. Motor drivers and traders who braved the roads in those dark days stood the risk of being ambushed, goods looted, vehicles burnt down, women abducted and rapped and other persons killed in cold

blood. As a result, thousand of civilian lives were lost for no just cause. When our members particularly the petty traders decided to use the waterways and boats, just to earn their daily bread, the high seas and water routes soon became dangerous. There are a lot of instances in which the boats either ran into fatal accidents or were again attacked on the high seas; looted and made to drown.

Mr. Chairman, the Civil Society Movement of Sierra Leone, in its present form, consolidated itself initially as a defense force in December,1998 when the rebels (RUF, SLA) were closing in on Freetown- they had by then been around Waterloo. Two weeks after a mass rally held at the cotton tree in Freetown, the rebels invaded the city on January 6,1999. Prior to the invasion, the Citizen's Security Movement was formed with the initiative coming from the leadership of some civil society groups such as the Civic Development Unit (CDU), the Sierra Leone Labour Congress, the Sierra Leone Teachers Union, and the National Union of Students.

It was on the January 6, 1999 invasion and upon the expulsion of the RUF/AFRC from Freetown by ECOMOG that the leaders of these civic groups reflected on the role of civil society in ensuring sustainable peace, security and the promotion of social justice; human rights and national development. In the light of these considerations the name was changed to Civil Society Movement of Sierra Leone and soon had its structures set up in order to take a national dimension.

Since then, Civil Society in Sierra Leone has continued to impact upon the unfolding social and political developments of the country to the extent that it has earned a name for itself as one of the most vibrant civil society movements in the region.

Following the arrest, disarming and detention of the UN Peace Keepers and other security threats, CSM-SL and Parliament jointly organized a peaceful demonstration match to the residence of Cpl. Foday Sankoh RUF leader in May 8th 2000 to know his position on the issue and demand the release of the UN Peace Keepers. The reaction of the RUF leader to the intention of the demonstrators was negative which led to the death of 22 civilians. These included:

1. Harding Kallon

2. Kabba Bangura Jr.

3. Foday Brima

4. Abu Bakarr Conteh

5. Alhaji Sesay

6. Peter A. Kargbo

7. Musa Kamara

8. Mariam Gassama

9. Saioma Marrah

10. Ballah Turay

11. David Jusu

12. Kumba Brima

13. Soaman Conteh

14. E.T. Kamara

15. Kemoh Jusu

16. Lamin Massaquoi

17. Lucy Cole

18. Josephus Conteh

19. Manso Sesay

20. Foday Bangura

21. Suliaman Bah

22. Alie Koroma

Ladies and gentlemen let us stand up and observe a minute silence for our brothers and sisters who lost their lives in their cause to liberate the nation and the UN Peace Keepers.

The ugly incident led to the subsequent arrest of Foday Sankoh that placed him behind bars. This urged international attention to involve in the crisis, notably the role of the British forces to help stabilize the situation. The Civil Society Movement, despite the gains made has considerable challenges to grappled with. We shall examine these challenges in detail.

5. WHAT ARE IMMIGRANT COMMUNITIES?

We have been requested to discuss the role of immigrant groups resident in Sierra Leone. This is justifiable because these groups are part of civil society. The role some of them play in national development, peace and security is enormous. The major immigrant communities that have made significant contributions include the Lebanese; the Indian community; the Nigerian, Ghanaian, Gambian, Guinean, Senegalese and Liberian communities resident all over the country, particularly in urban and Diamond Mining concentrations.

Immigrant communities who are mainly involved in commercial activities have had their own share in the atrocities of the ten years rebel war. The story is too familiar to us all. Supermarkets, shops stores and goods belonging to immigrants were looted, vandalized or burnt down and thousands of human lives perished.

In peace time, key immigrant groups such as the Lebanese, the Indians have provided grants to support the education of Sierra Leoneans up to University level; they have supported National and grassroot development schemes such as school construction, promotion of games and sports, construction of roads and public infrastructures. It is worth noting that some of these immigrants played negative role resulting to the wanton destruction of lives and properties

6. ROLE OF IMMIGRANTS AND THE CIVIL SOCIETY

What then is the role-played by civil society groups and immigrant communities in the consolidation of peace and national recovery? Immigrant communities on their part, can only undertake economic activities in sustainable basis if there is peace and stability. Certainly, security can be ensured if immigrant communities comply with immigration regulations of the state; immigrant communities, particularly those involved in commercial activities can enhance economic recovery if they comply with tax regulation as well as curb smuggling. Immigrant communities can help to maintain state security if they assist security and state intelligence personnel by providing vital tip offs on any security threats. Considering the fact that immigrant

groups are part of civil society, it is suggested that they be involved by the Civil Society Movement of Sierra Leone in future projects that are of national interest.

The greatest challenge facing CSM-SL is to be more proactive rather than reactive. For example a good number of rallies were organized by civil society movement in the early years of its formation shown to be reactive. Civil Society leaders should reflect upon and analyze political, developmental and state security with the view of forestalling any undesirable consequences.

Furthermore, CSM-SL should intensify its present Programme of educating the people on issues relating to active citizenship of their rights and responsibilities and in preparing them to exercise such rights and responsibility.

CSM-SL is on the right track by its ongoing sensitization project of the population at chiefdom level on the activities of the TRC, the Justice system, Anti-Corruption Commission and the Special Court. This will enable communities to participate more effectively in the activities of these vital institutions.

7. **PROSPECTS**

Civil Society now plays a critical role in matters dealing with security, state stability and socio-economic welfare of Sierra Leone and its people. CSM-SL will continue to play significant roles in this direction.

The present government, in particular the presidency has made it clear that its doors are always open to enter into dialogue with civil society.

Civil Society has a pool of human resources, committed and dedicated to render invaluable services to the movement and the nation.

8. CONCLUSION

In concluding, I wish to make it clear that the success of Civil Society Movement in Sierra Leone depends on the collective efforts of all. When civil society speaks, it should speak with one voice, when civil society acts,

it should act with one accord. And if civil society should speak with one voice and act with one accord for its voice to be heard and its action to make impact, then civil society must function as a unified force

I thank you for your attention.

MARK MAHMOUD KALOKOH

CIVIL SOCIETY MOVEMENT-SIERRA LEONE - (CSM-SL)

THE ROLE OF CIVIL SOCIETY AND IMMIGRANT COMMUNITIES

A **PRESENTATION BY THE SIERRA LEONE TEACHERS UNION (SLTU) TO THE TRUTH AND RECONCILIATION COMMISSION (TRC) OF SIERRA LEONE**

INTRODUCTION

This presentation highlights the SLTU perspective of the role of Civil Society and immigrant communities in the drive towards Quality Education For All, the challenges and prospects.

First of all, I would like to briefly consider what is meant by `Civil Society' in regard to our work

in the education sector. The term `Civil Society' should be understood as inclusive of all groups and associations that are non-governmental and non-profit in nature. For UNESCO, Civil Society embraces

NGOs and Campaign networks, teachers Unions and religious organizations, community associations and research networks, parents associations and professional bodies, students organisations and women's groups.

I am aware that the definition of Civil Society is subject to much debate. Should it include political parties? Should it include the private or corporate sector?

There is a need for greater Clarity regarding who constitutes Civil Society and why? Different concepts and contextual experiences influence our understanding, and these call for further thought and analysis on our part.

However, in the context of governance in general and in social development in particular, we underline the importance for Civil Society to be as inclusive as possible.

Immigrant Communities in Sierra Leone include such influential groups as the Lebanese and Indian communities of non-Sierra Leone nationals.

In Sierra Leone, an attempt at mobilizing Civil Society groups under one umbrella which was necessitated by the civil war Crystallized into the formation of the Civil Society Movement of Sierra Leone (CSM-SL) in 1998 with the SLTU as one of its founder members. CSM seeks to grapple with the task of fully participating in the fledgling democracy, the peace process and nation building in a sustainable manner.

NATURE OF WORK OF SLTU

The Sierra Leone Teachers Union is an independent professional Trade Union organization that strives to promote the professional, social and economic interests of its members and sensitise them to work for the development of education, the Sierra Leone Society and the world at large.

The organization provides the means for the cooperation of teachers and the expression of their collective voice on matters affecting the interest of education generally and the teaching profession, in particular.

Our focus area constitutes the whole arena of education with our target group transcending the teacher, to cover also the pupil, the parent and all it takes to ensure effective teaching and learning.

We do not only advocate for improved conditions of service for our members but also improved conditions of learning for the pupils. We see teaching and learning to be intricately intertwined and therefore inseparable.

The Civil conflict in our country seriously devastated the union both materially and in human terms.

Schools and other educational infrastructure were destroyed. Our offices were vandalized, some of our officers and a good number of our members were killed.

In fact, in most cases our identity as teachers was unfortunately a licence for us to be killed, presumably because of our avowed stance against undemocratic and unconstitutional rule. This put us in the firing line of those who cherish rule by the gun rather than by the ballot!

Our clarion call as an organization has always been that EDUCATION IS THE KEY TO DEVELOPMENT and must be given the seriousness it deserves. The union embarked on series of campaigns even before the war about this fact.

We all know that one major contributory factor to our conflict is the high level of illiteracy or the lack of education. Education in its proper sense should be seen as an instrument of peace and progress.

The programme priorities of SLTU include:

Capacity building of our membership
Advocacy/lobbying

Development initiatives

Human Rights

International networking

Research and documentation

Our work continues to be that of service-providers of education in pre-primary, primary, secondary and tertiary levels. We have a membership that spans the length and breadth of Sierra Leone which strategically puts us in good stead as information disseminators. This enhances one important role of Civil Society.

Our profession is regarded as noble and our members are so often considered to be `role models' and `change agents'. These are indeed lofty expectations of the teacher in society.

A recent UNESCO publication on conflict refers to teachers as `the quiet peacemakers' because of their immense influence on the young minds of their pupils within the walls of the classroom and even beyond.

EXISTING SHORTCOMINGS

The existing shortcomings in the system such as inadequate financing of education and the seeming lack of commitment by government and other partners in education undermine the very goals of education as an instrument of peace and development.

A sample of key constraints facing the education sector also include:

Inadequate teaching and learning materials.

Not enough trained and qualified teachers in the system.

Inadequate salaries, manipulation of the vouchers by some education authorities, late payment or non-payment, unauthorized deductions are all disincentives to teaching.

Pupil/teacher ratio is too high in the classrooms.

Parents are not carrying their load of the responsibility for education of their children. Discipline is a problem and the teachers are not getting the support of the parents and family members.

Lack of proper accountability and transparency for resources given to the mission authorities on behalf of the schools.

Inadequate sensitization and information sharing within the system and adversarial approach to implementation among education stakeholders.

The SLTU believes that Education For All (EFA) will only be achieved if it is rooted in a broad-based societal movement and nourished by viable government/civil society partnerships. Our reasons are based on both principle and realism. The full achievement of the EFA goals requires that the marginalized and excluded are provided with educational opportunities.

Civil Society Organisations are more capable of reaching the unreached and especially in the area of non-formal education, they have devised methods and approaches which are more attuned to the needs and life-conditions of the poor.

Moreover, we must acknowledge that in the majority of developing countries, like Sierra Leone, the public authorities have been unable to satisfy the demand for free and compulsory primary education of good quality for all children. The thousands of school-age children who are out of-school, high rates of repetition and dropout, and the large numbers of adults who are illiterate are evidence of the fact that the size and complexity of the education challenge are too great for governments alone to address, even with the best of intentions and efforts.

Consequently, there is a need to both reinforce the state's responsibilities and complement its role in 'order to ensure quality basic education for all, especially for those who have been ill-served by or left out of mainstream education. Therefore we need partnership drawing on the particular strengths of each partner.

In the tradition of modern democratic nation-states, elected governments are recognized as the legitimate authority to take decisions on national education policy choices, including such key areas as curriculum development, teacher education and system reform.

Many states, including Sierra Leone, have shown great capacity in establishing national public education systems and ensuring, at least in principle, free education for all children and offering training opportunities for youths and adults.

If these youths and adults are not well catered for, they constitute a threat to the peace of society.

Governments manage the national education budget and, in the case of Sierra Leone as a developing country, mobilise and negotiate foreign aid. The public authorities, moreover, provide the framework of legislation, regulation, inspection and monitoring.

It is very certain that Civil Society organisations cannot replace the state in the areas of its core educational responsibilities and authority. What, then, are the types of roles that Civil Society Organisations including immigrant communities play in regard to education which has a multiplier effect on other development sectors.

In considering this question, it is increasingly apparent that the role of Civil Society Organisation cannot be reduced to that of merely complementing the efforts of the state; moreover, such a narrow conception ill-serves the needs of the Education For All movement.

I now outline some major roles performed by Civil Society Organisations in regard to the Education For All drive. In the first place, as suggested earlier, CSOs often act as alternative service providers where state-provided services are either absent or insufficient. We have witnessed CSOs organising programmes for literacy, skills training and other forms of learning, thereby helping people to improve their livelihoods and living conditions.

In Sierra Leone, CSOs such as SLADEA have shouldered major responsibilities for non-formal education programmes entrusted to them by government and funding agencies. CSOs have the advantage of being more flexible than the state, closer to the grassroots and local cultures and, in many cases, more innovative in approach.

CSOs have emerged as leaders and major actors in the provision of non-formal and alternative education, with experience in linking education to other development sectors and building partnerships at different levels.

CSOs may also perform a second role, within and beyond national boundaries as innovators, as sources of new thinking and new practices, especially concerning the impact of globalisation on education. The EFA vision cannot remain fixed and immutable but must respond to changes and generate new initiatives. As well as the resource gap affecting the achievement of EFA, there is also an `ideas gap' which Civil Society Organisation can help to fill in collaboration with other education partners.

On the basis of the first two roles, CSOs often perform a third role as informed critics and advocates. The last decade witnessed the emergence of new forms of Civil Society expression and policy dialogue on a whole range of development issues. This is where we want to see the Civil Society Movement of Sierra Leone (CSM-SL) being more proactive than ever before; not to wait for a crisis before we respond to it.

According to Martin Luther King (Jr.), "we begin to die the very moment we decide to stay silent on the things that matter".

As informed critics and advocates we must not be seen only as pro-government masqueraders. Of course, if the government does right we must commend them although not as professional sycophants would do. Civil Society must challenge national issues of the day such as the filth in the city, the near total absence of basic amenities such as electricity and clean water, mass hunger and deprivation among our people, the many problems affecting education including the perennial inadequacy of facilities in the schools and colleges and the deplorable conditions under which our teachers continue to work for this nation. There can be no peace without justice!

THE WAY FORWARD

To move Sierra Leone from last place in the human development index a focus on education is required to ensure resources intended for investment and expenditure in that sector are used efficiently for the target beneficiaries.

Questions must be raised about how to organize a meaningful dialogue with a constituency as large and diverse as Civil Society. Who has the legitimacy to represent the interest and opinion of Civil Society Organisations in dialogue with the government? Who can speak for whom? How does Civil Society's role fit within or alongside established mechanisms of electoral politics and democratic representation? And what is the real capacity at the level of Civil Society to negotiate policy choices in substantive areas of EFA? These and other questions need to be seriously addressed within a perspective committed to increasing Civil Society participation in policy dialogue.

SLTU is convinced that a new culture of policy dialogue for EFA is needed if we are to connect the international political will for Civil Society participation with national and local realities.

In general terms, the new policy culture should be participatory, democratic, open, transparent and accountable. It should transcend hierarchical and institutional barriers and should focus on issues of direct relevance to people's lives.

All education stakeholders should be included in the development of any policy with regard to quality education. Information and communication about these policies and consultation about issues is important from the implementing Ministry. Most importantly CTAs who could play a pivotal role in monitoring and supervision are nor empowered enough through training, information and sensitization to take part.

As far as ownership and proprietorship of schools are concerned, the schools are owned by the missions and the communities feel completely disempowered in that particular relationship. Often they are used to building a school from local materials and the proprietors do not improve on these buildings. The communities want schools in their communities but are sidelined in the pursuance of educational objectives.

Communities need to take an ownership role in the achievement of quality education for all. They need more awareness and education about their own role in the process, the policies, the issues and a place at the table for discussion and implementation.

Basic Education must not only be made free but compulsory and supervised. Education opportunities must be made openly and evenly accessible to all without discrimination. Special incentives for trained and qualified teachers to work in the provinces are essential so that discrimination in quality education is avoided.

When government attempts to remove the payment of tuition fees in primary schools, we do not wish to see in its place the must higher payment of `school charges'. Parents, teachers, community leaders and other education stakeholders believe that poverty is an inhibitor of quality education. Because of extra and illegitimate charges children are being deprived of education.

Government must ensure the prompt payment of fees subsidies needed by school administrators to make the schools operational.

We want to see the incorporation of PEACE EDUCATION into our curricula at school and college levels.

There should be much greater government financing of education by not only increasing budget allocations but by the judicious management of funds.

Education personnel especially teachers must be well catered for with improved conditions of service befitting the so-called nobility of their profession. Refresher training of Heads of Schools and other teachers through study leave and others, is crucial to keep people motivated. The new-teacher recruitment process needs to be shortened.

The private sector including immigrant communities need to be' encouraged to, make inputs in the financing of education perhaps through legislation.

We believe in the desirability of creating, through dialogue and partnership, an enduring national consensus on the goals, strategies and modalities for achieving Quality Education For All.

The `ideas gap' must be addressed through debate, and dialogue so that the national development agenda moves forward but with a shared vision.

We are optimistic because the seeds for the growth of a new culture of policy dialogue do exist in Sierra Leone. There is no single blueprint suitable for all circumstances but there are ideas, experiences and innovations to learn from. Let us listen and learn together.

Government must nurture the culture of dialogue among partners in policy formulation and implementation. Let us all intensify the clarion call of UNITY, FREEDOM and JUSTICE for sustainable peace and development in our country.

CONCLUSION

In concluding this paper, I refer to the TEACHERS' MESSAGE which is a post-war lamentation, thus:

"Remember, we suffered because many ignored our message and many more had no opportunity to listen to us. Let's all support free quality education.

Our contributions in promoting EDUCATION, PEACE and DEMOCRACY make us proud to declare this millennium an era of QUALITY EDUCATION, PEACE AND DEMOCRACY.

We remain committed to our motto:

"SERVICE TO THE NATION", so help us God".

LONG LIVE TEACHERS SOLIDARITY!

LONG LIVE SIERRA LEONE!

INDIAN MERCANTILE ASSOCIATION PO BOX 340

FREETOWN, SIERRA LEONE TEL., 224676, 228208

May 7, 2003

Mr. Franklyn Bai Kargbo Executive Secretary

The Truth and Reconciliation Commission

Brookfields Hotel

Freetown

Dear Sir,

RE: INVITATION TO THEMATIC, EVENT-SPECIFIC AND INSTITUTIONAL HEARINGS

We refer to your letter ref no. TRC/FBK/20 Dated April 23,2003 regarding above matter.

We are enclosing a copy of our presentation to the Commission.

We regret the delay in submission.

Thanking you,

Yours truly,

(Anil Chopra)

Ag. Secretary

THE ROLE OF THE CIVIL SOCIETY AND IMMIGRANT COMMUNITTIES

A PRESENTATION

SUBMITTED TO

THE TRUTH AND RECONCILIATION COMMISSION

BY

INDIAN MERCANTILE ASSOCIATION

INDIAN BUSINESS COMMUNITY IN SIERRA LEONE

A BRIEF BACKGROUND

From the information available, the first Indian traders came to Sierra Leone in 1882. The numerical growth of Indian business community over the years has been largely from the emergence of businessmen who had previously been employees of the business houses but later on set up their own businesses using their knowledge and experience of the economy and society of Sierra Leone. Normally the Indian community has been concentrated in Freetown and only a few ventured in the major town of up country starting branch offices of their business. The business persons, their staff and families account for 90% of the Indian community in Sierra Leone whilst the remaining 10% consist of professionals and experts of International organizations.

Prior to political conflict in Sierra Leone, the strength of Indian community was around 800, but this number has dwindled down to 450 at present. The principal activity of the Indian community in Sierra Leone has always been importation of general merchandise with subsequent wholesaling and retailing. Some business houses have ventured into the manufacturing sector and this business trend is on the increase, thus contributing to industrialization of the economy and creation of jobs locally.

INDIAN MERCANTILE ASSOCIATION (IMA)

Indian Mercantile Association is the representative body of the Indian business community in Sierra Leone. The Association was formed in 1966 with the following objectives:

a. To assist the Indian mercantile community in Sierra Leone in trade, industry and other business matters.

b. To promote better understanding between members and all departments of the Government of the Republic of Sierra Leone.

c. To promote social relationships between members and Sierra Leoneans and other communities resident in Sierra Leone.

The Association has also been actively engaged in various charitable activities by contributing financially to needy institutions in Sierra Leone. It regularly awards scholarships to deserving students to promote educational development in the community. Infact the main focus of the Association over the years has been to fulfill the social responsibility of the business community to the host community.

NATURE AND WORK OF INDIAN MERCANTILE ASSOCIATION

As mentioned above, the main objective of the Association is to act as a liaison body between the Government of Sierra Leone and Indian business community. It informs the members of various business regulations and new legal enactments made by the Government. It also organizes meetings and seminars with officials of various Government departments to inform the members of implications of the business laws to facilitate better implementation. It also represents the views of the business community to Government functionaries

EXPERIENCES DURING THE CONFLICT

During the political conflict in Sierra Leone, most of the members of Indian business community suffered major financial losses. The shops and manufacturing premises of many members were looted and burnt down. Four members of the community lost their lives. Some community members were forced to close down their businesses for good due to financial losses and relocated elsewhere whilst others had to scale down their operations by closing their branch offices in Freetown and up country.

During the conflict, the Association had to arrange evacuation of members and their families three times to neighbouring countries, at a big financial cost, thus causing major monetary hardship in difficult times. The education of school going children was completely disrupted.

Due to absence of the majority of its members, the working of the Association went into a limbo and it could not engage into any activities to fulfill its objectives.

With the return of normalcy in Sierra Leone, the economic environment has greatly improved and business activities are again gaining ground in Freetown as well as up country. The membership of the Association has though reduced significantly; it has again started charitable and social activities with generous contributions from the members.

TARGET GROUP

The Association mainly works with the Indian business community as is enshrined in its objectives. With the return of political normalcy in Sierra Leone, the improved business environment has given sufficient confidence to members to once again commence commercial activities up country, which definitely is a very

positive development. Also many more new trading and manufacturing ventures are being set up, thus bringing in much needed investment in the economy.

ISSUES

The return of democratic set up and absence of any political conflict has been a very positive development after a decade of conflict and has boosted the confidence of the business community. The recent announcement by the Government that a new investment code will shortly be enacted will definitely lead to increased foreign and domestic investment in the business sector.

RELATIONSHIPS

The Indian business community has always maintained a very cordial and harmonious relationship with the host community and other communities resident in Sierra Leone. The Association has always encouraged its members to be law abiding and contribute positively to the development of the host community thus fulfilling its social obligations.

CONSIDERATIONS

The conflict in Sierra Leone had a very devastating effect on economic, political and social life of all communities resident in Sierra Leone. But with the return of democratic set up and end of conflict, and the efforts being made by Government of Sierra Leone and other International agencies toward economic rehabilitation, positive developments in social and cultural context will definitely follow.

CONSEQUENCES

The main consequences of the conflict have been disruption of economic activities in all sectors like agriculture, mining, manufacturing and trading with concomitant social problems.

The improvement in political and business environment will definitely provide much needed remedies for social problems.

LESSONS LEARNT

The main lesson learnt from the decade long conflict is that war and confrontation do not provide solutions but only increase the existing problems. It is always easy to destroy, but very difficult to rebuild it again. In the words of Mahatma Gandhi, a great Indian leader:

` An eye for an eye will leave the whole world blind.'

In the present era of economic globalization, economic activities are key word for holistic development of any society. Hence Government and people of Sierra Leone should concentrate on economic rehabilitation to become part of a prosperous global community.

FROM: THE OFFICE OF THE PRESIDENT OF THE

LEBANESE COMMUNITY.

7 Lightfoot Boston Street, P. O. Box 114 Freetown Telephone: 227063/227058 Mobile: 076-614-279 - 076-654 -326

The Executive Secretary

Truth and Reconciliation Commission

Brookfields

Freetown

15th May, 2003

Dear Sir,

I am enclosing as per the request of the Chairman and Commissioners of The Truth and Reconciliation Commission, documents prepared by Mr. Martin E. Michael with regards to the Laws of Sierra Leone on Citizenship, and its application on members of The Lebanese Community who were born in Sierra Leone.

I do hope that this is what the Commission required.

Yours faithfully

Samir K. Hassanyeh

President of the Lebanese Community in Sierra Leone.

Martin E Michael **LL.B (HONS) B.L**

BARRISTER - AT - LAW & SOLICITOR OF **THE HIGH COURT** OF **SIERRA LEONE**

40 RAWDON STREET, FREETOWN. SIERRA LEONE

TEL: ¯f-+ **232-22-227612** FAX: **-F-F 232-22-227130**

E-MAIL: MEMLAW@GO.COMOR **MEDMIKEI@HOTMAIL.COM**

DISCRIMINATION

I have been asked by the President of the Lebanese Social and Cultural Association Mr.Samir Hassanyeh to briefly write a short article on the citizenship laws of Sierra Leone and how they affect persons of Lebanese origin born in Sierra Leone with particular reference to the purchase of land. I must at this stage claim full responsibility for the views expressed in this article. As the reader will see I have not assumed any political stance nor do I have any intention of doing so. All I have done is to highlight certain irregularities, which need urgent review.

` **BACKGROUND**

Historically, the Lebanese came to and have lived in Sierra Leone since the 1890s. There is a big disagreement between the Michael family and the Bamin family as to who was the first to arrive here. However this writer being a Michael claims victory in this debate. Many of these migrants married Sierra Leoneans and many have served this country with distinction. The Lebanese community has on a yearly basis offered scholarships to deserving students and has made vast contributions to the refugees and displaced. Many of the third and fourth generation Lebanese living in Sierra Leone have made here their homes. However the laws relating to citizenship continues to discriminate against them. The 1991 Constitution, ¯the supreme law in Sierra Leone, purports to guarantee and safeguard the rights of all persons regardless of race, colour or place or origin. However, the same Constitution provides that this protection from discrimination does not apply in respect of the citizenship laws. Furthermore the laws of Sierra Leone also discriminate against the Creoles particularly in relation to acquisition of land in the provinces.

The law relating to citizenship is found in The Sierra Leone Citizenship Act 1973 as amended by the Sierra Leone Citizenship (Amendment) Act 1976.The 1973 Act recognises citizenship by birth and citizenship by naturalisation. The 1976 Act amended amongst other things that portion in the 1973 Act that dealt with citizenship by naturalisation.

CITIZENSHIP BY BIRTH

I am often asked by members of the Community who were born in Sierra Leone why they are not entitled to be called Citizens by birth particularly as many of them were born to parents who are naturalised citizens of Sierra Leone. As unjust as any answer might seem to this question the answer is found in Sections 2, 3, 4, 5 & 6 of the 1973 Act.

Basically a person is a citizen by birth if either of his parents are of Negro African descent. If both your parents are of Lebanese descent though you and forefathers were born in Sierra Leone, you will not be regarded as a citizen by birth. Furthermore, if your parents are naturalized Citizens you are still not entitled to be called a citizen by birth. This scenario is even more unbelievable when you take the example of this writer.

My family is regarded as being the very first Lebanese to arrive in Sierra Leone in the 1890s. My great grandfather, grandfather and father were all born in Sierra Leone. I was born in Sierra Leone. My forefathers were all naturalized citizens of Sierra Leone. I am a 4th generation Michael. Our family has been in Sierra Leone for well over 110 years. Yet by virtue of the 1973 Act I am not regarded as a citizen of Sierra Leone. I must instead naturalize under the 1976 Act if I want to become a citizen of Sierra Leone.

I personally find the portion of the 1973 Act that deals with citizenship by birth to be discriminatory repulsive and archaic and should be amended immediately to cure the undoubted injustice it causes to people like myself and many others in Sierra Leone today. The Constitution as I have earlier said protects the rights of all persons regardless of race colour or origin yet that same Constitution provides that such protection from discrimination does not apply to Citizenship Laws. As a first step I would recommend that all those born of naturalized parents should be immediately recognized as citizens by birth.

Secondly I recommend that children born to parents who have lived in Sierra Leone for ten years or more and regardless of their nationality must be regarded as citizens by birth. Citizenship by birth would not extend to those who were born in Sierra Leone to parents who were not citizens by birth, naturalized citizens or had not lived in Sierra Leone for ten years or more.

England for example does not recognize children born in England of foreigners as citizens by birth. But by the same token all children born of parents who had acquired British Citizenship are regarded as citizens by birth. These children do not need to naturalise subsequently as is the procedure in Sierra Leone.

CITIZENSHIP BY NATURALISATION

The 1973 Act restricted naturalization to those of Negro African descent or those women who were married to Sierra Leoneans. However this area of the law was amended by the 1976 Act and it allowed any person, neither of whose parents is a person of Negro African descent, who is resident in Sierra Leone and has been continuously so resident for a period of not less than fifteen years be apply for naturalization. The procedure here is to apply to the President for naturalization. After filling out the necessary forms the applicant has to undergo a series of interviews at the Immigration Headquarters the Criminal Investigation Department and the Income Tax. Thereafter the Minister of Foreign Affairs chairs a final interview. The panel is made up of inter alia the Attorney General the Minister of Trade and The Head of Immigration. This

committee forwards its recommendation to Cabinet for approval. The President has the final say on the application. The successful applicant swears the oath of allegiance and is issued with a naturalization certificate. It is interesting to point out that the last time any one was naturalised was sometime in 1995.

OWNERSHIP OF PROPERTY

A naturalised citizen is entitled to own land in Freetown but just like the Creoles he is not entitled to own land in the provinces. In some respects when it comes to ownership of land in the provinces there is absolutely no difference between the Creoles the naturalised citizen and the foreigner. Furthermore a person born in Sierra Leone but who is not a citizen of Sierra Leone is not entitled to own freehold property any where in Sierra Leone. Though he may have lived in Sierra Leone for over fifty years he is not entitled to own freehold property in Freetown yet this same person who is not allowed to invest his income in property in Sierra Leone is condemned when he buys a house in London or Beirut.

RESTRICTIONS

However there are restrictions on the naturalized citizen. He cannot hold parliamentary or Ministerial positions or stand for elected office. His citizenship may be withdrawn and he may be expelled. In fact following the return of President Kabbah's Government in 1998 22 Lebanese were deported from Sierra Leone and quite a number of the deportees were naturalized citizens of Sierra Leone. Generally he is not entitled to all the rights enjoyed by a citizen by birth. If one juxtaposes this with the position in England there is a clear difference. In England once you acquire citizenship you acquire all the rights a citizen by birth has including the right to stand for political office.

CONCLUSION

From the foregoing, it is obvious that the Citizenship laws of Sierra Leone and the laws relating to ownership of property do require some reform. Times have changed. We live in a society which prides itself on 'One Country One People.' Our laws must clearly reflect this. The rights of the individual is now of paramount importance. Discrimination in any form whatsoever can and should no longer be tolerated. The Lebanese Community is now very much a part of the Sierra Leonean Community. There are members of the Lebanese Community whose ties with Sierra Leone are much closer than with Lebanon. This is a hard fact, which must be accepted by all. The laws must reflect such changes and must accommodate those who have genuinely made this their home. Discrimination must not be allowed to overcome common sense. Apart from the Lebanese there are other nationalities in Sierra Leone who find themselves in this same position and any call for change is in their interest as well.

Finally it is an undisputed fact that no one can forget his background or his heritage. The Italians and Irish who live in the States and are American citizens continue to celebrate and embrace Italian and Irish culture, the Africans who have acquired British citizenship continue to embrace African culture and continue to practice their culture in England. The Lebanese are no different. There is no shame in embracing your culture and your heritage even though you may have acquired a new nationality. However having acquired that new citizenship it is imperative morally or otherwise that the individual embraces his new culture and

does everything in his capacity to help his fellow citizens and to work for the national development of his new country.

THE ROLE AND EXPERIENCES OF THE NIGERIAN COMMUNITY IN THE SIERRA LEONE CONFLICT AND RESTORATIONPRESENTATION BY THE NIGERIA NATIONAL UNION IN SIERRA LEONE

TO THE TRUTH AND RECONCILIATION COMMISSION (TRC)

MAY 9TH 2003

PRESENTATION BY THE NIGERIA NATIONAL UNION S/L.ON THE TOPICS

1. THE ROLES PLAYED BY ANY GOVERNMENT (S), GROUPS, INDIVIDUALS OR INSTITUTIONS BEFORE LEADING TO OR IN THE COURSE OF THE WAR.

2. THE ROLE AND EXPERIENCE OF NON SIERRA LEONEAN COMMUNITIES IN THE CONFLICT AND ITS RESTORATION:

Honourable Commissioners, distinguished Ladies and gentlemen. On behalf of the Nigeria National union, Sierra Leone, I submit the following presentations.

The cordial and mutual relationship between the Republic of Sierra Leone and Federal Republic of Nigeria could be dated back to a very long period in history. At least 200 years ago. It is evidently clear that as today, nothing will ever succeed in splitting them apart. The two sister nations remain strongly United in spite of all difficulties and temptations. It is this cordial relationship that led to Nigeria's involvement in ECOWAS sponsored intervention military force (ECOMOG) to restore and upkeep democracy in Sierra Leone.

The Nigerian government has a history of assisting other African countries in their political developments. South Africa, Former Zaire (Now DRC), and Liberia are examples.

When the Nigerian government decided to intervene in the political crisis of Sierra Leone at the request of the Sierra Leonean government, opponents of the government of Sierra Leone diverted their frustration on peaceful and innocent Nigerians living in Sierra Leone; despite the fact that Nigerian civilians living here have no say whatsoever in decisions taken by the Nigerian Government in Abuja.

On a critical analysis, majority of the Nigerian Community resident in this country are legitimate and genuine business people and professionals. They go about their business legally. Their businesses are all registered and licensed. They have all genuine residence permit documents. They pay their taxes accordingly and all goods brought into the country pass through the required channels, thereby paying their proper custom and excise duties as and when due. We can see how Nigerians contribute their own quota to the economic development and the welfare of the country.

Before the advent of war, Nigerians were seen in every nook and cranny of this country doing their legitimate businesses. Their participation in the business activities of this country has helped a lot in boosting the economy. We have been creating and continue to create a wide range of employment opportunities for the citizens of this country.

Today, we continue to contribute in so many areas of human endeavor, making life more comfortable and easily affordable to an average Sierra Leoneans. From all intent and purposes, our presence here is for a

good and noble intention to the people of this great country. Our intents are among other things, to reduce the hardship and business difficulties of an average Sierra Leonean..

Let us examine just few areas that the impact of Nigerian contribution are greatly and seriously being felt.

NIGERIAN PROFESSIONALS

ACADEMICS

Not all Nigerians in this country are businessmen, as most people tend to believe. There are many Nigerians in the teaching profession right from the primary school to tertiary institution. There are Nigerian doctors here; Judges, lawyers, and many more. They are all imparting valuable and lasting knowledge into their Sierra Leonean brothers and sisters.

BANKING

Two distinct and fast improving Banks are presently located in Freetown. They compete favourably with other banks (including government owned banks) in the country. They have added immensely to the employment creation efforts. These banks give loans to Sierra Leoneans without any prejudice.

OIL INDUSTRY

Petroleum Scarcity is very rare in this country. All other types petroleum products are in regular supply. Nigerians as it concerns this particular resource always make this constant availability and ease in our quality of life possible here.

AVIATION INDUSTRY

The cost of flight from Lungi to Aberdeen by Helicopter was reduced because a Nigerians tycoon got involved in the industry. Now that he is no longer in the business, the Aberdeen-Lungi has gone up again.

The other Airline that links Freetown with the entire West Coast is operated and owned by Nigerians. Even in times of war, they still remained on the route and did not abandon the country - A sign of special regard, the airline - Bellview has its head office in Sierra Leone even though it is owned and operated by Nigerians

COMMERCIAL ACTIVITIES

Now to the business of buying and selling: Nigerians are well known world wide as business people. It is clearly observable that in every sector of our business life, that progress is reported, a Nigerians is involved as a 'closer look. In all areas of genuine business activities ranging from motor spare parts, Electronics, Electrical Communication, Stationeries to General goods and clothing's, Nigerians are involved in all. Our participation in these fields has brought similes to the faces of many Sierra Leoneans. Let's consider some few years ago, when spare parts, Electronics like Video, VCD, Television and radio/cassette tapes were very expensive. Most homes could not afford them. What about generators? These were all luxury for greater percentage of our people here. But today, with Nigerian involvement, their prices are reduced to highly affordable rates. Almost all families here can now boast of these goods. They now become essential Commodities, which every home must have just because of their highly reduced prices even at the same reasonable quality. Nigerians introduced majority of Sierra Leonean young men and women who are in business today into the trade. And almost all of them are successful. They are living witnesses. The services of Nigerian Importers are now being extended directly into Sierra Leone like most other countries in Africa, hence the drastic decrease in prices and great afford ability to every average citizen. The good changes in the average business and economic activities here today are made possible by Nigerian participation. Otherwise if still left under the hands of some specially selected few, prices will be highly outrageous and the consuming masses will suffer the subsequent inflationary costs.

In spite of these contributions and even more, some Sierra Leoneans don't find anything good in any Nigerian. Our experiences ever remained that of the proverbial fowl used for sacrifices in all occasions. The parties to the conflict on every occasion see us as enemies. We always bear the brunt of all clashes in the country. We were forced to begin to review our decisions and rethink our stand with worries on our mind. What we have actually committed as offences or wrongs to follow Sierra Leoneans. The involvement of our home Government in the political conflicts here were at their own level, not ours. There were no consultations whatsoever, on us by our Government before their actions. We were not there and we have no say when Nigeria's foreign policy decisions are taken. Nothing concerns us all about Nigeria's role in Sierra Leone. We are not soldiers, we had never fought before. We have been living peacefully here without problem. Some of us have spent more years of their life here than in Nigeria. Yet we are seen as harmful enemies. After all, it was not only Nigeria that was involved in the problems here, some other countries are, but also we are singled out as targets. Even on the Streets, in the buses/taxis in Sports arena, markets, Schools, residential areas, what we hear of Nigeria is incredible and unimaginable. People don't ever say

any good thing about Nigeria. I don't know if those good Sierra Leoneans who value our activities and appreciate good things are afraid of speaking out. The voices of our detractors always overshadow that of our admirers (if any). All our genuine goodwill is turned into bad and evil.

We were visited with lots of heartless punishments. Let's review them on the scale, times and cases of their occurrences:

MAY 1997:

This was the period our fate became hopeless, hapless and helpless simply because Nigeria soldiers were among the leading opposition to the Military coup of May 25 1997.

Our shops, business premises and even our residences were vandalized and destroyed. Our women were raped, our Sierra Leonean wives were humiliated on the streets, and many of our people were killed. Some were maimed and rendered destitute. Some lost their properties and everything they possessed to the hoodlums. Some managed to escape into the bush where they lived miserable lives until 1998. Only the Almighty God, on whose mercies we relied, saved us and ensured our inexplicable survival. We lost less than 100 Nigerians within this period. Among many other pathetic and unforgettable experiences, the one at Mammy Yoko Hotel on the morning of June 2nd 1997 stood out.

On that day, nearly all the Nigerian citizens in Freetown sought refuge at the hotel awaiting evacuation to Guinea. The only help the Nigerian government could render was for those who could make it to Guinea. On this day, AFRC/RUF forces attacked the hotel from the sea and land, launching heavy military artillery at the building with hundreds of Nigerians in there. A Nigerian army detachment **(NANTAG)** was then lodged at the Mammy Yoko hotel. They put up a fight and the heavy firing went on till evening when the Nigerian Army surrendered after mediation by the RED CROSS, because of the consideration about the possibility of heavy civilian casualties.

Civilians were then allowed to board an American helicopter on standby nearby. As the civilians (mostly Nigerians) left the hotel, they were stripped of virtually all they owned all their lives by AFRC/RUF fighters. Cash, jewelries and other priceless items were forcibly taken from Nigerians fleeing the country. Some were taken to Military headquarters for detention and to be used as human shield in case of a Nigeria-led attack on the military base.

JAN. 6 1999.

When we were passing through the ordeals of 1997, little did we know that the worst was awaiting us. The Freetown invasion of January 1999, it was like the end of Nigerian Community in Sierra Leone had come. The invading forces actually did everything within their powers to wipe off our existence but all as, the Almighty God, our Holy Saviour is ever living. Nobody on earth would have stopped them but God, as we were entirely at their mercies. They went about searching all houses of Nigerians, killing and maiming any one on sight. Houses were burnt to ashes, just because a Nigerian is suspected to be living there. Even Civilian nationals were fishing out Nigerians and handing over to the rebels to (in their own words) " finish him up" Women were heartlessly raped to death. We don't talk about shops, residential houses and our entire properties any longer. Those ones were preys to the bandits. Unlike 1997, when some of our people were captured, tortured and later released to tell the story, 1999 case was quite different. Nobody on rebels' sight was ever spared once you are an identified Nigerian. Some Sierra Leoneans were killed just because they were mistaken for Nigerians. These rebels completely forgot that we are not soldiers and that we are wholly harmless and innocent. We knew nothing about the war.

In fact, it was like hell to us during this period. A period we will never forget in hurry. A period we will continue to remember in shivers. The rebels did the Massacre of Nigerians in jubilation. Each time a Nigerian is being slaughtered, they were full of joy, fun, singing, dancing, jubilation and satisfaction. We have numerous numbers of horrible stories to tell of this period. Most other foreign nationals were not touched, disturbed and some even moved about on the streets. Some Nigerians had their arms chopped off, while some had their bodies half burnt with petrol and fire, are still living today as testimonies. There is a case of a Nigerian young man whose two hands were mercilessly cut off by the rebels and his front view (between the chest to stomach and laps) was burnt. His picture is with us presently but he is now in Nigeria languishing in poverty, hopeless, helpless and miserable condition. His poor parents are now begging for aid to keep him alive.

At the end of the January 1999 brief occupation of Freetown by the rebels. We counted about five hundred Nigerians who died at their hands mainly for the simple fact that they were Nigerians.

If we can trace back a little to the Sierra Leone Nigeria relationship, our intermarriage did not start today. The bulk of Krios are Nigerians. Many Sierra Leonean today have Nigeria origin and Nigerian names. E.g., Kashope, Bodurie, Ajibola, Olayinka and many more.

Also, Some towns and villages here are the names of Nigerians who came and settled here in early times such name like Calaba Town, reflect the Calabar people in Nigeria. You have the Ibo Town at Waterloo. History has it that an Ibo from Nigeria came and settled there hence the name today. Let's see the Fireborn, off eastern police; it was the Yoruba of western part of Nigeria that settled there. Most names we answer

here today are a reflection of one Nigeria language. A good example is some krio languages, which contains many Yoruba words.

Today, some prominent Sierra Leoneans are in top positions of Nigeria Civil service. We have a Major General in Nigeria Army who is sierra Leonean. There is very Senior Director of Nigeria Airways who is a Sierra Leonean. Come to the judiciary, you find some Sierra Leonean lawyers, judges and Senior advocates. The medical profession has quite a reasonable number of Sierra Leonean as Doctor. Some are into politics and broadcasting.

A very prominent and senior broadcaster in Nigeria with the Nigeria Television Authority Cyril Stober is a Sierra Leonean.

In Nigeria, you hardly distinguish between a Nigerian and a Sierra Leonean. Many don't obtain resident documents any longer. They are assumed to be Nigerians. Anybody here today who has been to Nigeria will surely testify to this case. The numerical strength of Sierra Leoneans in Nigeria almost double that of Nigerians in Sierra Leone.

Sierra Leoneans who live or have been to Nigeria can testify to these; and the fact that Nigerians did not take and would NEVER take any action that would even suggest revenge for what we went through here.

Nigerians were tortured, brutalized and humiliated. A reasonable number lost their properties. Some were rendered destitute. We were forced to leave the Country without any of our hard earned money or property. We returned home to face the realities of life. Caring for our families were almost impossible. Our ordeals then were numerous. These unimaginable acts were meted out to us simply because we are Nigerians.

CONCLUSION

The various atrocities, commercial losses and number of lives lost cannot be compensated for in monetary terms. For instance, the estimated cost of property and other merchandise lost by Nigerians in Freetown alone between May 25 1997 and January 30 1999 alone is about $5,550,000 (Five million, Five **hundred and fifty thousand USD).**

As a community, and in the spirit of reconciliation, we are prepared to forgive all those who have aggrieved us and continue to work for the development of Sierra Leone and the friendship between Nigeria and Sierra Leone.

REPARATIONS

We ask for reparation from the United Nations and other necessary organizations. We should be assisted and compensated to put back our lives on track. If assistance could be rendered to internally displaced persons, refugees and all war-affected people of this country, why not us the Nigerians?

We have some of our people today who live on begging as a result of their conditions. Some have nothing to go back to business. We are ready to respond accordingly if when called upon for more details.

We also ask for consideration for the widows and children of Nigerians who were married to Sierra Leoneans before their untimely and painful deaths.

We need assistance to save contain souls as a matter of great necessity and urgent importance. These are people who suffered because just because they are Nigerians living in Sierra Leone.

Kindly save some pitiful souls. May God Almighty bless you all, the government and people of Republic of Sierra Leone land Federal Republic of Nigeria. Thank you for your time.

SUBMITTED ON BEHALF OF THE NIGERIA NATIONAL UNION SIERRA LEONE

BY **CHIEF BARRY N. NWOSU** PRESIDENT

NOTES FOR PRESENTATION TO THE

SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION

Freetown, June 2003

Lansana Gberie, Partnership Africa Canada

The Heart of the Matter

Sierra Leone has just gone through a decade of brutal conflict in which tens of thousands of people were killed, almost all its limited infrastructure destroyed, and millions of its citizens displaced and brutalized in a systematic campaign of terror almost beyond belief. It is therefore necessary to take an accounting of this conflict, to try and understand why it happened, and, out of this cathartic process,-to make sure it does not happen again. This is why Partnership Africa Canada (PAC), which has played a role in investigating the dynamics of the conflict and drawing international attention to it, fully endorses the Truth and Reconciliation Commission (TRC).

One of the truly paralyzing facts about the just-ended conflict was its absolutely crass nature. This was not a war about political disputes, about ethnicity or religion, about ideological differences. There was nothing marginally nationalistic about the Revolutionary United Front (RUF), which spearheaded the conflict. And there certainly was no evidence of a reformist tendency among its leadership or rank and file. This was a war of pillage and destruction, a war driven by a quest for loot and power. It was a war that became preoccupied with the illegal exploitation and smuggling of Sierra Leone's diamond resources, much of it directed by outsiders, in particular President Charles Taylor of Liberia.

The Heart of the Matter: Sierra Leone, Diamonds anti Human Security, Published by Partnership Africa Canada (PAC) in January 2000, recounted the corrupting of Sierra Leone's diamond industry, from peak

exports of two million carats a year in the 1960s. to less than 50,000 carats by 1988. Other PAC reports have estimated that as much as one-fi(1h of the world's rough diamond trade may be `illicit' in nature, characterized by theft tax evasion and money laundering. Local and international aspects of the diamond industry are important issues for postwar Sierra Leone. Given the secretive and unregulated nature of the international diamond trade, it was a very simple matter for the RUF and its Liberian backers to move millions of' dollars worth of diamonds into the legitimate trade, and to use the proceeds to buy weapons. Without adequate local and international regulation of the diamond industry, the potential for future diamond-related conflict will persist.

The PAC report made wide-ranging recommendations, including the establishment of a `Permanent Independent Diamond Standards Commission' under UN auspices 'in order to establish and monitor codes of conduct on governmental and corporate responsibility in the global diamond industry.' It recommended the deployment of `Special long-term UN security forces' in all the major diamond producing areas of the country, and it recommended a UN Security Council ban on trade in diamonds said to be of Liberian origin. Following the Lome Agreement, the UN deployed its largest military force in the world in Sierra Leone, and the Security Council appointed a Panel of Experts which in December 2000 produced a report amplifying the PAC findings. Like the PAC report, it blamed Liberia's President Charles Taylor as the RUF lifeline, with pillage a bigger objective than politics. The UN report estimated the RUF's diamond trade at something between $25 million and $125 million a year.' Targeted sanctions were soon after imposed on Liberia and the RUF; similar sanctions were imposed on Sierra Leone's diamonds until a UN monitored certification system was introduced in September 2000. A ban was maintained on Sierra Leone diamonds not accompanied by a government diamond certificate until June 5, 2003 - in deciding not to renew the ban, the UN cited the Government of Sierra Leone's increased efforts to control its diamond mining areas and industry and its full participation in the Kimberley Process.

The dissolution of the RUF does not mean that threats to Sierra Leone's long-term stability_ have disappeared. Hundreds of ex-RUF and ex-CDF combatants have been hired by both Charles Taylor and his rebel opponents, Liberians United for Reconciliation and Democracy (LURD), to fight in Liberia's intensifying civil war and across the border in Cote d'Ivoire. This is mercenarism, with many ex-combatants in Sierra Leone remaining unemployed and disillusioned by the absence of jobs and reintegration benefits. This bodes ill for Sierra Leone. Since Taylor launched his war in Liberia, in 1989, Sierra Leone's fortunes have been intimately tied to those of Liberia, and Sierra Leone's decade-long war was a derivative of Liberia's. There is no evidence that Charles Taylor has renounced his long-standing economic and political ambitions in the region.

Conditions in the Diamond Areas

The conditions under which tens of thousands of artisanal miners work have always been harsh, and successive governments in Sierra Leone have been largely neglectful. That conditions got immeasurably worse when the RUF captured these areas, comprehensively destroying towns and reducing miners to abject servitude, is beyond dispute. Under the RUF's brutal command, hundreds of millions of dollars worth of diamonds were mined and smuggled out through Liberia.

Past attempts to redress the situation have always been feeble. They have included the restriction of artisanal miners' and agents' licenses to Sierra Leonean nationals, and the banning of non nationals from traveling to actual mining areas. In fact, however, many non-indigenous Sierra Leoneans, particularly Lebanese and Maraka traders f'rom other ECOWAS countries, have acquired Sierra Leonean passports which allow them to travel in mining areas and to participate directly in the extraction of the minerals. As a manger of the country's diamond, the Ministry of Mineral Resources has been a neglected institution. It has few, if any vehicles. Officials, particularly Mines Monitors and Wardens, are poorly paid, and in the absence of strong oversight and security in the mining areas, the incentive for corruption is overwhelming.

The Lebanese Factor

Lebanese entrepreneurs have been the primary buyers and exporters of Sierra Leone's diamonds over the past two decades, since the nationalization and corruption of the formal diamond mining industry in the 1980s. Given the almost complete collapse of official diamond exports through the 1980s and 1990s, it can only be surmised that most of the production was being smuggled out - with tacit official connivance- by the primary traders.

This has led to other complications. The Lebanese in West Africa, even those born here, have remained and continue to remain intensely aware of events in Lebanon. The more successful have property and other investments in the middle east. This is a source of mistrust throughout the region, for many have never fully integrated into the countries in which they live. Some of the wealthiest businessmen in the Middle East are Lebanese who made their money in West Africa. In Lebanon they are referred to as `Africans', and many have made regular contributions to factions in that region's never-ending conflicts.

There is now considerable evidence linking the RUF with the al Qaeda network. The Washington Post stated that al Qaeda `reaped millions of dollars in the past three years from the illicit sale of diamonds mined by [RUF] rebels in Sierra Leone,' and that one of the RUF's senior officials, Ibrahim Bah, who had Senegalese and Burkina Faso origins, acted as `a conduit between senior RUF commanders and the buyers from both al Qaeda and Ifezbollah, a Shiite Muslim organization linked to Lebanese activists who have kidnapped numerous Americans. hijacked airplanes and carried out bomb attacks on US installations in Beirut. The links between Lebanese diamond traders and the RUF, and between West Africa's Lebanese diaspora and global terror networks is the work of a few individuals only. But both cases are supported by generations of shady business practice, and by the strong interest of some Lebanese in the toxic politics of the Middle East.

Foreign Investment

In 2000, *The Heart of the Hatter* described the dubious role of junior mining firms in Sierra Leone. `Juniors' are small prospecting and exploration companies which work on the edge of tile industry, looking for new diamond fields, generating funds on international stock markets, sometimes mining diamonds but more often than not eventually selling out to larger companies if

[2] 'Al Qaeda Cash Tied to Diamond Trade', *Washington Post.* 2 November 2001. Many more details of the RUF-al Qaeda connection are provided in *Fnr a Few Dnllar.s Mom. How a! Qaeclu Hnrecf Into the Dianrond Tracle,* Global Witness, London, April 2003

they are successful. Many are registered on Canadian stock exchanges, and in the case of Sierra Leone, two of them became the subject of widespread interest because of their apparent connections during the 1990s with two major international security firms, Executive Outcomes and Sandline.

Dubious investors are the best that countries with poor governance and unstable conditions can attract. The diamond industry is riddled with such companies. Sierra Leone will only attract and keep good corporate investors if it makes them welcome, and if it has an effective regulatory framework that benefits and protects both Sierra Leoneans and investors.

International Regulation: **The Kimberley Process**

The `Kimberley Process' was initiated by the Government of South Africa in May 2000, in an effort to grapple with the problem of conflict diamonds. Concerned about how diamond-fueled wars in Angola, Sierra Leone and the Democratic Republic of the Congo might affect the legitimate trade in other producing countries, more than 35 countries have met, along with NGOs and diamond industry leaders, on a regular basis to develop an international certification system for rough diamonds. Sierra Leone was one of the first countries to participate fully. The system came into effect on January 1, 2003, and some 70 countries are now participating, using a certification model that was pioneered in Sierra Leone.

Provisions for regular independent monitoring of national control mechanisms have not, however, been agreed, and remain an item of serious contention for those concerned about the system's credibility and effectiveness.

Conclusions

Diamonds in the region have been implicated in terrible wars, and have compounded the corruption and misrule that have had such corrosive effects. The UN Panels of Experts on Angola, Sierra Leone, Liberia and the Democratic Republic of the Congo have demonstrated authoritatively that in the conflicts that ripped these four African states apart, diamonds were an overriding factor. Reform of the diamond sector is not simply a matter of convenience, to demonstrate compliance with international agreements. It is an important security, developmental and nation-building consideration. The regulation of diamonds is, therefore, a matter of sound economies.

Recommendations

Recommendation 1: Security in the Diamond Areas: President Kabbah has stated that his government will now concentrate on agriculture rather than diamond mining `which has caused so much devastation in this country.' The reality, however, is that Sierra Leone will rely on its extractive sector, especially diamond mining, for its foreign exchange earnings for the time being. And regardless of government policies, the external demand for high quality gem diamonds, like those found in Sierra Leone, will continue. It is therefore important and a matter of urgency to ensure that the diamond industry is made secure. Individual security operations managed by each mining firm, however, will be costly and inefficient. They could also become anarchic and lead to human rights abuse.

It would be unrealistic - and undesirable - to expect the UN to provide protection for foreign commercial firms. The use of Sierra Leone government forces, which are already overstretched, would also be undesirable. Historically, diamonds have been the primary corruption of law enforcement and military personnel, and this is the last thing post-war Sierra Leone can afford.

The TRC should consider supporting the call for an integrated private security force. It should be well-armed and well-equipped, and should be established to provide security to all mining operations in Sierra Leone. The force should have a clear and transparent mandate, with joint oversight provided by the Sierra Leone government and the UN for at least 10 years. While the primary emphasis would be on the diamond areas, the cost should be pro-rated across all mining operations: Insecurity in the diamond areas affects all mining operations.

Recommendation 2: The UN Security Council: The TRC should urge the UN Security Council to continue its ban on weapons imports to, and diamond exports from Liberia until there is credible evidence that Liberia has stopped sheltering and arming dissidents from neighbouring countries. The UN Security Council should take a wider view of Liberia's role in regional destabilization, focusing on the government's use of timber revenues to fund its military activities and money laundering, as well as continuing weapons imports and the role played by diamonds.

Recommendation 3: The Kimberley Process: The Kimberley Process international certification scheme for rough diamonds came into effect on January I, 2003. Given the huge discrepancies between known production capacities in Ghana, Guinea and Cote d'Ivoire and what is said to be imported from these countries into Belgium and other countries, it is imperative that credible, independent reviews be undertaken of these countries' ability to comply with Kimberley Process minimum standards, as soon as possible. The TRC could provide important assistance by recommending that the Kimberley Process institute a regular system of independent monitoring of all national control mechanisms. Without this, it will have little meaning in countries where a long-corrupted diamond trade simply ignores borders and regulations.

Another, perhaps more important argument in favour of an effective Kimberley Process is usually understated. Many diamond-producing nations in Africa are very weak, and are unable to provide the kind of regulation that would make international oversight and monitoring unnecessary. The industry in Africa is thus extremely vulnerable to criminal predators, foreign as well as local. What the past decade has demonstrated beyond dispute, is that such predation has grave human security implications: it has fed to war and terror and banditry on a vast scale.

Recommendation 4: The Lebanese Community: Corruption among diamond traders in Sierra Leone, especially Lebanese diamond traders, needs to be curbed dramatically. The Lebanese community itself should make a strong effort at self-reform. Many were born in the country and a large number are third or fourth generation Sierra Leoneans. They have much to lose if things do not change. The highly respected President of the Lebanese Community in Sierra Leone has often called on the Lebanese to contribute more towards nation-building in Sierra Leone. He should speak out more often against corruption. A mechanism of `naming and shaming' should be introduced, aimed at isolation and/or prosecution.

Recommendation 5: Foreign Investment: The private sector and donor governments repeatedly emphasize the importance of foreign investment to the long-term development of Africa. The Government of Sierra Leone welcomes foreign investors. Unfortunately, however, the problems of the past and those that remain act as a disincentive for large reputable mining firms. The TRC should recommend that bilateral donor agencies work with the Government of Sierra Leone to devise ways in which dependable and meaningful long-term investment can he attracted to Sierra Leone.

Recommendation 6: Investments in Justice, Economic Development and Peace: The international community and Sierra Leoneans themselves have invested heavily to ensure that peace finally prevails in this troubled country. There is a real opportunity now for this to occur, and the opportunity should not be squandered. But peace is not just the absence of fighting. Peace, like democracy, is a positive attribute. It entails justice, economic improvement, and the opportunity to better oneself in an atmosphere of fairness, openness and freedom. These are only possible, in any measure that really counts, in the context of genuine economic development. (n Sierra Leone this will depend, at least for the short run, on proper management of its extractive sector, in which diamonds will continue to play a prominent role.

In *The Heart Of the Matter* two and a half years ago, we included a paragraph which is as valid today as it was then: In addition to the diamond-specific recommendations in this report, the development of sustainable peace in Sierra Leone will require major investment by the government of Sierra Leone and by donors in long-term basic human development and the creation of democratic institutions. Diamond-specific initiatives must be integrated into wider programs aimed at building fundamental human security and democracy, involving parliamentarians, journalists, teachers and a broad cross-section of civil society.

Thank you.

Presentation - Partnership Africa Canada June 2003

Sierra Leone Truth and Reconciliation Commission

THE MANAGEMENT OF MINERAL RESOURCES AND ISSUES OF CORRUPTION

THEMATIC PRESENTATION FOR THE TRUTH AND RECONCILIATION COMMISSION

A PRESENTATION BY THE ANTICORRUPTION COMMISSION

MAY, 2003

ANTI-CORRUPTION COMMISSION

3, GLOUCESTER STREET, FREETOWN.

THEMATIC PRESENTATION AT THE TRUTH AND RECONCILIATION COMMISSION ON THE THEME "THE MANAGEMENT OF MINERAL RESOURCES AND ISSUES OF CORRUPTION".

Mr. Chairman, Commissioners of the Truth and Reconciliation Commission (TRC), distinguished ladies and gentlemen. May I on behalf of the Anti-Corruption Commission (ACC) extend our appreciation to the TRC for inviting us to their thematic presentations. We at the Anti-Corruption Commission share the view that if the causes that led to the decade long war in this country are not shared and addressed; there is a possibility that society may slide back to where it was in the past. These thematic institutional hearings are therefore very important so that we could all learn from our mistakes and work actively towards a concerted solution.

Before I proceed, may I state that this presentation is limited in terms of our work, to the period after the war as the Commission only started operations in the year 2000 when the Act was promulgated. My presentation will also be limited to the issues of corruption, with a minimum interference on the management of mineral resources as the Anti-Corruption Commission Act 2000 does not make provision for economic crimes except where they relate to bribery, tax evasion and other corruption related matters.

NATURE OF THE PROBLEM

Sierra Leone in the recent past has suffered many cruelties from armed conflict, injustice, human rights abuses and deprivation due to bad governance. Perhaps a cardinal factor to the decade long war in this country is corruption, perpetuated by politicians and entrenched by a weak judiciary. Corruption has given rise to a very low standard of living of our people, and the poorest nation in the world-"UNDP Development Index 2002".

Corruption, either grand (the looting of state funds by those in public trust, the illegal trading in diamonds) or petty (the charge demanded by a low ranking official for a service that should be free), remains endemic in Sierra Leone. Society has come to accept, and even expect corruption. As always, the poorest suffer most, and the poorest of the poor most of all. This same view was shared by the former Secretary of State for International Development, the Rt. Hon Clare Short MP, in her speech on Corruption and Governance, at the British Council Auditorium in Freetown on 27th" February 2002.

Poor people are denied access to education, health care and medicine because they cannot afford to make the extra payments demanded by corrupt officials.
They are denied justice when bribery and nepotism twist the legal system. And they suffer when corruption diverts scarce resources away from development or deters essential domestic and international investment. The system for prosecuting those found out to be corrupt, is it self corrupted by inertia, and the failure to punish those responsible.

Too many people entering politics and the public service in Sierra Leone do so in order to line their pockets. Personal gain or loyalty to family, tribe or party is put before national interest. The consequent effect of this is that the society was plunged into a civil conflict that is considered as one of the most brutal in human history. For the first time, Sierra Leoneans, with the help of some aliens, took up arms against their own brothers. Some as a means of seeking redress for their pent up resentments against the system, while others was for their own selfish reasons. Our natural resources which could have been used for the development of our country were transformed into fuel for destruction. Our diamonds and other resources were taken to rogue states in exchange for arms and ammunition. What was supposed to be a blessing became a curse.

By the end of the war and the reinstatement of the government of Dr. Ahmed Tejan Kabba that was ousted by the AFRC in 1997, the Government of Sierra Leone with the help of the British Government saw that it was necessary for the establishment of the Anti-Corruption Commission. The aim was to address the impunity perpetuated by corrupt individuals or groups so as not to allow our society to slide back to where it was, and to foster speedy economic recovery and development.

It is important to note that several attempts have been made in the past to deal with corruption and other economic crimes, through various commissions of enquiry but the problem still persists and is escalating. From voucher gate when the quantum of money involved was in the thousands, to squander gate when it was in the hundreds of thousands, and then to the million gate involving millions of the Leone. Now we are

talking about billion gates. We can see that corruption is pervasive and is not restricted to position or individuals.

The failure in the past has been greatly due to the lack of an effective punishment system and the absence of a well structured public service that is corruption resistant. If a corrupt individual is removed from a position of authority but the system that allows him to be corrupt is not removed, then someone else might come to that same position and be corrupted, perhaps more than his predecessor.

Also in the past, those found out to be corrupt were fined a minimal amount and set free. The next thing you will hear of them is that they are driving luxurious cars and building mansions at the expense of state funds. Some went back to their former jobs while others were given new appointments as if to compensate them for the wrongs they have committed. With time, Sierra Leoneans became proud of stealing large sums of money from state funds and go unpunished. Those who had their children in the public service incited them to grab their own share of the loot.

Hence, to address this problem of corruption which has become so endemic in our society, the Anti-Corruption Commission was established by an Act of Parliament on 3rd February 2000 with a specific mandate to provide for the prevention of corrupt practices;

- By taking necessary measures for the prevention of corruption in Government Ministries/Departments and other public bodies including instructing, advising and assisting any person or authority on ways in which corrupt practices can be reduced or eliminated
- By educating the public away from involvement in corrupt practices and by soliciting public support in the fight against corruption
- By investigating instances of alleged or suspected corrupt practices referred to it by any person or authority or which comes to its attention by way of complaint or otherwise.

The Commission hopes to achieve this through our values for quality service delivery, personal and professional conduct, constitutional and legal principles and coalition building.

ORGANISATIONAL STRUCTURE:

The Commission is organised in accordance with the following structure:

1. **The Commission**: Comprising the office of the Commissioner and the office of the Deputy Commissioner
2. **The Directorate:** Comprising the Corruption Prevention Department, Community Relations Department, Investigations Department and the Research and Development Department.
3. **Support Services:** Namely Administration and Accounts.

The Commission uses three-pronged approach in the fight against corruption in Sierra Leone. These approaches are Community Education, Corruption Prevention and Corruption Investigation

Community Education: The Anti-Corruption Act makes provision under section 5 (2) (c) & (d) to:

(c) Educate the public against the evils of corruption; and

(d) Enlist and foster public support in combating corruption.

In other words we should educate and enlist the support of the public. That is, get them to change their perceptions and attitude in the interest of combating corruption. However, what we expected to be a sprint became a marathon, as the attitude of the people, especially those in government offices continue to be resistant to change.

Since its inception, the Commission has undertaken many sensitisation meetings, community theatre, workshops and seminars towards this drive. Radio and Television discussions as well as soap operas have also been undertaken to sensitize the public about the evils of corruption and the benefits of a corrupt free society. The print media was also not left out in this campaign. In addition, we also publish our quarterly newsletter called "The Eye" to further educate and inform the public about issues of corruption and also to entertain our readers. At the end of every year, an annual report is presented to the President on our activities for the year under review.

Further to this, the Commission has also to some extent succeeded in enlisting the support of the public in combating corruption through the establishment of a coalition with Civil Society groups, Non Governmental Organisations (NGO's) and other governmental institutions.

Corruption Prevention:

The Commission also has a corruption prevention Department whose strategic objective is to promote and enhance best practices and service delivery across all public sector institutions, through the examination of systems and procedures of clients in order to eradicate or minimise corruption opportunities. It also has the mandate to instruct and advise where necessary. This is contained in Section 5 (2) (a) and (b) of the anti-Corruption Act 2000.

A number of government institutions have been targeted based on a public perception survey that was conducted by Dr. Joe Lappia on the most corrupt institutions in the country. In that report, the Ministry of Education, Science and Technology was ranked the most corrupt, followed by the Ministry of Health and Agriculture. Since then, our focus had been these ministries, and we have worked intensively with them in reviewing their service delivery and revenue collection. I am sure if another survey is conducted today, this trend must have changed in terms of the magnitude of corruption. The Prevention Department has also been looking at the activities of NGO's in order to ascertain whether their activities are consistent with their mission statements, if any. Other Departments we have looked at are; the customs and Excise Department, Sierra Leone Ports Authority and the Births and Deaths. Good practice guides on the operations of these agencies are underway. The Department has also provided support to various institutions needing our assistance.

In addition to these functions the Prevention Department also receives complaints from the Report Centre sent to it by the public on corruption related matters for intervention. These cases are examined by officers and a report of findings and recommendations presented for the attention of Senior Management of the Commission. When approved, the final report is sent to the complainant and the accused. Where it becomes apparent that a corrupt practice is perpetuated, the matter is then referred to the Investigation Department for further investigation and prosecution.

Corruption Investigation:

The Anti-Corruption Act makes provision for the investigation of corrupt practices under section 5(1) which states that the object for which the commission is established is to investigate instances of alleged or suspected corruption referred to it by any person or authority or which has come to its attention, whether by complaint or otherwise and to take such steps as may be necessary for the eradication or suppression of corrupt practices.

Many attempts have been made by the Investigation Department to investigate instances of alleged corrupt practices. Some of the reports received however do not fall within the purview of the Commission but bother on fraud, maladministration and other criminal activities. Those that fall within our purview are investigated and sent to the office of the Attorney Genera) and Minister of Justice for Prosecution.

The ACC Act is forward looking and do not seek to criminalize anybody for offences committed before the 3"^{d} of February, 2000 when the Act was promulgated.

Research and Development:

This Department does the information gathering, processing and storage for the Commission. It also provides useful data to other Departments when required about individuals in society and institutions in general. The Department maintains a report Centre that received reports in the form of complainants from the public and with the advice of Senior Management, makes referrals to the various agencies concerned.

For the year ending 2002, about 1,062 reports were received by the Commission through the Report Centre and distributed to the following agencies in and out the Commission.

Investigations -	144
Prevention -	33
Research and Development -	217
Other Agencies (e.g. Police, Public Sector etc) -	668

Reports sent to other Agencies are those which in the opinion of the Commissioner do not constitute a corrupt practice and are sent to the respective institution for their action.

Most of our cases are now in court while others are awaiting prosecution. Many however have been put on hold for lack of evidential material.

INSTITUTIONAL PROBLEMS

In spite of the many strides made by the Commission to stamp out corruption, there are many problems which seem to beset us.

1. The low remuneration of public sector workers which appears to be a motivation for corruption in this country.

2. The lack of a special prosecutor to advise and prosecute our cases in court and where possible a Special Court for Anti-Corruption cases.

3. Slow judicial system that causes delay in our matters in court.

4. The apathy to change and the lack of compliance sanctions on preventive recommendations.

5. The absence of our physical presence in the provinces.

The Commission has been widely criticized for its inability to produce tangible result in the exercise of its duties mainly as a result of the above mentioned problems.

In addition, the Anti-Corruption Act 2000 only makes provision for corrupt practices and not economic crimes. In effect, the Commission has not been able to successfully intervene in the diamond industry, except however in cases where taxes on the sale of such diamonds are evaded. The case against a now Member of Parliament Hon. Momoh Pujeh is still lingering in the courts.

In countries like Botswana, Honkong, Australia etc where similar Commissions have been successful, economic crime is also part of their Commission's activities. This is not the case for us in Sierra Leone. Our scope is narrow.
I would like to conclude with the words of the Commissioner in the Anti-Corruption Commission Newsletter of December, 2002;

"Much continue to be written and spoken about the activities of the ACC with expressions of a wider range of views and opinions on the increase. I see this as an increasing positive trend. The ACC will continue to lend an attentive ear, taking into good part all that is being said and written by our partners in the fight against corruption. This trend will no doubt continue greatly in helping this young organization map out future strategies that will enhance the Commission's work and its relentless drive to live up to the expectations of you the public.

At this time when the year 2002 has just passed us by, ushering us into the New Year, we at the ACC have made it our collective resolve to do all that is humanly possible to carry on with the sacred mission to fight corruption in all its manifestations and help make Sierra Leone a better place in the interest of the common good"

I THANK YOU.

Submitted please.

Shollay Davies (Mr.)
Prevention Officer Anti-Corruption Commission

SUBMISSION BY THE GOVERNMENT GOLD AND DIAMOND OFFICE

2nd Floor, Bank of Sierra Leone Building, Siaka Stevens Street, Po Box 30, Freetown, Sierra Leone
Telephone: 226501 Ext 118 226000. Fax 2299064. Email-ggdo@sierratel.sl

BACKGROUND INFORMATION

T

The Government Gold and Diamond *Office* came into being in 1985 in pursuance of Government's avowed policy to remedy the acute shortage of foreign exchange in the country.

The functions of the Government Gold and Diamond Office (GGDO) as set out in Sierra Leone Gazette Vol. cxvll No 100 of Tuesday 17th December 1985 are as follows:

1 To buy Gold and Diamond at competitive prices

2 Examine, assort, value, parcel, market, and export Gold and Diamond

3 The export proceeds of the goods shipped by GGDO shall accrue as income to the whole nation

4 Put the marketing of Gold and Diamond on an organized and sound basis, thereby increasing the free flow of foreign currency through the local banking system.

5 Institute more effective measures in the marketing of Gold and Diamond by ensuring that valuation is done with the highest standard of efficiency, professional competence and integrity.

6 To provide a strong credible basis for government to raise external loans using its stock of Gold and Diamond if necessary.

From the inception of GGDO the following functions were carried out:

1. Purchase and sale of Diamonds.

2. Valuation of Diamond and Gold

3. Collection of Income tax on behalf of government.

T

The GGDO did not succeed in stockpiling diamonds to be used as collateral if necessary for government to raise external loans. The GGDO never bought or sold gold and only started assaying gold in 1993 and stopped when

> GGDO lost all Gold assaying equipment as a result of the fire that burnt all the assaying equipment in May 1997. The buying and selling of diamonds had to cease because of lack of adequate funds. Nevertheless GGDO conducts tenders on behalf of private individuals in special cases.

MANAGEMENT

The GGDO is managed by a management team headed by the General Manager. Management is responsible to a Board of Directors comprising of eight members.

•Mr. D.B. Quee - Chairman

•Alhaji M.S. Mustapha - Permanent Secretary Ministry of Mineral

Resources
(statutory)
Member

(mi)Alhaji A.R. Kabba Members

(mii)Mr. S. C. Lansana Member

(miii)Mr. S.P. French Member

(miv)Dr. K.B. Sannoh Member

(mv)Mr. M Sahid Kamara Member

(mvi)Mr. L. Ndola-Myer General Manager Member

GGDO at present has a staff complement of 23 comprising

3 Executive Staff

5 Management Staff

2 Senior Staff

2 Juror

11 Support Staff

OPERATION

GGDO initially derived its revenue from 1.5% of exports and profits from sale of diamonds. In 1990, with the advent of DO as consultants with the responsibility of administering the GGDO, the revenue from exports was reduced to 1 % and in 1993 the buying arm was closed so GGDO could not make any money from the sale of diamonds.

GGDO was able to survive on the 1 % revenue from the export of diamonds because of reserves accumulated from the profits made form the sale of diamonds. Then came the fire of 26th May 1997, which burnt a11 our properties in our offices on the 7th floor, West Wing, Bank of Sierra Leone, Siaka Stevens Street. At the time when we resumed operations in 1998 we had huge arrears of salaries and allowances to pay to employees and Board Member and we also had creditors whom we had to pay. These creditors included the Government and corporate bodies. Our income could not measure up to our expenses so we had to lay off some staff and suspend our medical scheme and overseas trips for the General and Deputy General Manager. There was also the ban on export of diamonds, which compounded our financial problems. We are now operating permanently on a huge deficit. Our financial situation was exacerbated in January 2001 when our income from exports was reduced to 0.75%.

In anticipation of the Certification regime GGDO had to buy valuation equipment, computers and furniture to meet the requirements for certification of all diamond exports. In this regard we have to thank HRD for helping us out by providing us with a data base computer and a digital camera, which ushered us into digitisaiton. HRD also provided us with some other equipment and not only that but they sent an expert who came to our office and installed the computer and put our staff through on its use. GGDO on its own bought a computer, scanner, a digital camera and coloured printer together with furniture for the office.

GGDO paid Le 19 million (Nineteen Million Leones), on 8th August 2002 and Le 17 million (Seventeen Million Leones) on 15th October 2002 to the Bank of Sierra Leone being arrears of rent and current rent respectively. GGDO had to sell the only utility vehicle it had to reduce its expenditure, as the vehicle was over ten years old. We have been able to buy one vehicle for the General Manager. GGDO moved into the East Wing of the Second Floor, Main Bank Building on 28th October 2002. A conservative estimate for furnishing our new offices is Le 80,000,000.00 (Eighty Million Leones).

PROCEDURE FOR EXPORT OF DIAMONDS

1. The exporter must have a Licence.

2. `The exporter should present the goods for valuation together with a copy of a Schedule "B" form (already filled up to the Government Valuer).

3. Valuation will be done in the presence of a Senior Mines Monitoring Agent, the Customs Officer and the exporter before the parcel is sealed.

4. Obligations of exporter:

1 Consolidated Revenue 0.75%

2 GGDO Operation Costs 0.75%

3 Mining Community Development Fund 0.75%

4 Independent Valuator Fees 0.40%

5 Mines Monitoring Fees

5. All payments will be made in US Dollars for which receipts will be issued to The Exporter. The Government Valuer will make sure that every exporter presents a Bank Guarantee that the value of goods exported will be repatriated to Sierra Leone.

6. The Government Valuer will cause the particulars of the package (Electronic Date about Certificate of Origin in Excel data-file and photos) to be sent to Belgium.

7. On the compilation of all formalities and payments having been made, the Exporter will be handed his parcel sealed for export.

CERTIFICATE OF ORIGIN:

In pursuance of UN Resolution 1306 the Government of Sierra Leone with the help of the Diamond High Council (HRD) of Belgium has put in place a system wherein every diamond exported by the government is accompanied by a Certificate of Origin. This is aimed at ensuring the export of conflict free diamonds. It is also aimed at minimizing smuggling (Global Certification). It is also intended to help major diamond importing countries like Belgium to keep an accurate statistics of legitimate exports from Sierra Leone.

There is now a direct electronic data base link between GGDO and the Department of Economic Affairs of Belgium that is expected to report back findings of both the valuation and other related mishaps. At the end of every export procedure in GGDO every data of the export including photographs of diamonds, certificate, diamond parcel, is transmitted to Belgium immediately by Email.

So far the system is working. All major dealers and exporters in Sierra Leone have cooperated with impressive results so far. All are anxious to be considered as above Board. It has become evident that some exporters are exporting far larger figures now than before. This could be seen in the large increases in exports in 2000 as compared to the past two years (1998 and 1999).

STATUS REPORT ON DIAMOND EXPORT - 2003

The year 2003 started on a very optimistic note and has registered sustained growth throughout the past months. The first quarter of this year recorded a total export of 108,032.62 carats of diamond, which were valued for US$ 16,526.536.98. As at 19th May the figures stand at 179,791.43 carats valued at US$ 27,652,544.76. This gives an average monthly export figure of 36,000 carats at US# 5.53M. Continuing at this pace for the rest of the year will meet the target of US$ 60M as was forecasted earlier this year. However with the Kimberly mining operation now in progress, expectations are high that the monthly average will soon rise to a more significant level, which will be way above the present.

The driving force behind the rapid growth in exports seems to be the Certification Systems. In October 2000, when the National Certification System was implemented, exports volume quickly rose from a level of US$0.39M a month to US$2.18M, in a space of three months. Though it could be said that those figures included stockpiles, the growth still continued. In 2001 exports rose to about 160% (US$ 26,022,492.27) more than 2000, giving a monthly average export of about US$ 2.17M. In 2002, the performance was exemplary. The first time in the history of GGDO or the diamond industry as a whole, the yearly export figure rose above a US$ 41M mark - a 60% increase in 2001.

The bloody nature of African Civil Wars especially that which occurred in Sierra Leone and Angola and the callous use of diamond ("Conflict Diamonds") to fund and perpetuate the wars, brought these countries to the attention of the International Community. As Gay Ralfe of DeBeers put it '`Although the trade in conflict diamond is unquestionably small, just one diamond dealt with in such a way is one too many". A concerted effort by the International Community to stem the source of funding for rebels to continue their wars led to the implementation of the Global Certification Scheme that has come to be known as the Kimberley Process Certification Scheme. An important difference between the KPCS and the National Certification System of Sierra Leone is, in the case of KPCS, diamonds are exported to or imported form only participating countries. In the latter the GGDO had no power over the destination of exports. This has now changed.

Since the implementation of the Kimberley Process Certification Scheme in January 2003, export have soared to unprecedented levels, as at 19 May 2003 a total of 179,791.43 carats of diamonds valued at US$ 27,652,544.76 have been exported. This gives a monthly average export of 36,000 carats for US$ 5.53M. The chart below shows just how events have turned for the better.

It is believed that increase in official exports brings about a corresponding decrease in smuggling and a corresponding positive change in fortune for the members of diamond industry and the nation as a whole. It is therefore of vital importance to all to support the Kimberley Certification System. The participation of both diamond producing and importing countries have been very encouraging. Below is a list of countries, which joined the K.P.C.S. on January 1, 2003:

Angola

America

Botswana

Brazil

Burkina Faso

Canada

Central Africa Rep.

Canada

Democratic Rep. Of Congo

EC-Italy

EC-Luxembourg

EC-Netherlands

EC-Portugal

EC-Spain

EC-Sweden

EC-United Kingdom

EC-Austria

EC-Belgium

EC-Denmark

EC-Finland

EC-France

EC-Germany

EC-Greece

EC-Ireland

Gabon

Ghana

Guinea

India

Israel

Ivory Coast

Korea (S)

Lesotho

Mauritius

Mexico

Namibia

Norway

People's Rep. Of China Tanzania

Hong Kong Thailand

Philippines Ukraine

Russian Federation Unite Arab Emirates

Sierra Leone South Africa United States of America

Swaziland Zimbabwe

More countries have promised to join at a later date.

FUTURE

It is the desire of the Ministry of Mineral Resources, the Board and Management to

1 Acquire land for the purpose of putting up a building to be called Diamond House, to house GGDO and other related offices

2 Set up office in Bo, Kenema, Makeni and Kono for the purpose of assisting diamond miners and other persons involved in the diamond and gold business indisposing of and buying diamond and gold at prices as

close as possible to prices in the world market which is in consonance with the purpose for which GGDO was set up.

3 Train valuers and assayers initially and to cater for further training for valuers and assayers overseas.

4 Cater for the well being of GGDO staff by increasing their salaries and allowances in order to encourage them to be transparent, accountable and efficient.

5 Following our participant in the certification system period October 2000 to now.

GOVERNMENT GOLD AND DIAMOND OFFICE - SIERRA LEONE

DIAMOND EXPORTS UNDER CERTIFICATION REGIME

01	YEAR	MONTHS OGT013ER	28,450.60	28,450.60	4,470,424A1	4,470,424A1	
02	2000	NOVEMBER	12,128.75	40,579.35	1,079,695.58	5,5501t9.99	12-1.91!0
03		DECEMBER	9,702.16	50,281 .51	983,014.60	61533,134.59	
04		JANUARY	13,486.10	13,486.10	1991,TT3.84	1,991,773.84	
05		FEBRUARY	15,384.67	28,870.77	1,909,276.29	3,901050.13	
O6		MARCH	20,056.63	48,926.40	2,685,334.87	6,586,385.00	133.89
07		APRIL	14,4d0.58	63,366.98	1,821,327.48	8,407,712.48	126.13
08		MAY	16,996.96	80,363.94	2,156,765.00	10,564477.48	126.89
09	2881	JUNE	15,65229	96,016.23	2,154,917.36	12,T79,394.84	137.67
10		JULY	18,161.11	114,177.34	2,154,668.90	14,874,063.74	118.64
11		AUGUST	16,509.67	130,687.01	2,280,402.42	17,154,466.16	138.13
12		SEPTEMBER	29,706.68	160,393.69	2,194,349.36	19,348,815.52	73.87
13		OCTOBER	24,097.92	184,491.61	2,488,445.46	21,837,260.98	103.26
14		NOVEMBER	21358.88	206,850.49	2,152,522.95	23,989,783.93	100.78
15		DECEMBER	16,669.34	222,519.83	2,032,708.34	26.0:2,492.<'7	116.94
16		JANUARY	20 890.75	20 890.75	1,436,669.50	1,436,569.50	68.77
17		FEBRUARY	16,988.55	37,8T9.30	1,782 848.73	3,219,418.23	104.94
18		MARCH	13,280.94	51,160.24	1,590,819.50	4,810,237.73	119.78
19		APRIL	25 761.T2	76,921.96	3,772,768.36	8,583,006.08	146.45
20		MAY	29,781.27	106,703.23	3,241943.81	11,824,949.89	108.86
21	2002	JUNE	29,660.43	136,363.66	4196,749.43	16,021,699.32	141.49
22		JULY	37 479.73	173,843.39	4,920,889.11	20,942,588.43	131.29
23		AUGUST	32,250.28	206,093.67	4,311 832.52	25,254 420.95	133.70
24		SEPTEMBER	49,460.13	255,553.80	5,265,133A0	30 519,554.36	106.45

25		OCTOBER	29,449.95	285,003.75	3,770,189.09	34,289,743.44	128.02
26		NOVEMBER	33 686.78	318,690.54	3,753,079.00	38,042,822.44	111.41
27		DECEMBER	33,168.69	37862.99	3,689,307.86		118.60
28		JANUARY	37,852.99		4,612,174.44	4,6121T4A4	121.84
29		FEBRUARY	40 612.74	78,465.73	7,087,005.08	11,699,179.52	149.10
30	2003	MARCH	29 566.T9	108,032.52	4,827,357.46	16,526 536.98	152.98
31		APRIL	45,259.88	153,292.40	7,363,137.98	23,889,674.96	155.84
32		MAY	41,334.48	194,626.88	5,526,897.44	29,416,572A0	151.14
		JUNE	24,543.75		3,431,251.03		r~Rv*m
		TOTAL	843,C31 .2v		107, • 35 5 5 20 -59		126.96

NT GOLD AND DIAMOND OFFICE

E

DIAMOND EXPORTS UNDER CERTIFICATION REGIME

2000- 2003- AS AT 9TH. JUNE 2003

DESTINATION	NO.CERT	CARATAGE	VALUE
BELGIUM	468	827,149.07	101,880,088.04
USA	49	4,157.80	1,890,942.15
_ ISRAEL	17	5,486.92	1,627,128.81
UK.	33	4,183.51	1,040,633.74
POLAND	3	505.93	74,955.11
GERMANY	4	501.92	68,300.00
LEBANON	3	140.92	61, 533.81
NIGERIA	1	281.00	57,000.00
SOUTH KOREA	2	67.83	48,022.72

UKRAINE	2	60.15	43,209.83
CHINA	1	43.55	35,670.00
GAMBIA	2	128.03	32,975.40
ITALY	1	156.02	28,102.32
PUERTO RICO	1	37.45	20,950.00
CANADA	2	134.39	46,000.00
SOUTH AFRICA	1	26.61	13,536.91
INDIA	1	221.27	12, 522.74
GREECE	1	116.94	10, 592.70
JAPAN	1	19.58	10, 500.00
HONG KONG	1	230.32	69,096.00
HOLLAND	1	25.36	10,397.60
SWITZERLAND	1	20.70	4,500.00
SWEDEN	1	7.46	3,776.61
BRUNEI	1	1.07	214.00
UAE	1	103.79	35,432.10
ANDORRA (SPAIN)	1	23.61	9,500.00
CANCELLED	36		
	636	843, 831.20	107,135, 580.59 ~

DIAMOND EXPORTS UNDER CERTIFICATION

E

AS AT 9TH. JUNE												
	2000			**2001**			2002			**2003**		
DESTINATION	**NO. CERT**	**CARATAGE**	**VALUE ($)**	**NO. CERT**	**CARATAGE**	**VALUE ($)**	**NO. CERT**	**CARATAGE**	**VALUE ($}**	**NO. CERT**	**CARATAGE**	**VALUE ($)**
ANDORRA										**1.00**	23.61	**9,500.00**
BELGIUM	**26**	**50,126.12**	**6,458,577.59**	**114**	**211,289.19**	23,121,883.93	195,	**349,188.54**	**40,827,307.16**	**133**	**216,545.22**	**31,472,319.36**
BRUNEI							**1**	**1.07**	**214.00**			
JAPAN	**1**	**19.58**	**10, 500.00**									
CANCEL	**3**			**16**			14			**3**		

LED												
CANADA				**1**	**84.82**	**14,000.00**				1	49.57	**32,000.00**
CHINA				**1**	**43.55**	**35,670.00**						
GAMBIA							**1**	**10.38**	**5,915.90**	**1**	**117.65**	**27,059.50**
GERMANY				**4**	**501.92**	**68,300.00**						
GREECE				**1**	**116.94**	**10,592.70**						
HOLLAND				**1**	**25.36**	**10,397.60**						
HONG KONG										**1**	**230.32**	**69,096.00**
INDIA				**1**	**221.27**	**12,522.74**						
ISRAEL				**7**	**4,146.52**	**1,232,652.21**	**6**	**1,148.49**	**280,571.48**	**4**	**191.91**	**113,905.12**
ITALY				**1**	**156.02**	**28,102.32**						
LEBANON							**2**	**106.36**	**48,552.57**	1	**34.56**	**12,981.24**
NIGERIA							**1**	**281.00**	**57,000.00**			
POLAND				**2**	**464.32**	**64,854.11**	**1**	**41.61**	**10,101.00**			
PUERTO RICO							**1**	**37.45**	**20,950.00**			
SOUTH AFRICA							**1**	**26.61**	**13,536.91**			
SOUTH KOREA							**2**	**67.83**	**48,022.72**			
SWEDEN							**1**	**7.46**	**3,776.61**			
SWITZERLAND							**1**	**20.70**	**4,500.00**			
UK.	**2**	**135.81**	**64,057.00**	**13**	**3,167.01**	**627,332.28**	**12**	**388.19**	**146,511.36**	**6**	**492.50**	**202,733.10**
UKRAINE				**1**	**56.76**	**41,559.83**				**1**	**3.39**	**1,650.00**
USA				**20**	**2,246.**	**754,624.**	15	**533.54**	**265,170.**	**14**	**1,378.**	**871,147.**

					15	**55**			**59**		**11**	**01**
UAE										**1**	**103.79**	**35,432.10**
	32	**50,281.51**	**6,633,134.59**	**183**	**222,519.83**	**26,022,492.27**	**254**	**351,859.23**	**41,732,130.30**	**167**	**219,170.63**	**32,847,823.43**

GOVERNMENT GOLD AND DIAMOND OFFICE - SIERRA LEONE DIAMOND EXPORTS UNDER CERTIFICATION REGIME

	YEAR	MONTHS	i	SUBTOTAL CARATS	VALUES ($)	SUBTOTAL VALUES	Ri E C A T
01		OCTOBER	28,450.60	28,450.60	4,470,424.41	4,470,424.41	157.13
02	2000	NOVEMBER	12,128.75	40,579.35	1,079,695.58	5,550,119.99	89.02
03		DECEMBER	9,702.16	50,281.51	983,014.60	6,533,134.59	129.98
04		JANUARY	13,486.10	13,486.10	1,991,773.84	1,991,773.84	147.69
05		FEBRUARY	15,384.67	28,870.77	1,909,276.29	3,901,050.13	124.10
06		MARCH	20,055.63	48,926.40	2,685,334.87	6,586,385.00	133.89
07		APRIL	14,440.58	63,366.98	1,821,327.48	8,407,712.48	126.13
08		MAY	16,996.96	80,363.94	2,156,765.00	10,564,477.48	126.89
09		JUNE	15,652.29	96,016.23	2,154,917.36	12,719,394.84	137.67
AUGUST16,509.67130,687.012,280,402.4217,154,466.16138.1310	2001	JULY	18,161.11	114,177.34	2,154,668.90	14,874,063.74	118.6411
12		SEPTEMBER	29,706.68	160,393.69	2,194,349.36	19,348,815.52	73.87

13		OCTOBER	24,097.92	184,491.61	2,488,445.46	21,837,260.98	103.26
14		NOVEMBER	21,358.88	205,850.49	2,152,522.95	23,989,783.93	100.78
15		DECEMBER	16,669.34	222,519.83	2,032,708.34	25.42'2,492.2?	115.84
16		JANUARY	20,890.75	20,890.75	1,436,569.50	1,436,569.50	68.77
17		FEBRUARY	16,988.55	37,879.30	1,782,848.73	3,219,418.23	104.94
18		MARCH	13,280.94	51,160.24	1,590,819.50	4,810,237.73	119.78
19		APRIL	25,761.72	76,921.96	3,772,768.35	8,583,006.08	146.45
20		MAY	29,781.27	106,703.23	3,241,943.81	11,824,949.89	108.86
21	2002	JUNE	29,660.43	136,363.66	4,196,749.43	16,021,699.32	141.49
22		JULY	37,479.73	173,843.39	4,920,889.11	20,942,588.43	131.29
23		AUGUST	32,250.28	206,093.67	4,311,832.52	25,254,420.95	133.70
24		SEPTEMBER	49,460.13	255,553.80	5,265,133.40	30,519,554.35	106.45
25		OCTOBER	29,449.95	285,003.75	3,770,189.09	34,289,743.44	128.02
26		NOVEMBER	33,686.79	318,690.54	3,753,079.00	38,042,822.44	111.41
27		DECEMBER	33,168.69	37,852.99	689,307.86	4,612,174.44	118.60
28		JANUARY	37,852.99		4,612,174.44		121.84
29	2003	FEBRUARY	40,612.74	78,465.73	7,087,005.08	11,699,179.52	149.10
30		MARCH	29,566.79	108,032.52	4,827,357.46	16,526,536.98	152.98
31		APR	45,259	153,29	7,363,13	23,889,6	155.84

		RIL	.88	2.40	7.98	74.96	
		TOTAL	777,962.97		98.177A32,12		~ 12S.2g ~

N H W J d F O a x **W**

45,000,000.00 40,0OO,000.00 35,004,D00.00 30,000,D00.00 25,000,000.o0 20,000,040.00 15,000,000.00 10,000,000.00 5,000,000.00

SIERRA LEONE GOVERNMENT

Minister of Mineral Resources

Ministry of Mineral Resources

Sth Floor

Youyi Building

12th May, 2003.

The Chairman,

The TRC

Block A, Brookfield Hotel

Jomo Kenyatta Rd

Freetown.

Dear Mr Chairman,

APPEARANCE AT PUBLIC HEARING OF THE TRC

I acknowledge receipt of your letter on the above subject and note that the Commission is willing to grant a one day extension so that I could make my presentation on Wednesday, 21t May, 2003, in the afternoon. I appreciate this consideration on the part of the Commission, especially the afternoon appearance, as Wednesdays are normally Cabinet days.

I also note that the Commission is quite concerned about the limited cooperation it has received from government institutions. I cannot speak for other government institutions, but for my part the only correspondence I have received from the commission was the letter of invitation, to which I reacted promptly by a phone call to the Chief in Information Management. He claimed that he had despatched a number of letters to my Ministry. The same may apply to other government institutions none of which was received. The mailing system should therefore be examined.

I forward a copy of my presentation with attachments and look forward to meeting you on the appointed date.

Yours Sincerely

Alh. M.S. Deen

Minister of Mineral Resources

MANAGEMENT OF MINERAL RESOURCES AND ISSUES OF CORRUPTION

PRESENTATION AT THE PUBLIC HEARING OF THE TRC

Formal mining started in Sierra Leone in the early 1930s with iron ore mining by the Sierra Leone Development Company Ltd. (DELCO) in the Marampa Chiefdom, Port Loko District, chromite mining by the Sierra Leone Chrome Mines Ltd. (SLCM) in the Nongowa chiefdom, Kenema District, and diamond mining by the Sierra Leone Selection Trust Ltd. (SLST).

The chrome mines closed down in the early 1960s after independence when the subsidy on the transportation by rail was lifted, and the depleted ore reserves could not support higher transportation costs.

The mining policy of 1969/70 which mandated that government could take majority shares in any mining company forced DELCO to close down prematurely in 1975 to escape the perceived problems of operating a mine with majority government shareholding.

Government actually acquired 51% shares in SLST to form NDMC (National Diamond Mining company) Ltd. In 1970, which turned out to be a disastrous decision for this company and the mining industry in general. SLST was already paying 70% corporate tax to government, and with 51% of the remaining 30% profit (about 16%) as dividend the government total take was about 86% of profit. Because government could not pay for its shares up front it was allowed to pay from dividends, which meant that the company was forced to pay dividend every year until 1980 when the accounts showed a loss for the first time since 1933. Because dividends were paid every year, there were no reserves to purchase essential spares and to replace worn out equipment. The demise and collapse of the company was therefore imminent even before the rebels attacked the mine in October 1992.

Exploration and mine development came to virtual halt because of the 1970 mining policy. Rutile and bauxite mining started in the 1970s and eventually compensated for the loss in revenue from iron ore and formal diamond mining activities. Before the rebel war intensified in 1994/95 the mining industry contributed 20% to GDP, 70% foreign exchange earnings and 15% government revenue. The bauxite and rutile mines were operating 16 miles apart and both mines were attacked by the RUF rebels in the same week in January 1995, and up till now there has been no formal mining operations (large scale operations), only the artisanal diamond mining has been providing foreign exchange earnings from diamond exports.

It is the function of my Ministry to adopt appropriate policies to attract investment capital and promote the mining industry to take a lead in kick-starting the economy of Sierra Leone which has been battered by the rebel war.

In this regard, government is lending $25 million Euro obtained from the EU as a grant to the rutile mine for resumption of operations. In addition to the repayment of the principal, an interest of 8% will be charged. The company is due to restart operations in the second half of 2004 with about 1000 jobs for Sierra Leoneans and over $15 million revenue to government per annum.

The bauxite mine is expected to start operations next door in July 2004 with over 300 jobs for Sierra Leoneans and over $5 million per annum in revenue to government.

In Kono the Kimberlite diamond mining is expected to start production in August/September this year with over 200 jobs for Sierra Leoneans and about $5 million per annum in revenue to government.

The global capital investment in exploration and mining is dwindling every year with only 5% coming to Africa; 3% of this 5% goes to Southern Africa and the remaining 2% goes to the rest of Africa. The competition is rather keen, therefore, with every country fighting to have a slice of this tiny cake.

With Sierra Leone coming out of a devastating war my Ministry is engage in a promotion campaign, and our first effort is a supplement of the leading mining magazine - the MINING JOURNAL in February 2003. I attach a copy to this presentation.

Because of our experience with the 1970 disastrous mining policy - the majority shareholding policy, in our 1995 and 1998 policies the emphasis shifted towards a private sector enterprise where the government would not take any shares in any mining company; rather, government's role is to adopt a policy of facilitation and providing the appropriate business climate for investors in the mining sector.

The management of the artisanal and small scale diamond mining has presented considerable difficulties to succeeding governments since the colonial times. Sir Morris Dorman had cause to expel a certain group of foreign africans in 1950s for persistent illicit diamond mining (IDM) and diamond smuggling. This government is facing the same problems today. But three recent events have combined to ease the problem somehow.

The first is that government has introduced a scheme whereby a certain amount from the export fees collected from diamond exports is disbursed to the diamond mining chiefdoms to finance a project which will benefit the entire chiefdom - a court barri, a clinic, school, bridge, any infrastructural project that will benefit the chiefdom people, and not an individual. This is called the Diamond Mining Area Community Development Fund (DMACDF). The amount is distributed in proportion to the number of diamond mining licences operating in the Chiefdom. This creates some amount of competition among the chiefdoms with each aiming to maximise its share from the Fund. The scheme is very popular with the chiefdom authorities, this is the first time that any government has considered the interest of the diamond areas with all the damage that diamond mining operation causes to good farming land, the authorities therefore pledge to help in the fight against IDM in their chiefdoms.

The second event is the appointment of chiefdom mining committees to allocate land for diamond mining with the Paramount Chief as Chairman, and four (4) others; two elders and two youths, male and female each. This is mainly in Kono, Tongo and Kailahun where the rebels occupied and controlled mining for extended periods when the local people had no access to their land for mining and farming. This scheme has returned the rights and ownership of the land to the chiefs and local authorities and is very welcome. They therefore help to arrest IDM in areas that are not allocated by the committee.

The third event is certification scheme introduced by the United Nations Security Council resolution 1306 (2002) of July 2000 with prohibits the import of diamonds from Sierra Leone without a certificate issued by the government of Sierra Leone to show that the diamond were exported under the authority of the Sierra Leone Government. The object of this resolution was to deny the RUF rebels the access to world market with illicit diamonds which they sold and purchased weapons to prolong the conflict, hence the term *conflict diamonds.*

In addition to this UNSC resolution Sierra Leone is also a founder member of the global certification scheme known as the KIMBERLY PROCESS CERTIFICATION SCHEME. This scheme, because of its global application, covers an even wider area.

Diamond exports have increased considerably since the UNSC resolution was introduced in October 2000. I attach the export records from October 200 to April 2003.

The issue of corruption in the diamond mining and marketing sector derives from the very nature of a diamond; easy to conceal, high value and in great demand worldwide. From the foregoing it can be seen that government has adopted a number of schemes and policies to minimise corruption in the artisanal diamond sector and laws have been introduced to provide deterrent to corrupt practices, but the law enforcement officers, mines officers, the police, the army, foreign and national court officials, have all fallen short of expectation and yielded to the attraction of the perceived wealth created by the DIAMOND. The Government and everybody, citizens and foreigners owe it to this country to fight corruption in any and every circumstance.

I thank you for your attention.

RE: **MANAGEMENT OF MINERAL RESOURCES AND ISSUES OF CORRUPTION-KASSIM BASMA.**

I believe I should first and foremost thank the commission for giving me this opportunity to make my own submission on the background of some frivolous allegations levied against me in previous submissions not too long ago.

I wish to inform the TRC that I have been dealing in diamonds for the best part of my life; ever since I was in my early thirties to date. and if you take a look at me it is quite easy to discern I'm already living in my bronze age. that, I'm sure gives you an indication of my wealth of experience in the diamond sector.

I first started as a diamond dealer that was sometime back in 1970 and gradually rose to the present status of diamond exporter. I should hurry to pronounce that all transactions effected under these licences were legitimate and in full compliance with the Mines and Minerals policy i.e. receipts were issued for all the

diamonds which were bought by me and such transactions were duly recorded in rough and uncut minerals record book supplied to me by the Ministry of Mineral Resources.

Alongside the marketing of diamonds, I ventured into the mining aspect of the product which led me to incorporate my own mining company in the late seventies. the name of the company was K.B. Mining Company with mixed shareholders -partly Lebanese and partly indigenous Sierra Leoneans.

The company, like many other mining companies also became a victim of the civil conflict. All its equipment and machines were vandalized, burnt down or stolen. and we had plenty of mining machinery and equipment ranging from vehicles, earthhmoving machines to treatment plants, jigs, pumps, dredges, and electric generating units.

Coming back to the issue of the conflict, like I previously informed you I am a businessman perched in my diamond office and expecting to do business with the public i.e. people who come up with the product and wish to make a deal with me. Sometime, if you're lucky you know that these person or group of persons in front of you are licensed and offering a diamond stone for sale, which is your focus as a businessman, you are therefore enticed to entertain that person or *group. In* the process you primarily determine the weight of the stone, next you take a close look at the stone with the use of a loop (magnifying glass) to examine for cracks and possible inclusions. After all this you then begin to haggle over the price being offered until, you arrive at an agreeable amount. Documentation of the transaction then follows and which includes preparing a receipt in accordance with the approved format by the Ministry of Mineral Resources. This involves providing very useful information about the name of the seller, the type of licence under which the diamond is sold, the weight of the stone and the amount received as proceeds. Such data are crucial in tracking the product in the event of disputes and also ensure that the product is not eventually smuggled out. Indeed, inspite of the effort of the Ministry of Mineral Resources in combating smuggling through policy review and the enactment of stringent penalties as a deterrent, it is an open secret that smuggling was the order of the day. However, the establishment of the Certificate of Origin scheme for the exportation of diamonds and now Kimberley process has dramatically diminished the smuggling of our precious minerals. This is evident in the current volume of diamonds being legally exported through G.G.D.O. at this juncture, I wish to appeal to the' government not to relent in supporting the Kimberley process and also recommend the continuation of the present policy relating to precious mineral exportation.

I can remember vividly that in 1995 and 1996 consecutively, I was classed the number one diamond exporter in Sierra Leone i.e. in terms of the volume and value of diamonds which were exported through G.G.D.O. also in the year 2001, my business house came first and the following year 2002 was rated second to another successful buying office.

Well, successes often come with opportunities and alongside these opportunities there are threats that accompany such success. My successes in the diamond business often come with more threats than opportunities; particularly during the period of 1997 to the end of 1999.- for example, on the day of the AFRC coup, which I can still remember was a Sunday, soldiers suddenly started raiding my residence. Some came requesting for money others to loot and commandeer vehicles while some groups did

both. This harassment continued until I had to hide away my family from my residence. Actually, what finally precipitated my moving out of the house was when I narrowly escaped being shot by a group of soldiers obviously mixed with some RUF rebels. One of them brandished a pistol and threatened to shoot me in the leg; stubbornly repeating his desire to leave a scar on me. I only succeeded in dissuading him by allowing them to take a way the carton of money I had in the house and which was meant for the Kono branch diamond office. Another instance I wish to site was that while I was in hiding I got a telephone call reliably informing me that some RUF personnel in Kono were planning to kidnap my son Jihad together with my daughter and son-inlaw. They were the ones responsible for the running of my diamond office in Kono. On hearing this I immediately linked up with Jihad who confirmed that infact the RUF made a futile attempt the previous day to capture them, but thanks to the assistance they got from some good neighbours who risked their lives to hide them. Jihad further informed me that he had already sent a runner to the Executive Outcomes at the D.O. barracks to request for assistance in moving them out of the town. I later learnt that one Major Yan did heed to their request and got them out of their hiding place in a military convoy and took them over to their camp. They passed the night peacefully with the South Africans and the following day were airlifted to Freetown to join the rest of the family.

In Freetown, we suffered embarrassment and because of the social unease coupled with the unpredictable nature of the happenings of the time, I finally decided to send my family over to Lebanon in June 1997 then one week later I followed suite. I had to slightly delay my departure in order to officially close down my establishment before leaving.

In respect of interaction, I think I enjoy quite a warm and cordial relationship with every sector of the communities where I have an establishment.

As a diamond businessman, having a healthy public relations is always a priority. and because of that I am always ready to contribute when called upon to community development programmes. also of importance is the fact that I coincidentally held the office of chairman, Lebanese Community and subsequently provided liaison between the Lebanese community and others with a view to creating social, economic and cultural harmony for the wider community.

May I at this stage thank you all for your indulgence in listening to my submission. and wish to emphasize that this is my true story and all that which has been previously reported is totally false and was maliciously designed to smear my reputation and defame me.

Thanks so much

A PRESENTATION SUBMITTED TO THE TRUTH AND RECONCILIATION COMMISSION AT THE THEMATIC HEARINGS ON BEHALF OF THE SIERRA LEONE PEOPLE'S PARTY (SLPP)

THEME: MANAGEMENT OF MINERAL RESOURCES AND ISSUES OF CORRUPTION

ONE COUNTRY! ONE PEOPLE

COUNTRY FIRST

BY: DR. PRINCE ALEX HARDING PH.D (LOND.)

NATIONAL SECRETARY GENERAL, SLPP

MANAGEMENT OF MINERAL RESOURCES AND ISSUES OF CORRUPTION

Sierra Leone we all agree is a country beset with a series of unfortunate paradoxes: e.g. fertile soil and good weather conditions all year round, but we import most of our staple food (rice); possess diverse minerals yet so poor; the list goes on.

Amongst the many reasons proffered to account for our demise, inappropriate policies as outlined in the June 7, 1996 Presidential address stands out clearly to be the critical factor.

Although the long-term economic future of Sierra Leone lies in productive agriculture, the bridge to link us with the future is in today's mining. The truth is that mineral wealth is needed as a driving force for our economic emancipation, more so now and the foreseeable future.

Sierra Leone has a fairly bit of history in mining; household names like Sierra Leone Selection Trust (SLST) for diamonds, DELCO for Iron Ore, SIEROMCO (bauxite), SIERRA RUTILE (Tio2), contributed meaningfully to the socio-economic and political stability of our nation. However, with the exception of SIERRA RUTILE which was decimated by rebel activity, most of these companies collapsed due to negative political interference and institutionalized corruption.

A case in point is the diamond mining company SLST. It first came into existence in the 1930's, which later metamorphosed into a formidable partnership between a British Consortium and the Sierra Leone Government in the SLPP days. It provided, in addition to the much-needed foreign exchange, meaningful employment and educational and technical training for our Human resource base.

With the advent of the APC, SLST was virtually nationalized and baptised National Diamond Mining Company Ltd (NDMC). Political appointees under the guise of Government Representatives interfered with every aspect of the company and sat right in the Diamond Separator houses, siphoning gems for their political masters and self, thereby depriving Mother Sierra Leone of her rightful share. Profits evaporated and the company descended into a convulsion of loss making.

The final nail in the coffin occurred when the BP shares was grabbed by PMMC, a local company that was a puppet for the APC. NDMC was liquidated and buried.

MINING POLICY

The SLPP strongly believe that a comprehensive policy outline is the critical pathway to the full realization of our economic potential in the mining industry. In this respect the SLPP applauds the Tejan Kabbah SLPP Government in producing the new policy which is structured to enhance the aims and objectives of two previous policies (1995 and 1998) which was to create an enabling environment for much needed foreign and local investments in the mining sector. In addition, this policy also enhances the social and economic benefits to the country, mining community as well as the investors and importantly addresses the vexing questions of security of Tenure for Licences and Leases and the Environment.

DIVERSIFICATION AS THE KEY

Mining as we all know has been going on for a long time and it should be expected that well known minerals like alluvial diamonds, bauxite (aluminum) etc. to be depleted for economic large-scale production. The saving grace however is in our mineral diversity and the possible exploitation of the sources of known minerals like Kimberlite diamonds and LODE GOLD.

Sierra Leone is known more for diamonds than any other mineral. The future however is dependent on the successful exploitation of other solid minerals, gas, and petroleum.
South Africa's position as the number one in Africa is due to their exploitation of Gold, diamond, platinum etc. Guinea's third position again is due to her exploitation of other minerals as well as diamonds.

1. Iron Ore: It is pleasing to note a company is about to re-start mining operations.

2. Rutile: Sierra Ruble needs to come on stream within the next few months as is now expected.

3. Gold: Apart from mining of alluvial gold (subsistence mining) no lode production has been recorded. As an information, the country has one medium-sized Achaean greenstone belt (source of Gold) about 80 miles long and ten miles wide and several smaller ones. One of such small ones at Baomahun that was at an advanced exploration stage by BAOMAHUN GOLD MINES, before the rebels struck, showed a reserve of one million plus ounces and that in financial terms is well over US$350 million

dollars. Baomahun and other areas probably more endowed should be exploited as early as possible.

4. PLATINUM: is more expensive than gold probably due to its rarity. The Freetown Peninsula has evidence of platinum and it is heartening to note that Government had attracted investors who have undertaken exploration exercises for this precious mineral. (Resource Finance Ltd and Resource Securities Ltd).

5. DIMENSION STONES: A novelty in building and cemetery design is another mineral that needs exploitation. The SLPP Government granted a mining lease to Olympus Mining Limited, a wholly owned South African Company in 1997.

6. PETROLEUM: This is yet the ultimate in mineral wealth. In the early 1980's when the APC was at its Zenith, Amoco and mobile sunk two drill holes (wildcatting) after a few seismic studies. These holes showed some indications of hydrocarbon (petroleum) in the sediments. However these international oil companies abruptly left due to alleged undue demands by the then powers-that-be. Infact the expectations of personal aggrandizement was so high in the APC government circles that a senior Minister resigned his Ministerial post to enable him to be perfectly positioned to take over the top job of running a National Petroleum Company that was to be set up. Needless to say when the Amoco and mobile left the National Petroleum Company remained a mirage.

However with the advent of H.E. Alhaji Dr. Ahmad Tejan Kabbah and his SLPP Government, an internationally renowned company TGS NOPEC was invited with no request for kickbacks to do an extensive seismic survey. The result has attracted credible international investors to bid for exploration blocks. Hopefully the opening of the bids by July will signal the beginning of the successful exploration of our Petroleum Potential.

DIAMONDS

Depending on the source, our country can boast of two types of diamonds, alluvial and kimberlite.

Alluvial diamonds are scattered all over the country but concentrated mainly in the south and east. Incidentally, we have well over one million Sierra Leoneans directly involved in alluvial diamond mining, who therefore are generally self-employed. Government should leave this area purely to the Sierra Leoneans and limit herself to playing supporting roles. One such area is for Government to hire equipment at reasonable rates to groups of miners/cooperatives. This will break the cyclical Shylock-type economic dependence on foreigner support thereby increasing the earning power of the indigenes whilst retaining self-esteem. Also Government could be visible in monitoring the movement of diamonds against smuggling.

KIMBERLITE DIAMONDS

Kimberlite Diamonds: These are diamonds which are embedded in solid rocks, mostly deep in the earth crust. They are the source of all alluvial diamonds. They were first discovered in Kimberly, South Africa, hence the name KIMBERLITE DIAMONDS.

Kimberlite mining is highly technical and capital intensive, well beyond the reach of the individual miner or small companies. These Kimberlite dykes and pipes tend to be highly localized about some meters in length and breadth. These features augur well for monitoring purposes as in the case of Botswana; they have only Kimberlite diamonds which certain political opponents naively compare with our alluvial diamonds which is scattered all over the country and is nigh impossible to monitor 100%.

Up to date Kimberlite dykes and pipes have been identified in Kono and Tongo Fields, all in the east. Two of such pipes in Kono are currently being bulk-sampled for possible mine development by Branch Energy Ltd.

The Tongo dyke system has given rise to 40-carat stones but these diamonds though essentially clean are smaller than the Kono diamonds (which gave up 973 carat, star of Sierra Leone).

It is firmly believed that there is a multitude of sources of other rich pipes and dykes yet to be discovered, that accounts for isolated alluvial deposits in areas like, Jojoima, Mateu (east), Pujehun (south), Koinadugu, Kambia, and Bombali (North).
It is therefore of priority for the Kono and Tongo Kimberlites to be developed into mines within the shortest possible time. Added to that, credible investors are needed with modern exploration expertise to locate these sources especially those for the very fine colour stones that command a premium on the market found in the Makpele area (south). The SLPP is of the view that the future with regards to diamonds, is in the successful exploration of Kimberlites. The Tongo dyke alone under Rex Mining was estimated to be around US$4 billion (courtesy Reuters).

LIMITED PARTICIPATION

The global economic trend is yet firmly tilted towards the Open Market economy. One of the pillars is that Government divulges itself form doing business. The government is then expected to formulate and implement policies and acts as a collector of taxes. The vogue although had some measure of universal acceptance might not adequately address our present unique circumstances.

Time and again diamonds from alluvial source have only been subjected to about 3% tax of its value and only when exported. Government should endeavour to form partnerships with investors with the

wherewithal. The operation to be monitored by government and the profit shared on perhaps 50/50% basis. The arrangement will be the government providing the land and the investor the capital. The new mining policy is also embracing this.

PROSPECTING AND EXPLORATION

It is established fact that no mining industry can realize its full potential without an active and vigorous prospecting and exploration sector. When the SLPP took over in 1996, the Mines Ministry can only boast of one prospecting licence for dimension stones, held by Olympus Mining Ltd. The SLPP Government immediately set to work to create the necessary enabling environment i.e. Publicity of our good geological potential, instituting good policy measures chief amongst them, the security of tenure etc. This attracted investor confidence in our mining sector as exemplified by the number of prospecting and exploration licenses which stood at sixty-five just before the coup d'etat in 1997. The income in terms of licence fees alone was slightly over Le500,000,000, with an average employment possibility of 13,000, and as a source of social and economic benefit for other ancillary business ventures and surrounding towns/villages.

It is heart warming to note that the government has reactivated this important sector thereby attracting old and new investors. Infact, recently at Hastings airport, H.E. Alhaji Dr. Ahmad Tejan Kabbah commissioned an aeroplane loaded with sophisticated machinery for the purpose of aeromagnetic survey. The plane is owned by a Canadian company, which has lease rights to transverse the North-East part of Sierra Leone to accumulate data which will hopefully indicate reserves of known mineral and identify yet to-be-discovered minerals. Such data can then strengthening the bargaining position of government in situations where mining rights are given amongst other possible scenarios.

However, experience has it that the mining field should not be left solely to foreign players. The Ministry should play the leading role through the Geological Department in the search for minerals.

START-UP DATES

For too long some `investors' have been in the habit of acquiring prospecting/exploration licenses, `sit' on it for several months or years without doing anything to the Land. In the end they either simply disappear in thin air or sell the prospect at an astronomical price and disappear with the loot. The country in the end loses economically and otherwise. The SLPP is of the view that all holders of such licences should be required first to have put together visible measures to start up dates operation within three months and expected to start proper within six months. Failure to adhere to the above should lead to the withdrawal of the licence, exempting unavoidable circumstances like force Majeure etc.

DEVELOPMENT PROGRAMMES

The SLPP holds the view that the issuance of prospecting/exploration licences should be dependent on the provision of basic amenities like schools, clinics, markets, court `Barras', good drinking water etc. This will be expected to go concurrently with the prospecting and exploration activity. This procedure has the added benefit of easily separating the bogus from genuine companies. Finally, Mining Companies with long mining leases will be expected to put together far more comprehensive development projects.

In this regard the SLPP would like to congratulate the President Alhaji Ahmad Tejan Kabbah and his government for instituting a novel idea whereby certain percentage from mining chiefdoms are returned to the said chiefdoms to undertake developmental projects of their choice. This strategy has had the added benefit of reducing illegal mining since the Quantum of money any chiefdom will get increases arithmetically in relation to the number of licences obtained in the Chiefdom. In essence the chiefdom authorities have joined hands with government to police the mining fields.

ENVIRONMENTAL ISSUES

Mining as outlined earlier has contributed to national development in Sierra Leone. Accordingly, prior to closure, Sierra Rutile alone contributed about 6% to the country's GDP, 49% (US$71 million) to the total foreign exchange earnings and 11% to the national wage earnings in 1991 (SLR - Environmental Assessment, March 1997). Mining operations, however, cause diverse environmental impacts. Chief amongst them has been the loss of traditional agricultural activity through loss of land. Since the days of household names like SLST (NDMC), DELCO, SIEROMCO etc there have never been any credible environmental plan to implement for the much-needed rehabilitation of mined-out lands for agricultural land and/or social purposes. The average miner, small companies and partnerships have also contributed in no small way to cause untold damage to the environment.

The present world environmental awareness coupled with the frightening fact that minerals are non-renewable assets compels us to institute urgent policies to rehabilitate the environment (land etc.).

At this juncture, the SLPP applauds the Government's policy to ensure that medium to large-scale mining industry mine in a safe and environmentally responsible manner in accordance with approved environmental management plan. At a lower level, a rehabilitation fund has been set-up for small-scale rehabilitation and land reclamation.

MONITORING

Just as prospecting/exploration is vital for the expansion of mining, monitoring is extremely important for the realization of the benefits of mining. It is been said that prior to the assumption of power by the SLPP-Government, smuggling of our precious minerals (Gold and Diamonds) was put at 80%. Although there is a popularly held belief that smuggling cannot be eradicated completely, the SLPP Government has put a lot of effort to reduce smuggling. One such strategy is the appointment of over 100 Mines Monitoring Officers. In the main, they have scored notable successes in tracking potential smugglers. Their effectiveness is however hampered by the lack of adequate logistics in terms of mobility and detection techniques, the legal teeth to enhance arrest and the limited number of field personnel taken on board the national spread of mining activity. In addition the initial reporting mechanism of the monitors to report directly to the Minister should be re-considered. After all, one of the roles as envisaged of the Mines Monitors is to report on any unholy alliance or activity of Government officials and other players like Miners, Dealers, Exporters etc.

The other telling strategy that has been employed by the SLPP Government which has gained currency the world over is the Kimberley Process. This a process whereby, diamonds for export are parcelled and their details are electronically transmitted to the receiving country. This includes such details as colour, clarity, cut and caratage commonly called the 4Cs. Remember there are up to a thousand characteristics of a diamond but only visible to the connoisseur's eyes. Any tampering with such a sample distorts the overall characteristics of the sample which renders the parcel for confiscation and any attendant penalty. Also countries using the Kimberly process will not touch any diamond outside the said process. The sum total of this all is that diamond exports have dramatically risen.

PUBLICITY

The oxygen on which any organisation or establishment thrives is publicity. Our immediate past blurred our image on the international mining map. The situation is compounded further by the fact that we are competing with other African countries with similar or better geological potential for available investment funds which stands at a dismal rate of about 5% of the world's total. South Africa alone attracts half of the available 5%, the rest of Africa including Sierra Leone is competing for the remaining 2.5%.

The SLPP urges the Government to continue making presentations at international conferences to sell our geological potential and investor-friendly policies through speeches, newsletters, exhibitions etc at most conferences held on each of the following Continents - USA/Canada Africa, Europe, Asia. For as the view holds that certain Conferences attract similar delegates, the location of Conferences also have a distinct bearing on the composition of delegates. The SLPP therefore wishes to applaud the Government for producing a well-thought mining brochure in 1997 and a newsletter a few months ago.

TRAINING

There is a current paucity of training personnel in the Ministry, which is undermining the credibility of the Ministry. Although Sierra Leone has a long history of mining activity, our technical institutes and colleges cannot boast of a Department excepting Geology, capable of producing any of the various graduates necessary to take our mining industry into the unknown future; notable examples are mining engineers, mineral economists etc. This unfortunate paradox should not be allowed to continue much longer. Before May 25, steps were at any advanced stage for the establishment of a Mining Department at Fourah Bay College. Upon request the Institute of Public Administration and Management had already devised a short-term programme for mines monitoring officers to enable them to be effective. It is expected that similar programmes will be prepared covering all levels in the Ministry which could have necessitated a training school, to produce new and update appropriate technical staff.

MINERAL PROCESSING FACTORIES

It is common knowledge that third world countries like ours are not paid fully for their products. This is because apart from political and market forces we have mainly concerned us to producers of raw materials and have hardly ventured into the lucrative area of processing. In order for us to start realizing fully from our mineral wealth, certain stages if not all, in processing of minerals should be encouraged to take place on our soil. Examples of these include Gold Smelting, Diamond Polishing, Iron Ore Palletising and Jewellery factories etc. Again before May 25, a licence for the establishment of a Diamond Polishing Factory had already been granted to an American-owned company and an Iron Ore Palletising Factory was established at Pepel by a Dutch Company that was recently issued an Iron Ore prospecting licence and inquiries were received from prospective investors thinking of setting up a Gold Smelter.

GOVERNMENT GOLD AND DIAMOND OFFICE (GGDO)

The initial role of GGDO was to buy at competitive prices, assort, value, parcel, market and export both gold and diamonds. However, the dictates of the market economy prevents economic entities like GGDO from being both player and referee. The office therefore concerns itself only with the valuation aspect and collecting on behalf of Government the prescribed 3% export tax on gold and diamond.

In order to attain the highest standard of efficiency, professional competence and integrity and to build confidence in the exporters to shy away from smuggling, consultant valuers are hired for a fee eg. Diamond, Counsellor International (DCI) of Valuz Lichstenstein was one such consulting group. The SLPP believes this system should be maintained until a better system evolves.

Suffice to remind that in the earlier SLPP era DICORWAF (Diamond Corporation of West Africa) representing De Beers paid very good prices for our diamonds. In addition, the company trained Sierra Leoneans for highly specialised and rewarding skills like diamond polishing thereby creating jobs. Here again the APC debilitating policies drove them away.

NATIONAL AND FOREIGN PARTNERSHIP

Nigeria has now been recognised as a champion for the restoration of democracy in the sub-region. She is also known for her supportive role in bringing together her nationals and foreign investors to create successful partnership. Whilst benefiting from their diplomatic stance, it is but proper that we copy with certain modifications their positive approach in enabling its citizens to control the business sector.

Short of any legislature, Government should encourage investors (companies) to go into partnerships and/or employ Sierra Leoneans for all levels of manpower excepting professions that we lack the requisite expertise. Prior to May 25 1997, a lot of diamond dealers/exporters had positively responded to this clarion by employing local people and teaching them the trade. For by such association is one sure way of effectively replacing the foreigners.

SUB-REGIONAL RELATIONSHIPS

As the sayings go "one swallow doesn't make a summer" and "unity is strength", the Ministry should endeavour to collaborate with counterpart Ministries within the subregion on all mining matters. These will range from exchanging information on defaulters (like smugglers) to putting together joint-venture projects.

RECOGNITION OF ROLE OF TRADITIONAL RULERS IN MINING

The SLPP Government have re-instituted the policy whereby the custodians of land in the provinces (the chiefs) play a significant role in issuing mining licences. This has helped stem down the usual conflicts between land-owners and investors wherein only Ministry officials were involved in the issuance of licences.

In the past APC days, land was leased to investors or taken over by the Party apparatchiks without reference to the chief and/or the owners.

In the NPRC days the whole of Kono including Koidu Town was leased to different investors, most of them absentee landlords, by the Minister sitting in Freetown without any consultation with the local populace including the chiefs. Most of the new landlords were touting these leases on the international stock exchange markets without actually mining the land. Infact most of these leases became the breeding ground for illicit mining and hence smuggling. Needles to say that with the advent of the SLPP Government those lands were returned to the Kono people and a committee comprising Chiefs, Ministry officials and notable personalities in the localities was set up and charged with the responsibility of issuing licences.

In Tongo the NPRC devised a ticket system to fund the so-called war-effort. A small plot was given to anyone for about Le50,000 a month to mine. The proceeds were not monitored which encouraged wide-scale smuggling.

This ticket system yielded close to 1 billion a month but only about a third was actually reported to the treasury.

CORRUPTION

Corruption, a noun, as defined by the new Oxford Dictionary is dishonest or fraudulent conduct by those in power, typically involving bribery.

As the definition clearly shows, corruption thrives in the absence of honesty. And we all know that honesty is an elusive criterion. As a collary, everyone has a price or is it? These truisms and many more have given rise to the belief that corruption can never be completely eradicated in any society. In that regard progressive societies have been able to put together policies that have reduced corruption to a level that would not adversely destroy the social fabric of their country. Can we call it negligible corruption?

In the Hey days of then omnipotent APC, corruption was legalised and institutionalized and therefore admired. Today Sierra Leone is paying the price, it will take a whole generation, perhaps, to completely reverse the trend to the old SLPP days of transparency, accountability, probity and prudence in the state machinery.

Under the current leadership of our noble President, Alhaji Dr Ahmad Tejan Kabbah, the SLPP is maintaining Zero Tolerance to corruption at any level. The SLPP have no Sacred Cows or Sacrificial Lambs with regards corruption. Let me just take the liberty to name a few instance to give credence to our stance against corruption, unpalatable through they might seem:

First, a judge has been convicted and jailed by the courts.

Second, a Senior Minister has been convicted for corruption but has appealed against the judgement. It is his constitutional right to do so.

Third, two Parliamentarians (one an SLPP man and other APC) have both been arraigned before the courts on corruptive practices. Infact the APC Man's charges are more serious then the SLPP-Man's but it seems no one seems to notice it or even recognised that an APC Parliamentarians is also in court.

That besides, I would like to raise certain issues for clarification purposes.

In the first instance our political rivals had frowned at the penalty rendered to the Minster, failing to recognised that there are specific charges for most crimes and in certain cases the degree and type of punishment is left to the discretion of the Presiding Judge.

As for the case of the SLPP Parliamentarian the same group of people are bellowing for instant justice, jungle-style, forgetting that our legal system presumes everyone innocent until proved guilty beyond all reasonable doubt in a court of law.

Anyone, including the President, attempting to interfere into the court's jurisdiction will be committing a criminal offence. Let's remember that the judiciary is an independent arm of Government. Remember Bill Clinton who was impeached for such attempts.

The SLPP Government, we must admit, has been forthright in dealing with corruption. We have openly admitted that our society is laced with corruption. In this regard we have taken the Bull by the Horn, so to speak, by creating the Anti-Corruption Commission (ACC) staffed by men and women of impeccable character. This is a notable first in Africa and in the greater part of the world. Of course the ACC has suffered certain teething problems as you will expect in all new ventures of that type but glad to say that such problems has not eroded the credibility or effective functioning of the commission. Quite the reverse! Infact to expedite procedures within an environment of impartiality, the Government has asked for and is therefore expecting from the Commonwealth a Judge ands two investigators.

To round-up I wish to mention corruption in mining and how to minimise it. I have already mentioned the Kimberley process and the report mechanism of the Mines Monitoring Officers amongst others.

It is an undeniable fact that very large sums of money are always circulating in the diamond world, and therefore capable of undermining any well-intended policy.

The 40% value of confiscated minerals to the "arresting " personnel is a laudable venture to help reduce smuggling. The process of disbursing such payments should be speeded up.

Next, official licences fees should be publicly known in all languages in the mining localities to help put a stop to corrupt officials asking for more. In the same vein extra field allowance should be made available to such field workers to eliminate the tendency to charge extra fees for their journeys.

More Mines Monitoring Officers should be hired to monitor the diamonds from the point of processing at the mines until exported.

The salary scale for the operators in the field should be made realistic to make them more corruption resistant.

Another incentive system is to give national awards to take full cognisance of other important players in the mining industry. Best Miner, Dealer, Exporter etc. Through this means it is possible Government might appeal to the conscience of the majority to be patriotic and for foreigners to identify themselves with our developmental aspirations.

Mr Chairman, Commissioners, Ladies and Gentlemen I must admit all these measures will come to naught if the individual is not patriotic. The SLPP is urging Government to relentlessly pursue sensitisation programmes to imbibe the culture of patriotism. The SLPP Government should continue to maintain the Sacrosanct stance of Zero Tolerance for Corruption. Through those means we have the tangible chance of lifting this once SLPP -induced prosperous nation from the APC - induced economic Abyss. So that we can once more be called the paradise of West Africa, to say the least.

I THANK YOU ALL FOR LISTENING

DR PRINCE ALEX HARDING

NATIONAL SECRETARY-GENERAL, SLPP

TO: THE CHAIRMAN - TRC

FROM : THE RUFP

TOPIC: MANAGEMENT OF MINERAL RESOURCES AND ISSUES OF CORRUPTION

CONTACT PERSON: MR. JONATHAN KPOSOWA SECRETARY GENERAL

15 LIGHTFOOT BOSTON STREET FREETOWN.

Fellow Citizens:

- Again we in the RUFP chamber wish to embrace the TRC for her farsighted views on the economy of Sierra Leone.
- Without been superfluous (bush beating), RUFP is here to speak nothing but the truth. The ultimate objective of the TRC is to make sure the truth prevails for and everlasting reconciliation.

However the 10 copies of any production of the topics to be spoken on might not be computerized as our equipment since vandalized May 11, 2002 had not been replaced adequately.

Many thanks to UNAMSIL for their advanced assistance.

Considering the Topic, Management and issues of corruption on Mineral Resources, the whole warring factions: RUFCDF-SLA-ECOMOG-EXECUTIVE OUTCOME - AND the civilians fall within the files of this topic.

Each group was indebted to a commander. The commanders received quotas for the government they were entitled to - called government property or due.

1. Who was the Government during the time of quota collections?

2.Who was entitled to give a quota to Government?

3.How much to each account now?

•Where is the account?

•Who is responsible for the mismanagement (not management again) and the issues of corruptions?

If no account at this time is presented to the central government, then all the parties named have mismanaged and corrupted.

Let us concentrate on, Kono where everybody is crying for as if Kono was the only place for diamond in Sierra Leone. The citizens of Kono mined during the war. RUF is not here to pinpoint.

According to the constitution of Sierra Leone, the natural resources are to be utilized for the betterment of Sierra Leoneans. We hope better policies will be made for good managements. I am personally saying that if the main objective of the mineral resources in Sierra Leone is not shaped positively, then we are all (factions) indebted to good management and the eradication of corruption.

His excellency, the President cannot buy all the diamonds in this country neither Chief Norman nor Mr. Issa Sesay. People cry with these names because they are commanders. Everyday, we read papers on corruption. There is corruption in Sierra Leone. This is why the GOSL has formed an Anti-Corruption.

EDUCATION AND HEALTH

The GOSL should stop these people from corrupting or else teachers will sell supplied stationeries while health workers will sell medicines and equipment under mismanagement and corruption. Salaries must be paid at appropriate times. Reconciliation starts from the mind. I thank you.

Jonathan Kposowa.

Presentation for and on behalf of Campaign for Good Governance by Mrs. Jamesina King, LLM International Legal Studies, Leadership Advocacy For Women in Africa Fellow, Women's Law and Public Policy Fellowship Program, Georgetown University Law Center U.S.A., Barrister & Solicitor of the High Court in Sierra Leone

Theme - "The situation of Women and Girls in the Pre-conflict, Conflict and Post Conflict Sierra Leone."

Political and legal status of women - a historical perspective

The Sierra Leone Women's Movement (SLWM) was established in 1951. Its goals were to improve the status of all Sierra Leonean women whether born in the Colony or in the Protectorate, to seek female representation on government bodies concerned with education, social welfare and the economy. Inspite of the success of SLWM in its goals to improve the status of women in education and their contribution to the economy, it did not achieve much success in obtaining representation of women in government. In the 1957 elections, the Sierra Leone People's Party nominated Patience Richards and Constance Cummings John as its candidates for Freetown. Both women won the elections but election petitions were entered against them; they did not succeed in gaining membership in parliament. In 1930 the women in Freetown were granted the right to vote provided they met the property or income qualification. There was no representation by women in the executive and legislature during colonial rule until 1957 when Paramount Chief Madam Ella Koblo Gulama was elected to one of the twelve seats reserved for Paramount Chiefs in parliament.

On 16th March 1960 on the eve of independence, SLVVM leaders published a petition presenting their stands on constitutional talks scheduled between the British and the Sierra Leoneans. They declared that the Government had deliberately overlooked the fact that they formed 50% of the population and demanded that the new constitution should clearly define the status of women, establish safeguard for their political, economic and social rights, and reform marriage and property laws which discriminated against women. Long-standing provisions on matrimonial and inheritance law derived from English common law, and adopted in 1960, had a decidedly negative impact on the property rights of women. In addition, customary law practised in certain communities, which was and is still largely unwritten, clearly discriminated against the interests of women in certain areas such as marriage, property rights and political participation. These laws that the women protested against in 1960 have not been reformed and still apply today. In April 1961 Sierra Leone gained its independence from Britain and adopted a new constitution. The women's demands for their status to be defined in the constitution were not met. Even though they participated and obtained support for the party that won the elections their efforts were not rewarded notwithstanding that they were qualified and prepared to take up decision-making positions in government. In September 1961 Sierra Leone joined the international community and became the one-hundredth member of the United Nations.

Women continued to be marginalized politically and economically after independence with only a handful of women some of who were Paramount Chiefs that participated in Government. Women's involvement in politics was limited to voluntary labour, organising catering, entertainment, raising and collection of funds and providing moral support. Independence was followed by many years of bad governance, poverty, lack of development especially in the rural areas, economic and political repression of the people by an insensitive political elite and a decline in the national economy. A breakdown of democratic

institutions, coupled with military coups and political instability created an environment in which conflict became inevitable. As a result of the eleven-year rebel war many women lost their husbands or were killed. Women, were abducted, raped, had their limbs amputated and forced to be sex slaves or combatants.

The RUF Forces perpetrated systematic, organised and widespread sexual violence against girls and women including individual and gang rape. The widespread rape arid killing led to a sharp increase in single mothers and women-headed households. Forced migration led to overcrowding in the major urban towns in the country and an overburdening and complete deterioration of health and residential facilities. Unemployment and homelessness increased as victims of the war who were previously small farmers became internally displaced or refugees. Women and children have become psychologically traumatized affecting their health and general well being. The economic hardship and unemployment has increased women's risk of AIDS and other sexually transmitted diseases.

Sexual and gender based violence

A culture of silence and impunity existed prior to the conflict and reports on sexual and gender based violence was hardly -reported and seldom prosecuted. Laws relating to sexual and gender based violence are nonexistent or grossly inadequate. Law enforcement officers and judicial personnel lacked the necessary experience, skills or logistics to investigate and prosecute sexual and gender based violence as it was considered to be a domestic, family or private matter to be settled amicably or ignored. In the recent past there was only one police doctor to service the entire western area. This attitude discouraged women from pursuing their remedies and the culture of violence against women thrived. Furthermore very little advocacy existed on sexual and gender based violence, and because majority of the women and girls were economically and socially marginalized or dependent on some of the ~ offenders, they had very little incentive to report and prosecute offenders.

During the conflict

The widespread acts of brutal and horrific forms of sexual violence committed against women during the conflict were a direct consequence of the culture of impunity and silence that existed prior to the conflict. Women and girls were ruthlessly robbed of their human dignity and lived in constant fear of been attacked. In addition to the general killing and amputation of limbs which the general populace, including women and children suffered, women and girls were targeted, raped, captured and used as sex slaves or combatants. Even pregnant women were not spared of these atrocious experiences. Women also had to witness their children and husbands been killed. Not surprisingly many women are still battling to overcome the trauma of their experiences. Today, the laws have not changed regarding sexual violence and even though there has been an unprecedented increase in reporting and prosecuting offenders, yet Government has a lot more to do to address the problem.

Social and cultural consideration

The unequal power relations among men and women generally, and particularly in the traditional customary setting puts women and children in a vulnerable position and susceptible to be abused. Girls are forced into marriage without their consent. The spouses of these girls are old enough to be their grand fathers and out of fear, they succumb to the traditional rule of obeying their husbands, brothers and even sons. Polygamy is

also prevalent in the society and men are free to marry and abandon as many wives as they can. In traditional customary setting the women have no rights in the home and may sometimes be regarded as a chattel to be inherited. Inheritance rights within the various legal systems discriminate against women. Absence of affordable and accessible quality health care in the community is responsible for the high incidence of maternal and infant mortality.

Economic considerations

Women find it difficult to move way from a home where they experience domestic and sexual abuse as they are economically and financially dependent on their husbands even though they will be responsible for all the labour that brings finances to the home. The maintenance laws for the children of both the married and unmarried woman are grossly inadequate and not implemented as the sums awarded under the laws are ridiculously low. Divorce laws under the various systems that discriminate against women should be repealed. The daily struggle of women within and outside the home towards sustaining their families is often overlooked and given monetary value during divorce proceedings.

Recommendations

(a) Sexual and gender based violence

The rules of procedure and the rules of evidence applicable in rape cases and other sexual offences, which require corroborative evidence, perpetuate a culture of violence against women as offenders go free when the evidence does not meet the stringent criteria of proof required. Rape and other sexual crimes should be reviewed so that offenders will be adequately punished and the culture of impunity addressed. Procedures adopted during the investigation and prosecution of sexual offences, including the attitude of law enforcement and judicial personnel which discourages women to report violation of their rights and perpetuating the culture of silence among victims should be regularly reviewed, assessed and amended.

Government should enact legislation regarding witness protection measures, shelters for victims of domestic violence and psychological and medical support for victims. Government should enact and enforce legislation with appropriately severe penalties against the perpetrators of acts of violence against women including rape, sexual assault, sexual exploitation and sexual harassment. The proposed legislation should be comprehensive, providing for sexual offences to cover prosecution of rape, incest, trafficking, sexual assault, sexual harassment and other forms of sexual abuse. This legislation should also provide the rules of procedure and rules of evidence to be adopted in the prosecution of such crimes.

(b) Constitutional provisions

The Constitution should be amended or a new Constitution should be enacted to include provisions for the protection of the rights of women and girls including measures to ensure that they are free from violence. These provisions should have supremacy over customary or religious laws that may require practices that

violate the rights of women and children. Section 27(4)(d) of the 1991 Constitution which allows the enforcement of discriminatory laws which particularly affects women should be immediately repealed. The Constitution should be amended to incorporate CEDAW, which has been ratified by Government. The Constitution should guarantee to women and men equal rights upon entry into marriage, during marriage and at its dissolution.

(c) Marriage and family law

Government should adopt 18 as the minimum age of marriage for both men and women, which should be a uniform statutory law applicable to all marriages. Government should enact legislation prohibiting the marriage of children below the age of 18. Government, should enact and enforce laws prohibiting violence within the family. Government should enact legislation that will prohibit marriage made without the free consent of both intending spouse. Government should enact and enforce laws that will give and protect women's property and inheritance rights. Provisions should also be made for the rights of cohabiting couples who are unmarried. Inheritance rights of children whose parents are unmarried should be recognized and enforced. Customary marriages should be registered similarly as Christians, civil and Mohammedan marriage and Government should enact a customary marriage Act that will govern customary law marriage. Divorce laws should be reviewed to give women equal rights at the dissolution of marriage. Such laws should have gender neutral provisions and the daily struggle of women' within the home, in the formal and informal sector should be considered and given monetary value when property rights are determined during divorce proceedings.

(d)Adolescents

Government should enact laws to make primary school attendance mandatory for both sexes and encourage education for girls through the secondary and tertiary level. Government's policy on AIDS should include specific programs and education campaigns specifically aimed at adolescents because of their vulnerability to AIDS. The schools must include in their curriculum a comprehensive and age appropriate sex education and counselling. Government should initiate and encourage programs to sensitise the community, including health care providers and law enforcement officials regarding the need to protect the girl child and adolescents against all forms of sexual violence, including rape, incest, and harmful traditional practices like child marriage, FGM and trafficking. In addressing the high infant and maternal mortality rate, the government should enact laws and pursue policies that will give access to an effective and affordable reproductive health care including safe pregnancy.

(e) Women's rights and HIV/AIDS

The status of women in the society particularly in the rural area denies women the power to insist on safe and responsible safe sex practices. They have little access to information and services prevention and treatment. Women and girls are at a higher risk of HIV infection due to' the prevalence of polygamy, sexual abuse, the practice of female genital mutilation and other harmful traditional practices. The problem is further compounded by the lack of an effective health care service. There, is an urgent need for the Government to increase public awareness of the risk of HIV infection and AIDS, with special attention to the

rights, and needs of women and children, to the factors relating to the reproductive role of women in the society which make them especially vulnerable to HIV infection. Discriminatory laws denying women the right to own property should be repealed to prevent women living with AIDS from been forced out of their homes by their family.

Laws preventing discrimination and attack directly towards people living with AIDS particularly women should be enacted so that they can enjoy their basic human right. Infected people who reveal their HIV status should be protected from violence, stigmatisation and other negative consequences. The Government must as a necessity vigorously provide programmes which Will provide an effective health care centre that are obligated to provide guidance counselling, information and education regarding HIV/AIDS. Laws should be put in place to ensure that persons living with AIDS are not discriminated against in employment, housing, education and health care. Legislation combating practices that increase women's susceptibility to the HIV infection should be enacted and enforced. Government should provide and increase financial and institutional support for an effective and affordable access to drug treatment, including anti-retroviral drugs.

(f) **Economic empowerment of women**

Land distribution and inheritance rights

Land ownership is needed to enable women to achieve economic empowerment. Land is needed not only for agriculture where women make up a majority of the workforce, but also to be used as collateral for loans. In view of the present increase of single mothers and women headed households, government should adopt affirmative measures to ensure that these women are provided with the opportunity to own land. This measure will redress the grievances of widows who have been forced out of farm land owned by their late husbands. This problem is more acute in the rural area where land held by the Chiefdom Council in trust for their community is allocated mainly to male family heads. Reform of all policies and laws relating to land and land settlement schemes must give women more access and control over land to address the historical imbalance of ownership in land. Women's economic empowerment will serve as a catalyst for an increase in participation in politics.

(g)General

Government must review, assess and review all laws and policies to ensure that they are gender sensitive. NGO's have a major role to partner with the government and civil society groups in order to achieve this goal. Particular attention must be paid to women access to higher education, safe drinking water, affordable health facilities, women's role in the military and peace building. The employment of women in both the formal and informal sector should be closely monitored to ensure that they are accorded equal rights before, during and on the termination of their employment. Government should as a matter of urgency enact legislation to incorporate the major international conventions relating to human rights particularly CEDAW and CRC and ensure that they are effectively implemented and enforced.

Truth & Reconciliation Commission

Presentation At Thematic Event-Specific And Institutional Hearings

By Christiana Thorpe,

Founding Chair Forum For African Women Educationalists - FAWE Sierra Leone Chapter - Thursday 22nd May 2003

TRUTH AND RECONCILIATION COMMISSION: SIERRA LEONE

Presentation at Thematic, Event-Specific and Institutional Hearings - By Christiana Thorpe, Founding Chair Forum for African Women Educationalists - FA WE Sierra Leone Chapter - Thursday 22nd May 2003.

Topic: THE SITUATION OF WOMEN AND GIRLS IN THE PRE-CONFLICT CONFLICT AND POST CONFLICT SIERRA LEONE

Introductory Section

Mr./Madam Chairperson, on behalf of my Organisation Forum for African Women Educationalists - FAWE Sierra Leone Chapter I want to express our thanks to the Chairman and Commissioners of the Truth and Reconciliation Commission for the invitation to FAWE to share its experiences on this platform with you and the nation.

Organisation and Structure

FAWE Sierra Leone is one of 33 FAWE National Chapters throughout Africa with headquarters in Nairobi Kenya. FAWE Sierra Leone is registered with the Ministry of Development and Economic Planning as a local Non-governmental Organisation DODEP/D3/471 - September 1995 - NGO/060.

Established by me on 23rd March 1995, FAWE-Sierra Leone continues to focus on its mandate of "Supporting girls and women to acquire education for development." The Chapter has *a* total full membership of 501 women from all walks of life in seventeen branches nationwide at:

Freetown - Western Urban Area

Waterloo - Western Rural District Gbangbatoke & Moyamba in the Moyamba District

Mattru Jong and Mogbwema in the Bonthe District

Gobaru	-	Pujehun District
Bo Town	-	Bo District
Kenema Town	-	Kenema District
Daru	-	Kailahun District
Koidu	-	Kono District
Makeni	-	Bombali District
		Tonkolili District
Magburaka	-	

Lunsar, Port Loko and Lungi in the Port Loko District

Kambia Town - Kambia District

There are three other categories of membership, Associate members, Honorary members and Friends of FAWE. The Organisation is governed by the National Executive Committee and an Advisory Board. Both bodies have a two-year term of office that is renewable once. The Chapter's National Secretariat is situated at No. 4 Hill Street, Freetown.

FAWE works in collaboration with three line ministries, Ministry of Education Science and Technology. Ministry of Social Welfare, Gender and Children's Affairs and Ministry of Development and Economic Planning, as well as UN Agencies, International, National and Local NGOs, CBOs and local communities.

The Chapter implements all its activities through its Branches, monitored by the National Secretariat. Most of our funding is obtained through project partnership with International NGO's and other Donors, membership dues and donations from benefactors.

Activities

As FAWE Sierra Leone was born in the middle of the Conflict period in 1995, all its activities up to December 2002 had hinged on establishing coping mechanisms in conflict situations especially for our women and girls".

Our activities therefore fall into two categories: Regular programmes
and Emergency programmes.

Regular programmes include:

a. Education Programmes: Pre-primary, formal and non-formal primary education, vocational skills training centers for pregnant girls/girl mothers, Adult literacy.

b. Scholarship Programmes: For deserving and needy girls in Primary Junior Secondary, Senior Secondary, Vocational Training Centers.

c. Training Programmes: Training local communities in mediating skills through Education for A Culture of Peace. Training of Facilitators in remote areas in methodology for non-formal Primary Education.

d. Counselling Programmes - Vocational, Psychosocial, Marital Group and Individual Counselling Sessions in schools, clubs, Institutions, homes and communities.

e. Research Advocacy and Awareness Raising Programmes - Our Resource Center gives assistance to Secondary, Vocational and Tertiary institution researching on girls education and women empowerment, and the impact of the war on the Development of Sierra Leone. Our Branches also identify school age girls that are out of school for admission into Educational Institutions in their locality and collaborate with local FM Stations for awareness raising and sensitisation programmes.

Emergency Programmes:

As stated earlier FAWE - Sierra Leone was born during the war, so developing coping mechanisms in conflict situations was vital to our very survival as well as that of our beneficiaries.

FAWE made three major emergency interventions during the conflict period to help redress violations of basic human rights of our children, young people and women.

The first two interventions were Educational. One in country and one in exile, to ensure that the right to Basic Education of our children and young people are addressed.

A. Emergency Camp School Programme - SLPMB compound

Wellington - May- September 1995

Barely two months after it was officially launched, FAWE - Sierra Leone had to address the issue of thousands of school children, displaced from the East and Southern provinces, especially Kailahun and Pujehun Districts who were roaming the streets of Freetown.

With collaboration from Plan International, U.N. agencies and European Union the poultry shed of SLPMB compound in Wellington was rehabilitated and a primary and JSS school programme was conducted by our members for four thousand, five hundred children between the ages of 6 - 18 years.

The European Union constructed ten new five-classroom block buildings against September 1995 to absorb these students into regular school programmes, in collaboration with the school proprietors.

It was during the registration for this Emergency programme that FAWE first observed that girls as young as eleven and twelve had been subjected to rape and were pregnant. Since these girls could not be placed into normal schools like the others, FAWE started the Skills Training Center for pregnant girl/girl mothers at Grafton in 1996 to help them continue their education. This center has served as a prototype for all ten Skills Training Centers that FAWE now run in the country.

B. Training programme for Externally Displaced Sierra Leonean children and youths - Resident in Conakry. December 1997 - March 1998.

The aftermath of the coup d'etat of 25th May 1997, saw a mass exodus of Sierra Leone families into countries of the sub-region. The educational, social, political and economic sectors of Sierra Leone had been forced to a halt. The security of lives and properties especially of vulnerable groups like women, children and the elderly was greatly threatened. There was blatant abuse of basic human rights by members of the military junta and their collaborators.

The Republic of Guinea being the most accessible in terms of proximity and cost became the haven of most Sierra Leoneans seeking asylum. Those who stayed in Conakry were not officially regarded as refugees but as externally displaced Sierra Leoneans resident in Conakry. On arrival, they were faced with a major language barrier; having fled from home without financial support and forced under deplorable conditions to live in exile, parents and guardians lacked the necessary logistics for the inclusion of their children and wards into the regular Guinea Educational System. Many became destitute, frustrated and lost all hopes for the continuation of their children and ward's education.

Ten members of FAWE Sierra Leone Chapter were among this group, including our beloved Late First Lady - Mrs. Patricia Kabbah. Little did we realise at the end of our first emergency intervention in 1995 that two and a half years later, FAWE would be falling back on the experience gained for a similar but more daunting exercise outside of Sierra Leone.

With assistance from FAWE-Guinea we embarked on a programme with the primary aim of positively occupying our children and young people in Conakry during the period in order to minimise the risk of them clashing with Guinean law enforcement agencies. The programme sponsored mainly by UNDP and FAWE Nairobi, was officially opened by an official of the Guinean Ministry of Education, while the Late first lady, Mrs. Patricia Kabba gave the keynote address.

In all three thousand one hundred and fifty two children and young people benefited from the twelve weeks programme.

Achievements of the Programme

The programme succeeded in achieving its primary aim of positively occupying displaced children and youths for a period of twelve weeks. In addition the following achievements also surfaced.

(i) Games and Sports Programme

Games and Sports did not only serve to keep sound minds in the bodies of our trainees. They were also useful in developing friendly relationship with Guinean school children through a series of competition such as football, volleyball and basketball between the Sierra Leonean and Guinean school children. Games and sports also served to dissipate, negative use of energy, bottled up from frustration, anger and disorientation, which was causing our young people to be in constant clash with law enforcement agencies in Conakry.

Mr. Chairperson, FAWE believes that the culture of violence that our young people exhibit today has a direct correlation to their repressed but unexpressed emotions experienced during the conflict. We therefore welcome the creation of a separate Ministry of Youths and Sports by His Excellency the President to address the needs of our young people. This Ministry deserves the support of every parent, especially those who attribute the misdemeanours of their children to so called "bad companions."

(ii) Drama Programme

The Drama programme helped to detraumatised the younger children as it encouraged them to vent out some of their repressions through speech, actions, songs and poems. This reduced their level of stress tremendously towards the end of the programme.

(iii) Trauma Healing/Peace Education Sessions

This aspect was by far the most successful unplanned outcome of the programme. Volunteer trainers gained a lot from the programme. The exchange of ideas and experiences among staff yielded much dividend. It helped a great deal in exposing each person to worse stories of situation than theirs. This was therefore a place or venue where all could come with various shades of problems to meet and spend the day in consolation and emotional healing of each other. It was through these interactive sessions that the idea of developing Training Module for Education for a Culture of Peace emerged. We see the need for Trauma Addressing units manned by trained personnel to be established in all Institutions across the country.

Mr. Chairperson, Sierra Leoneans are still traumatised. The positive outcome of these sessions encourages FAWE to recommend that Trauma-Addressing Units, manned by trained personnel be established in all Offices, Schools and Institutions across the country. The frequency of the sessions will gradually decrease as participants become healed of their trauma.

FAWE would be willing to share its expertise in this area with government and other interested groups.

C. ASSISTANCE TO VICTIMS OF GENDER BASED VIOLENCE

Our third and perhaps major emergency intervention which is still going on came from our determination to restore dignity to our women and girls, through our programme of Assistance to victims of gender-based violence in Internally Displaced camps, areas of settlement in host communities, to returnees and juveniles in Domestic settings. For this programme our major funding partners included M.S.F. Holland, UNHCR and CordAid - Netherlands and IRC.

In February 1999 immediately after the ECOMOG regained control of Freetown from the rebels some of our displaced students from both the primary school at Fort Street and the Skills Center at Grafton reported being raped while the rebels were retreating. As some of these victims were already subjected to rape from their areas of origin, FAWE decided to address the issue of rape once and for all, break the silence and create a culture that says `no' to violence against women.

The invasion of January 6 necessitated an intervention, which included medical and counselling services for abducted girls and later boys too. FAWE's mandate of helping the girl-child to be educated to her full potential compelled the intervention. After deliberations with other agencies, the Raped Victims Programme was started. The initial collaborating agencies were FAWE, SLAUW, MSWGCA and MSF - Holland. Each local partner contributed counsellors while MSF (H) conducted counselling workshops to help improve skills. Later in the programme UNICEF also became a strong partner.

The first step of the intervention was public sensitisation on radio and television. During the first three months, April to June 1999, the programme was supported by FAWE International with MSF - Holland

providing the drugs. By the end of June over one hundred and twenty-nine (129) victims had been treated medically and counselled.

The need to continue the programme became evident as abductees escaped or were released in batches. After consultations with MSF Holland, FAWE was able to get additional support from them in the form of funding for the whole programme.

In collaboration with other agencies the rape victims programme started. We then set up the following teams - Sensitisation team, medical team, counselling team, skills training team and co-ordinating team.

The reporting session was held fortnightly for a period of three months, then monthly as the programme stabilized and other agencies began to address the issue as well.

Sensitisation Programme

To begin with, it could be said, that the sensitisation work of FAWE together with SLAUW (Sierra Leone Association of University Women) was very successful, as most of the counsellors report, that a big part of their clients were informed about the programme by radio-and TV-announcements. Since March 99, FAWE got a media-campaign started, providing information about the rebel atrocities as well as the situation of rape victims, and radio-and TV programmes in local languages (Krio, mende, limba, in planning stage: temne and others) were broadcast on average once a week.

The messages were meant to break the taboo of rape, increase the responsibility of the communities to care for rape victims and above all give information about the services of FAWE.

AS FAWE's entry point to their work is education, they sought together with SLAUW to minimise the adverse effect on girls' education. A joint committee visited secondary schools and informed pupils and teachers about the rape and abduction issue and the available assistance. A collaboration of School Guidance Counsellors (SGC), and the Parents Teacher Associations (PTA) was initiated as an effective way to reach the communities, and a sub-committee of School Guidance Counsellors for rape victims was formed.

This sensitisation through schools into the communities obviously reached its goal, as community-members started bringing children to FAWE.

Leaflets, handouts and posters were distributed in schools, public places, supermarkets, hospitals and pubs to sensitise different target groups.

Process

When the victims report, they were registered and given initial counselling and then referred to an appropriate doctor on the team. The doctors assessed and treated them until they are certified fit. Records were kept of clients. For those girls/women who were pregnant, the services of the doctor were available until their confinement. They also benefited from post-natal care by the doctors, - Marie Stopes and ICRC.

Clients both male and female, ranging from six to sixty years were seen once a week individually. Counsellors did one to three-house sessions twice a week according to their pre-arranged schedule. When it was evident that a client was beginning to be less stressed-out and gaining confidence, they were asked to

visit on alternate weeks. A few clients of those victims who came after July had to have two sessions regularly and benefited from the healing process. Group experience sharing was undertaken; and clients who were very particular about confidentiality felt relaxed to recount some of their experiences, which initially they were reluctant to share.

Usually, the sessions included prayers (Muslim/Christian), a discussion of educational activities, family members or self before the invasion. Clients were also encouraged to talk about their aspirations during which times it became evident that the programme as it was, was only a beginning. They requested needs such as shelter, clothing, food, educational support and seed money to restart business. As a number of the under-eighteen were pregnant they were worried about the possibility of continuing their education, provision for their babies or what to do with them. Their fears were usually allayed.

On the whole over 2000 victims were counselled, both at the FAWE secretariat and the Ministry of Social Welfare Gender and Children's Affairs (MSWGCA).

Achievements

1. All of the girl-mothers counselled were able to accept their babies and decided to keep them. Those who could went back to school willingly without fear of castigation.
2. More than 100 school-going victims went back to school, including some who have had their babies. Some have also benefited from scholarships for a year.
3. Baby kits were provided for the mothers.
4. Some of the non-school going clients began to rebuild their lives. A lot got engaged in petty trading.
5. Girls who only met during counselling sessions became friends.
6. Clients became advocates for the programme, and began sending or bringing fellow victims to benefit from the services.
7. Seven Doctors, thirty Counsellors a Drama group twenty six awareness raisers including a drama group and ten skills trainers participated in the programme.
8. As reflected in the doctor's reports, surgical operations were successfully carried out. Antenatal and post-natal services were also successfully undertaken.

3.2,110 abductees benefited from this programme in the Western Area of whom 1,168 were raped victims.

Provincial Interventions

Provincial interventions were made in collaboration with UNHCR and IRC at the following locations

Gerehun Displaced camp

Gondoma Displaced camp

Badajuma Displaced camp

Displaced camp

Bard settlement

Lokko Massama settlement

Daru Town

Koidu Town Kenema Town

The sensitisation, medical, counselling and skills training methods were used and over seven thousand raped victims were assisted between 1999-2002.

A Research was conducted to assess the rate of exposure to sexual violence by Displaced women and the Data was analysed as follows:

Analysis Of DATA Collection Conducted To Assess The Rate Of Exposure To Sexual Violence By Returnees At One Provincial Displaced Camp In May 2001

100 respondents within the campsite were interviewed.

CHART 1

AGE RANGE	NO. OF RESPONDENTS
4-19	18
20-29	40
30-39	30
40-49	6
50-56	6
	100

All of the 4 years - 56 years age ranges interviewed stated that the main reason for fleeing to the Republic of Guinea was to avoid persecutions by the RUF rebels.

The responses to question 2 differ not only according to age group range but also with the occupation of the women at the time they fled from the area. Below is a tabulation of their status at the time of the rebel attack.

CHART 11

AGE RANGE	RESPONDENTS	STATUS
4-19	4	Attending school.
	7	Engaged in farming.
	6	Engaged in petty trading 4 years
	1	old - not going to school.
Total	18	

20-29	12	Engaged in petty trading
	13	Farmers
	4	Small scale business
	1	Student
Total	30	
30-39	21	Engaged in farming
	10	Small scale business
	5	Engaged in gardening.
	4	Traditional birth
		attendance.
Total	40	
	6	Small scale business
40-56	2	Farmers
	1	Trader
	3	Traditional birth attendants
` Total	12	

At the time the respondents were displaced all 100 were at home.

All 100 respondents stated that they were sexually abused by the RUF rebels their captors.

THE EXPERIENCE OF RESPONDENTS DURING THE ASSAULT ARE RECORDED BELOW AS SHOW IN CHART 3

CHART 3

AGE RANGE 4-19	20-29	30-39	40-49	50-56
All were trying to escape	All were escaping when	All were escaping when	All were escaping when	All were escaping when
when they were	they fell into the hands	the rebels attached the	they were captured by	they fell into the rebels
captured by the rebels.	of the rebels	location.	the rebels.	hands.

THE RESPONDENTS GAVE HARROWING EXPERIENCES OF THE FREQUENCY OF RAPING BY THEIR REBEL CAPTORS WHICH IS **DOCUMENTED IN CHART 4 BELOW**

CHART 4

No of Respondents - 18	No of Respondents40	No. of Respondents 30	No of Respondents	No of Respondents
4-19 years	20 - 29 years	30 - 39 years	6-40-49	6-50-56
Multiple Rape R2 - 3	R1-5	Multiple R2 -2		
R3 - 4	R2-3	R4 -2	R1 - 2	Single raped R 1 - 3
R4 - 1	R3-2	R5 -5	R3 - 2	R 2 - 3
R5- 3	R4-4	R6 -5	R5 - 1	
R6 - 2	R5-2	R7 -7	R10- 1	
R7 -1	R6-2	R8 -5		
R8 - 3	R7-6	R12-1		
R10 - 1	R9-2	R15- 1		
	R10-8	R16- 2		

THE OTHER HARROWING EXPERIENCES STATED BY RESPONDENTS ARE SHOWN IN THE ANALYSIS IN CHART 5

CHART 5

AGE RANGE 4-19		20-29 years	30-39 years	40-49 years	50-56 years
YEARS					
a. Administer Drugs 50% were		50% were	75% were drugged	NONE	NONE
		druig-ed			
b. Used as	None was used	10% were used	None was used as	NONE	NONE

rebel	collaborators to	to commit	collaborators to		
collaboration	commit crimes	atrocities with	commit crimes		
atrocities	with rebels.	rebels			
c. Pregnancy	Only 20% was	25% were	25% were pregnant	NONE	NONE
resulting	pregnant for	pregnant for			
from rape	rebels	rebels			
d. Gave birth	None gave birth	25% gave birth	25% gave birth but	NONE	NONE
to babies.	to babies.	but 25% suffered	25% suffered		
		abortion/miscarri	abortion/miscarriage		
		age.			
e. Where are	None gave birth	20% still having	25% had children for	NONE	NONE
the babies.	to babies.	their children 5%	the rebels.		
		lost their babies.			
Sexually	All suffered	All suffered	All suffered sexually	NONE	NONE
transmitting	sexually	sexually	transmitted infection		
infection	transmitted	transmitted			
	infection.	infection.			

EXPOSURE TO SEXUAL VIOLENCE RECORD CARD

Reference No:..... Locality:.....

Name:.....

Address.....Age:..... Sex:..... Date of exposure:?.....

1. Why did you go to Guinea?.....

2. What was your job before you fled your home?.....

3. Where did you live at the time you were displaced - Home Camp 11

4. Were you sexually assaulted?..... Yes..... No [] .....

5. Were you abused?..... Yes..... No 0.....

6. If yes, Can you relate your experiences during the time you were assaulted?

a.0 Single rape

b.0 Multiple rape

c.0 Used as Laborer - abductee

d. Used as Sex Slave.

7. a. Were you given drugs? Yes= No =

b. Were you used to commit atrocities yourself? Yes= No =

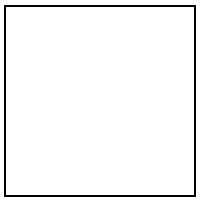
c. Did you get pregnant as a result of rape? Yes = No ^{0}

d. Did you have a baby? Yes

No

e. If yes, Where is the baby?.....

f. Did you suffer from STI/STD Gonorrhoea, Syphilis, after rape Aids-others?.....



8. Were you traumatised after the incident?..... e.g. Weeping, loss of appetite, depression, loss of weight, rejection.

9. How has your general health been?.....

10. How would you describe your state of mind since your displacement?

Reaction after encounter

They were all traumatised after the incidents resulting in various forms of after effects such as:

a) Depression, loss of appetite, loss of weight, weeping.

They all complained of bad feelings and completely demoralised. From the above analysis it is obvious the rape was committed with impunity and violence. This is also confirmed by the following excerpts from two of our Doctors report.

Quotation from medical reports A. Western
area -

55.4% of the abductees were raped and some of the girls were raped by one, two, three or even ten men. Two women particularly were raped by 15 and 30 rebels respectively. The former had only given birth to a baby two weeks before being raped. Both patients suffered from prolapse of the uterus (the womb descending out of the vagina). The former woman had a repair to replace the uterus in its proper position. The latter woman had a major degree of prolapse and therefore the uterus had to be taken out - (a total hysterectomy was done).

B. Southern province

Attached is a compilation of services rendered to Women returnees who were sexually abused during the war. The injuries seen were from small scars to big lower abdominal laparotomy wounds through which rebels traumatically opened the womb of a 5 month pregnant lady to remove the unborn child for fun. There is a dire need to surgically revisit this woman to correct any internal scars that may jeopardise her well being later. Other women had diseases, which we deem, fit to also correct surgically to avert complications.

These cold cases (not emergent) are not cared for by other NGOs delivering health. The quality of care rendered by FAWE for the limited number of women is frankly very enviable in camps of thousands.

We are of the opinion that a lot more of silent sufferers of Rape will surface for your help. We recommend where possible to extend your mandate numerically and consider victims who will need surgical procedure.

Most were also demoralised and were just managing, as there was no other means of consolation.

Conclusion/Recommendation

The plight of the women interviewed is a pathetic representation of the thousands of silent sufferers of rape who have still not yet been reached. FAWE hopes that the TRC would use the dramatic strides made to create public awareness of women traumatised as a result of the raping spree committed by the armed factions over the last ten years of civil conflict to publicise the horrors inflicted on women. We request the TRC to recommend the establishment of accessible counselling units throughout the country. Free medical, psychosocial and other assistance that would facilitate their return to normalcy within the Sierra Leone community should be made available and accessible.

Poverty Alleviation

•:• Before the war girls and women were marginalized in the educational sector. Girls and women were not trained in certain skills that would alleviate poverty. Therefore it is recommended that girls and women be trained in income generating skills before giving them micro credit loans to alleviate poverty.

Poverty seems to intensify. Micro credit without entrepreneurial skills has become a waste of resources leaving the women to worry a lot when they couldn't pay back the loan. Most used the money to pay school fees for the children for a year, and found themselves back to square one when they can no longer pay back the loan and cannot continue to pay the fees for their children.

Employing authorities are to be encouraged to offer living wages to keep women on the job.

•:• Male employers to be strongly advised to restrain from sexually harassing female workers.

Rape seems to be on the increase probably because of delayed justice and corrupt judicial system that tends to overturn justice.

Legal Reform

That the Legal machinery be capacitated to expedite the trial of rape cases in every Magistrate Court in the country.

•:• National Sensitisation that a young girl's dignity takes precedence over family honour/dishonour in cases of domestic rape or incest.

•:• Trauma-Addressing Units, manned by trained personnel be established in all Offices, Schools and Institutions across the country

That UNAMSIL personnel stop encouraging school age girls in the commercial sex trade especially in Freetown, Lungi, Port Loko and Kenema

Ministry of Youths and Sport to receive all support of every parent, especially those who attribute the misdemeanours of their children to so called "bad companions."

Ministry of Youth and Sport be assisted with funds to print adequate copies of the new Youth Policy for national distribution after it's launching. Since the implementation of that policy will be crucial to stemming the tide on the culture of violence our young people display both in and out of Educational Institutions.

Unedited Recommendations From Rape Victims And Their "Care-givers"

Public to be sensitised about acceptance of these victims in the communities.

They should be given some skills training support as to enable them become self reliant for a lifetime.

Provide start-off financial assistance.

Government and NGOs to provide medical assistance and screen them thoroughly against STDs (sexually transmitted diseases).

Free medical care to be offered to all rape victims with special care to those "gang raped".

Raped girls and women should be offered regular Guidance Counselling services.

The Government of Sierra Leone to provide free educational services from primary to tertiary level including the acquisition of tech/voc education or skills training. For those in skills training, start-off kits or micro-credit schemes to be provided in order to help them start life.

Individual families to encourage victims and expose them to social and recreational activities as a way of boosting their self-esteem and dignity.

Girls and women who were raped should be allowed to vent out their opinions to allow them recover from their traumatic experience.

Suitable institutions to be provided for them and under-aged girls to be encouraged to be enrolled in schools with special attention from Government and TRC.

•:• A culture of tolerance for these violations is apparent.

•:• Restore lost opportunities and provide more facilities for female education.

Financial compensation and support to neglected survivors of GBV.

Counselling Centres be established countrywide and Government to put mechanisms in place to ensure survivors safety and security after the public hearings.

Although individual benefit is never possible, the general benefit for all victims should reach them. Education, Medicals, Skills training Programs and micro-credit facilities.

:• Children of the rape and abused women should be giving special care in a way that mothers seeking their children's adoption to be allowed to share their views.

Continuous Counselling and Education on HIV & AIDS prevention and control.

Other areas not visited by TRC should be encouraged to support the public hearing.

The Situation of Women and Girl Child in Sierra Leone. - Pre-conflict, During Conflict and Post Conflict. Submission to the TRC Hearings on Women and Children May, 2003 from The Women's Forum (Sierra Leone)

Chairman and Commissioners of the TRC, sisters in the struggle for political, social and economic empowerment, ladies and gentlemen, this is an epoch-making event, one in which women are being given the opportunity to air their views and articulate their concerns. The Women's Forum (Sierra Leone) appreciates this move. Sierra Leonean women are optimistic that this time around decisive actions will be taken to enable women to walk with pride and participate fully at the highest levels of politics and public service without fear or harassment that their desire to live in a country where every woman is safe from all forms of abuse, all forms of violence including rape, sexual and other forms of abuse will become a reality.

The **situation of Women and Girls 1961 -1991**

During the period under review, Sierra Leone became an independent state (1961), had its first military coup and counter coup 1967 - 1968, became a one party state (1978), a republican state in 1971, and hosted the OAU Conference in 1980. it is worthy to note that the years 1961 -- 199! were characterized by bad governance which also had repercussions for women and girls.

Women and Girls occupied backstage positions in development issues. Male patriarchy and entrenched cultural beliefs persisted to the extent that women who form,50% of the population continued to languish in silence while their male counterparts exercised `power over' them 'and forged ahead. Sad to say, the law did not offer much to women even though constitutional provision existed for the protection of every citizen. This is not say that there were no women actors on the stage. For example the late Mrs. Constance Cummings-John and Madam Ella Koblo Gulama played active roles in local and national government. Quite apart from these, women were given positions as Mammy Queens primarily for the purpose of mobilizing their compatriots for action. However their activities did not yield much on two counts; firstly there were very few women in the forefront so the much desired `critical mass of women leaders who would have made a difference was no-existent; secondly, most of the women brought into the fold, especially the `mammy queens' were relegated to positions of praise singers, `ashoebi clad` women dancing to the tune of male politicians who formed a big majority. Women in those times were not adequately equipped and/or sensitized to challenge the structures that suppressed them.

Some of the reasons for this scenario include:

1. There was a great disparity between men and women in education. The adult literacy rate for women was low. Fewer girls attended school and there were high drop out rates among those who attended school. Those who completed schooling took on traditional women's occupations i.e. teaching nursing and sewing. Very few attended university which put them at a disadvantage to occupy high decision-making positions. Thus they could not participate actively in public life. Besides, there was inadequate sex-disaggregated data which would have highlighted the true plight of women and girls.

   In the economic sector, men had greater access as they had control of the cash crop production while women were engaged in subsistence farming. In the informal sector there was gender stereotyping as men were given greater opportunity to engage in more lucrative occupations such as carpentry, masonry, auto mechanics etc; women were left to pursue low income activities such as soap-making and petty trading, which were mainly carried out by individuals and not groups with hardly any leadership and management skills acquired. In the 1988/89 Labour Force Survey, 69% of petty traders were women whereas 86% of service workers were men and 67% of professional technical workers were also men. Women could not make meaningful strides in economic activities because of inadequate skills, knowledge and lack of access to substantial credit facilities and property. Besides, market women often operated in poor sanitary environment where conditions were not conducive for more enterprising business. When it came to marketing their goods, women suffered hardships in terms of high transportation costs, poor road networks and inadequate transportation facilities. With all of these disadvantages, women still laboured under the strains of cooking, washing, fetching water and wood caring for the home and lack of resources to rise above acute poverty levels.

In the health sector, women and girls experienced difficulties, especially in the rural areas. They lacked access to medical facilities and reproductive health facilities; these, coupled with malnutrition, contributed to high maternal mortality rates.

To crown it all, legal impediments put women `on the spot' they could not own land, neither property; widows were evicted from their homes by relatives mainly because of the perpetration of customary law. There was also no minimum age for marriage and so young girls could be married off without their consent; they were also exposed to sexual abuse at early ages.

From the foregoing, it is clear that in the thirty years following independence, women suffered from discrimination at various levels; their rights were violated even though the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAV) had been adopted by the UN in 1979 and the Convention on the Rights of Children (CRC) came into force in 1990; the Sierra Leone Government is a signatory to both documents. Even though efforts to address women's issues from an institutional standpoint gained momentum in 1988 when the Women's Bureau was established in the Ministry of Rural Development, Social Services and Youth at the time, not much was done to address strategic gender needs of women.

2. 1991 -1999

In 1991, the rebel war erupted in Bomaru, Eastern Sierra Leone. Many reasons have been advanced for the cause of the war, chief of which are the long years of bad governance. Whatever the reason(s), it is clear that the war impacted negatively on women and girls.

During the war women and girls in Sierra Leone bore the brunt of the atrocities committed by all factions of the war. Evidence abounds of the indignities suffered by women and girls.

In its annual report 2000The Campaign For Good Governance documented several instances on which `women and girls were reportedly gang raped for days on end, brutally raped , kept in sexual servitude, abducted and terrorized'.

In a Human Rights Watch release on `Sexual Violence within the Sierra Leone conflict', reports are made about the `widespread and systematic sexual violence against women and girls including individual and gang rape, sexual assault with objects such as firewood, umbrellas and sticks, and sexual slavery. In thousands of cases, sexual violence has been followed by the abduction of women and girls and forced bondage to male combatants in slavery like conditions often accompanied by forced labour. FAWE has documented many incidents of rape and sexual assault against women. In the report presented at the Sierra Leone National Workshop on Women and Men in Partnership (2001) it is reported among other things that 55.4% of survivors i.e. those during the January 6^{h} 1999 invasion of Freetown had been raped. Some children even witnessed their mothers being raped and gunned down. A total of 2,350 survivors were registered between March 1999 - 2000 under FAWE's Rape Victims programme.

In a study conducted by Women's Forum among returnees - in transit in Loko Masama Chiefdom in 2001, out of 113 respondents, 36.3 of the sample had suffered multiple rape, while 42.5% were given drugs; 23.9% engaged in combat. 78.8% of the sample reported that they had contracted sexually transmitted diseases after being abused. In fact 61.9% of these did not receive immediate medical attention after contracting the disease. .

The issues of sexual assault and rape are crucial in determining the future of women and girls in Sierra Leone as this is a gross violation of fundamental human rights and when committed during war is a grave breach of humanitarian law. Culturally this was the limit any African woman could endure especially as middle age women were raped by boys as young as eleven years and in public; even fathers were forced to watch while their wives and daughters were raped.

Chairman, Commissioners, Sisters, Ladies and Gentlemen, may I ask WHY? Why defile the dignity of women and girls? Where is justice? We the women are crying for justice. Do something to restore our dignity. Victims of rape and other sexual abuses are needing support, psychosocial, economic, medical and legal. What does society have to offer to the babies born as a result of sexual abuse and rapes, especially those abandoned by their mothers.

Specific effects of the war on women and girls were also seen in the following:

1. Abductions of girls and women countrywide e.g. In 1995, hundreds of school children were abducted in Kambia the majority of whom were girls. To date the fate of most of these girls is still unknown.

2. During the August 18, 1997 students' demonstration in Freetown, a number of female students were arrested and detained unlawfully. It is said that many of them were raped.

3. Widespread displacement and refugee status. It is said that women formed over 70% of this category of people in the camps.

Camp life proved difficult for women in particular; they had to care for their children with scant resources; displaced women in Kenema expressed concern about their inability to control their girl children in particular because they could not provide their basic needs.

In the camps, women were deterred from participating in project activities aimed at economic empowerment. Also women were discouraged or sometimes violated by their male partners/husbands in order to prevent them from taking up positions on camp committees or voting. Some of them were denied rations until they could offer sexual favours.

The issue of prostitution became a cause for concern and also heightened the incidence of STI's/STDs and HIV/AIDS.

Women who had joined forces with their husbands and male partners to provide for their families in the camps were able to participate in decision-making at the domestic level but upon their return home, their husbands told them categorically that their decision-making roles could no longer be tolerated/accommodated.

In cases of single parents, women assumed positions of heads of households without adequate skills. This posed a big problem for them.

With regard to the education of girls, their schooling was disrupted in rebel occupied areas and in the case of Freetown, schools closed down during the AFRC junta regime from May 1997 to February 1998. Most of these girls never went back to school when conditions became normal as they had either become pregnant or taken to the streets.

Market women lost their ware and capital due to sustained looting by combatants. In the agricultural sector, women who participate in 62% of agricultural activities were unable to continue as the country side was unsafe. "Credit loan schemes for female farmers and small scale female entrepreneurs were suspended because of the war thus depriving women of the opportunities necessary to facilitate their economic independence and empowerment". (The Situation of Women and Children in Sierra Leone 1999).

The war was brought to an end through a series of negotiations leading to the. signing of the Lome Peace Agreement. It is worthy to mention that very few women participated in these talks. Also article 28 of the Lome Agreement which made provision for promoting the welfare and specific needs of women and children has still not been implemented. .

Women have not only been victims of the war. A tiny minority were also perpetrators. Most of these claim that they were forced to commit atrocities such as burning of houses and property, looting and assault. Others provided support for combatants as girlfriends, suppliers of food items, vendors of looted goods and trafficking of drugs and small arms as well as serving as intelligence agents.

During this period, women tried to mobilize and make their voices heard in spite of the odds. The Women's Forum was formed in 1994; women attended international conference in Dakar, Beijing and Ethiopia to name a few and here they cried aloud for peace. At home, a Peace March was held in 1994 to call for cessation of hostilities. They played active roles in Bintumani I & II Consultative Conferences and were instrumental in returning the country to civilian rule of which the highlight was the 1996 elections and the restoration of the democratically elected government. In 1997 the AFRC coup took place and many women fled to neigbhouring countries and to displaced camps. They returned in 1998 to continue the struggle. Let me take this opportunity to recognize the efforts of those women who continued to work for women's empowerment even while in exile and even those who stayed on in the country to watch their homes destroyed by fire and other atrocities committed.

Also recognition should be given to the UNHCR and other NGOs who supported women and girls particularly through provision of psychosocial counseling and other basic needs.

At this point, Chairman, Commissioners, sisters, ladies and gentlemen, may I humbly ask that we all rise and observe a minute's silence in memory of all those women who lost their live during the war..... May their souls rest in peace and may light perpetual shine on them.

c. Post War Period - 2000 and Beyond Impact of the War and Lessons learned. Women and girls have continued in their struggle to gain social, political and economic empowerment. The UNHCR, NACSA and other NGOs have facilitated the return of displaced and refugee women and girls to their original homes. The entire nation is in the process of reconstruction and rehabilitation. The President declared at the Symbolic Arms Destruction Ceremony in Lungi in 2000 that `de war don don'. In terms of cessation of hostilities, combatants have been disarmed. Chairman, Commissioners, Sisters, ladies and gentlemen, may I ask, to what extent have we gone to disarm our minds and reorient our attitudes towards doing things that would accord every man and woman their just rights?

One major consolation for women and girls is that although social and cultural attitudes regarding the status of women persist, the war has opened up opportunities for the reconstruction and renegotiation of gender relations. Women are now being called upon to mobilize, build their confidence and self-esteem in order to take advantage of the opportunities available. The problem is that even in cases where structures have been created for women to participate as equals, there is still some reluctance as women do not feel they are adequately equipped with relevant stills, support of their men and social systems to combine productive and reproductive roles.

Women still lack the political capacity to effect change; at present there are only 3 women ministers, 3 Deputy Ministers and 16 Women Parliamentarians, there is no woman Paramount Chief in the North. Quite apart from this, women need to rise above mere voting at elections; they should follow up the process well after the lections results have been declared. As long as women continue to be satisfied with half measures the problems we have lived with over the years will remain unsolved. Even though we failed to achieve the 50% representation in parliament, we still press for 30% representation in this up coming local elections.

Specific problems that are still with us and which need urgent attention include:

Rampant indiscipline in society and breakdown of the moral fabric of society.

-Increased use of drugs.

-Many street children.

-Rise in teenage pregnancy

-Women are still deprived of basic facilities, especially in the rural areas - inadequate shelter, lack of safe drinking water, food security, lack of access to information about health care and health facilities including reproductive health care.

-Rampant rape involving religious leaders, Policemen, Teachers, Elderly men perpetrated against very young children and girls. Stiff penalties are required to serve as a deterrent. Parents should support law enforcement agencies and not accept money from perpetrators.

-Returnees , the majority of whom are women, are facing situations of extreme poverty and deprivation.

-Rise in the HIV/AIDS pandemic (4.9%).

-Many single teenage abductees or girl mothers who have returned face pregnancy, child birth, social isolation, stigma and trauma on their own at a young and vulnerable age.

-Breakdown of the family unit and moral values and the rise in prostitution.

-Increased number of school children and too few school spaces, also the need to grapple with the problem of quality education, within the context of the 6-3-3-4 education system, free education, and the call for quality basic education for all by the year 2015.

-Finally there are a good number of vocational centers for girls country wide. These girls need support at the end of their training to practise the skills acquired.

Post-War Initiatives

Chairman, Commissioners, Sisters, Ladies and Gentlemen, let me end the presentation by highlighting some initiatives put in place for moving the process of the empowerment of women and girls forward.

- Formulation of the National Policies on Gender Mainstreaming and the Advancement of women, by the Ministry of Social Welfare, Gender and Children's Affairs.
- Consultative meetings held by the Women' Forum to discuss issues relating to aspects of the Sierra Leone Constitution which discriminate against women especially with regard to Inheritance, Adaptation and Marriage.
- Publication of the Women's manifesto by the 50/50 group to articulate concerns about the status of women.
- Formation of the Women Task Force For Human Rights who are collaborating with other women's groups to ensure that the issue of sexual and gender violence is given prominence by the Special Court.

  -Series of Peace Building, Conflict Prevention, Management and Resolution Workshops and psychosocial services organized by various women's organizations and NGOs.

  - Addressing issues of poverty and lack of access to resources through micro credit schemes by SAPA and other NGO's.
- Formation of Women's Helpline and the Family Support Unit of the Sierra Leone Police Force for victims of Sexual and Gender Violence.

- Formation of the Mano River Women's Peace Network (MAWOPNET) whose main aim is to build the capacity of women in the sub-region for more active participation in peace building processes and to promote their economic empowerment.

Chairman Commissioners, Sisters, Ladies and Gentlemen this is our story. At this point let me reiterate that the women are optimistic and have every confidence in the Truth and Reconciliation Commission that their report will contain forthright recommendations geared towards ensuring parity of esteem for women and girls and eradicating sexual and gender violence against women at all levels. You will yourselves deduce from this presentation all that needs to be done. In sum we want justice, the law should protect us, our human rights should be recognized and practicalized, we should he given opportunities to participate in mainstream

development, cultural barriers impeding the progress of women should be removed; we need the help of all including the traditional authorities to enable us take our rightful place beside our men.

Women, come out, this is our chance. The tide is flowing, let us not allow it to ebb without us achieving our goals. Come on, join in the harvest for the labourers are too few to make a difference. Chairman, Commissioners, will you keep your promise to the women and girls? "Think on these things.

Once more I thank you for the invitation extended to the Women's Forum to add our voice to the debate on the situation of women and girls in Sierra Leone. .

References

1. Survey Report on the Status of Women and Children in Sierra Leone at the End of the Decade

   - House hold Survey Report.

   Ministry of Development and Economic Planning
   Government of Sierra Leone

   November 2000

2. Human Development Report 2002
   UNDP, 2002

3. New Education Policy For Sierra Leone
   Department of Education, July, 1995.

4. National Policies on Gender Mainstreaming and The Advancement of Women Ministry of Social Welfare, Gender and Children's Affairs 2000

5. The Women's Manifesto

50/50 Group 2001

1

6. Situation Analysis of Women and Children in Sierra Leone

- Government of Sierra Leone in collaboration with UNICEF, UNFPA, CCF and Plan International

April 1999.

9.Selected Reports from, various Women's Organizations.

WOMEN'S FORUM (SIERRA LEONE) ***{Network of Women's Organizations/NGOs/Associations/Groups)***

23 Pademba Road,

Freetown

Email: sierraleonewomen,sforum@yahoo. Com

28 February 2003.

M. Ozonnia Ojielo

Head, Information Management Unit,

The Truth and Reconciliation Commission,

Block A, Brookfields Hotel

Jomo Kenyatta Road

New England

Freetown.

Dear Sir/Madam,

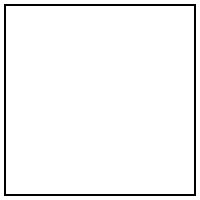
RE: SUBMISSION TO THE COMMISSION

We write to acknowledge receipt of your correspondence ref: (TRC/M00/20) of 6th February, 2003 on the above and note your concerns.

Please find attached an attempt to clarify the issues raised. Further information will be supplied if the need arises.

May I thank you for seeking our views on pertinent matters relating to the advancement of women.

Yours sincerely



Rosaline M'Carthy

Task Force Chairperson Women's Forum - Sierra Leone.

ADITIONAL INPUT TO THE TRUTH AND RECONCILIATION COMMISSION (TRC) FROM THE WOMEN'S FORUM

1.0 Women's Rights in Sierra Leone.

1.1. Background:

The issue of women's rights in Sierra Leone is an age old problem which needs to be addressed if women who form 52% of the population should play an active role in promoting sustainable peace in post-war Sierra Leone. Even before the war women's rights had been violated in various spheres of life which has led to discrimination and low socio-economic status. It is worthy to note that this situation had been exacerbated by the war.

Contributory factors to this scenario can be traced to traditional, cultural and religious norms, low level of literacy among women, male chauvinism, unfavourable laws upheld by the pluralistic legal system and a seeming reluctance on the part of the authorities to institute a comprehensive system of legal reform to promote the status of women and equality of women and men. At present, there exists inherent inconsistencies between the national legal framework and those of international conventions, (e.g. CEDAW declarations and pronouncements).

1.2. Specific Violation of Women's Human Rights: These stem from the following:

l. General Law - which is defined in the Local Courts Act No.2 of 1963 Laws of Sierra Leone except in so far as they are concerned with Customary Law'.

2. Customary Law - this is largely unwritten and refers to laws governing the various ethnic groups in the country except the Creoles and varies from locality to locality.

3. Muslim Law - which governs people of the Muslim faith.

4. Family Law - the right available to a woman during and after marriage depend upon which form of marriage was contracted.

The Christian Marriage Act and the Civil Marriage Act apply to marriages contracted under the General Law and these are monogamous in nature.

Marriages under Customary Law and Muslim Law are polygamous in nature. The former type of marriage is by far the type of marriage that discriminates most against women and this is the marriage contracted by the majority of women in Sierra Leone.

The above pluralistic system causes confusion and contributes in no small measure to denial of women of their equal opportunities not only in regard to their male colleagues but also as against their female counterparts living in different regions of Sierra Leone or governed by different traditions and customs.

It is significant to note that Women in Sierra Leone suffer serious setbacks in the human rights movement because of the little recognition given to the role and worth of a woman in her community and country as a whole. Generally speaking the traditional role of women is regarded as inferior to that of the man notwithstanding the fact that in peace time or even in times of conflict she plays a significant role as a mother, farmer, gardener and in most cases during the war, becomes the sole breadwinner of the family.

Issues emanating from the above relate to maintenance of spouse (not bound to maintain his wife), age limit for marriage, divorce, dowry inheritance and custody of children. In most cases, a woman who contracts a marriage under General and Civil Law is thought to be in a better position, even where the law discriminates against women especially if the husbands dies intestate. Infact if a women dies intestate the whole of her estate goes to her husband whereas in the case of a husband who dies intestate leaving children only one third of his estate goes to his wife. In case of cohabitation, the law does not protect the woman if the male partner dies leaving property.

To sum up, section 27 of the Constitution of Sierra Leone Act No.B of 1991 has serious implications in respect of discrimination against women in Sierra Leone. This Act, even though in section 27(1) guaranties equality before the law and equal protection of the law to all without discrimination, does not protect women in matters relating to marriage, divorce, adoption, burial or devolution of property on death. Thus it states in section 27(4) that subsection 29(1) shall not apply to any law in so far as that law makes provision as stated under 27(4d) and 27(4e). The conditions represented in the provisions show clearly blatant perpetration of gender bias against women, in precisely those areas where women most need protection and in respect of which they have continue to suffer from systemic gender discrimination.

1.3. Areas for Legal Reform and Timely Action:

- Harmonization of the General Law, Customary Law and

Muslim Law in order to cater for women from all walks of life irrespective of their religion, socio-economic status, cultural origins and literacy status, to enable them enjoy their basic human rights e.g. law relating to inheritance (Cap.45 gives the mandate to a man to inherit all the property of his wife at her death if she

leaves no will'. Cap.96 of the Muslim marriage Act of 1905 makes no clear provision for Muslim women who divorce their husbands and the 1888 married Women's Maintenance Act.

Government should implement the provisions of the U.N. Convention on the Elimination of Discrimination Against Women (CEDAW 1981). The Protocol To The African Charter On Human and Peoples' Rights on the Rights of Women in Africa and other human rights declarations/treaties. Government is to institute mechanisms for the adaptation of these provisions into General National Laws.

Government should fulfill its obligations of sending regular reports on the efforts to implement CEDAW as prescribed. It should as a matter of urgency put mechanism in place to submit its first report which is outstanding since 1983.

Government should enact and implement various acts to eradicate the incidence of rape, domestic, sexual and gender violence. Stiff penalties should be given to perpetrators of rape in particular to serve as a deterrent.

Public Awareness Campaigns should be mounted among civil society, especially women, about actions to be taken to report cases of violations and support the authorities to prosecute such offenders.

Advocate for the elimination of socio-cultural and traditional barriers that hinder the active participation of women in local and national governance. Section 27(l) of the Constitution of Sierra Leone merely pays lip service to the guaranteeing of equal protection of the law to all without any discrimination. Since Section 27 (4) in its purport infringes on the rights of women to equality and protection before the law, it ought to be removed from the constitution. The human rights of all women, as guaranteed in Section 15, chapter 3. Act No.6 of the 1991 Sierra Leone Constitution need to be ensured.

Moves should be made to support the education of the girl child especially in view of the EFA goal of providing quality basic education for all by the year 2015.

The provisions of the Lome Peace Agreement (1999) should be implemented fully especially Article 28 which caters for the welfare of women and vulnerable groups in society. In particular to respond effectively to needs (medical, psychosocial/rights of female survival of sexual violence).

The National Policies on Gender Mainstreaming, the Advancement of Women and the Beijing Platform for Action (1995) should be implemented with regard to priority areas of concern in which gender balance in Power and DecisionMaking, Economic Empowerment, Media and Communication, the Management of the Environment and the Situation of the Girl Child is addressed.

The Women's Forum (Sierra Leone) to implement its strategic plan (2002 - 2007) in identified areas - Sustainable Peace, Human Rights of Women and Capacity Building. It should seek support from agencies which give women's assistance in the field of Human Rights, Women's Rights and Peace Building and Conflict Resolution.

Support women's sensitization and other initiatives on the dangers of small arms in the West African sub-region. Women's Forum, with support, to intensify and sustain advocacy work on women's inheritance rights, and other area of family law.

Take action to put in place mechanisms for implementing U.N. Resolution 1325 (2000) on Women, Peace and Security in which "all actors involved in negotiating and implementing peace agreements to adopt a gender perspective that would take into account the special needs of women and girls during repatriation, resettlement, reintegration and post-conflict reconstruction; as well as putting in place measures that support local women's peace initiatives and indigenous processes for conflict resolution and involve women in all of the implementation mechanisms of the peace agreements".

Experiences of Women and Girls During the War:

Women and girls suffered untold misery, molestation, deprivation and severe trauma during the war. Specific examples relate primarily to sexual and gender based violence

- high incidence of rape and sexual assault

- Abductions especially among girls of school going age

- Some women abductees are still in sexual slavery

- Forced prostitution and unwanted pregnancies

- High levels of displacement and refugee status

- Severe deprivation as a result of looting, depletion of resources, damage to life and property, arson and killings (especially among husbands, sons and other male relatives) as a result of which they were catapulted into assuming positions of heads of households for which some of them were ill equipped.

- The splitting open of the abdomen of pregnant women to ascertain the fetus.

The women's Forum conducted a survey in Lokomasama Chiefdom and participated in registration of returnees in the Grafton Area in 2001. Figures reveal that about 75% of women in this category had been raped. This brings to the fore the high incidence of HIV/AIDS and sexually transmitted diseases (STDs) prevalent among such women. The issue of support for victims of such violations was also brought up.

WOMEN'S FORUM (SIERRA LEONE)

(Network of Women's Organizations/NGOs/flssociations/ Groups)

23 Pademba Road,

Freetown

Email: sierraleonewomensforum@yahoo.com Tel: 232 22 221540

31st January 2003.

The Office Manager

Truth & Reconciliation Commission

114, Pademba Road

Freetown.

Dear Sir/Madam,

SUBMISSIONS TO TRUTH AND RECONCILIATION COMMISSION

I forward recommendations on the causes of the conflict in Sierra Leone and how it can be avoided the future, as requested by you're the Truth and Reconciliation Commission.

Thanking you in advance.

Yours faithfully

Rosaline M'Carthy

Task Force - Chairperson

WOMEN'S FORUM SUBMISSION TO THE TRUTH AND

RECONCILIATION COMMISSION

1. **Causes of the Conflict**

o Decades of bad governance

o One Party rule and its nature and characteristics of:

o violence, corruption, nepotism, tribalism, thuggery, absence of free and fair elections

o corrupt judiciary and high levels of injustice o Socioeconomic decline

o High unemployment, high cost of living failure of the formal school system, poor health and social services

o absence of technical, vocational education

o Existence of disenchanted who youth became easy recruits of the rebel force

o army not professional - reflected in poor leadership and disloyalty

a III-motivated public servants characterised by greedy and selfish

a High level of illiteracy resulting in lack of understanding key issues pertaining to development in the country

a Inequitable distribution of countries resources

2. **The Roles of Actors, Institutions and Countries**

1. In perpetuating the conflict and atrocities

o Certain countries in the sub-region and beyond including Liberia, Burkina Faso, Libya, Ivory Coast, France and Ukraine, helped fuel the war by providing arms and ammunition, and mercenaries to fight in Sierra Leone in exchange for the country's rich mineral resources

o Disloyal soldiers who joined the rebels forces "sobels" forces and participated in the looting, killing and maiming of civilians

o Civilian rebel collaborators that aided and abetted rebels

o Although their role was to protect civilians some ECOMOG soldiers and the Kamajor milita were also involved in looting and inflicting atrocities on civilians

2. In resolving the conflict

o ECOWAS, ECOMOG, UNOMSIL/UNAMSIL and other international bodies played a critical role in brokering peace between the waring fractions as well as providing military backup to the Sierra Leone Army

o The British government intervened with decisive military action to rid Sierra Leone of the junta regime

Civil Society

o Inter-Religious Council played a role in mediation and intercession

o Various NGOs including the Women's Forum and other Civil Society groups played roles, in the areas of conflict resolution, reconciliation, peace building

Humanitarian Assistance

The UN System, friendly governments and international NGOs played a role in providing humanitarian assistance, to displaced, refugee, returnee and other vulnerable groups affected by the conflict.

3. <u>Recommendation in regard to how a repetition of the conflict can be avoided</u>

o Practice of true democracy/good governance - minimize corruption

o Massive civic education campaign - empower NCDHR and civil society groups to education on their rights and civic responsibilities

o Proper dissemination of information in maintaining human rights

o Ensure that internal security is strengthened and control of the flow of small arms

o Promote education - both formal and non-formal and encourage the establishment of more vocational training centers

o Empowerment of youth and women through education and access to income generating activities

o Improve on the provision of social service by rebuilding the educational and health sectors

o Revamp the economy

o Halt diamond smuggling and institute proper mechanisms whereby the mineral wealth of the country can be better utilized to the benefit of the entire citizenry

o Practice of transparency and accountability in public sector appointments, promotions and budget management

a Building of loyal, tribal balanced and educated police and military force

a Rebuilding the legal system and ensuring neural and independent judiciary

a Free independent press - spread of information services to all parts of Sierra Leone

4. **<u>How victims may be assisted to overcome their suffering and their dignity restored</u>**

- All categories of victims - amputees, orphans, women, children and elders should be provided with medical assistance and other

  relevant social services to ensure that they live on their own with sustained and participatory governance

- Enabling victims to develop their capacities, through skills training, employment and other financial assistance

- Implementation of the relevant sections for the Lome Peace Agreement especially with regard to setting up a Trust Fund for victims

- Scholarships for victims children

- Proper counselling and follow-up service should be provided to victims of rape and suffering of other atrocities

5. **How perpetrators may be reintegrated into the society in order that the nation may be healed and this society rebuilt**

   - Sensitization of community through the media, massive civic education, multisectoral approach - religious, social, professional bodies, NGOs and Government

   - Should be regularly counselled on the significance of peaceful coexistence

   - Their capacities should be developed through skills training programmes

   - Involve perpetrators in recreational activities

   - Teach perpetrators basic literacy, numeracy and peace building skills

   - Counsel our children to understand the plight of and how to interact positively with perpetrators

- Sensitize and assure perpetrators by the evidence of God's word that God can forgive them

30th January, 2003

SUBMISSION BY THE WOMEN

NGOs COLLABORATION TO THE TRUTH AND RECONCILIATION COMMISSION,

SIERRA LEONE

MAY 2003

Read by: Mrs. Hannah

Women'sDesk

Methodist Churches Sierra Leone

The Women's NGOs collaboration submission was drafted by the following members:

1.Forum for African Women Educationalists, Sierra Leone chapter (FAWE)

2.Methodist Church Sierra Leone

3. Action Aid Sierra Leone

4. Lawyers Centre for Legal Assistance

5. Council of Churches in Sierra Leone 6. Women's Forum

7. Society for Women and AIDS in Africa, Sierra Leone branch (SWAASL)

8. The Ministry of Social Welfare, Gender and Children's Affairs collaborated fully with the NGOs.

The Women's NGOs Collaboration for TRC came together as an urgent need to create a conducive environment for women and girls to testify before the TRC and to give the necessary support to the TRC and women witnesses to achieve this objective.

The Women's NGOs Collaboration also wants to ensure that the experiences and needs of women victims and women in general are reflected in the reports and recommendations of the Commission.

This submission is made out of our collaboration in addition to individual submissions made by some members of the collaboration within their individual mandate, to ensure that areas not covered within our respective areas of work are brought to the attention of the Commission.

IMPACT OF THE WAR ON THE HEALTH STATUS OF WOMEN IN SIERRA LEONE

Women have the right to the enjoyment of the highest attainable standard of physical and mental health. The enjoyment of this right is vital and their life attainable Standard of physical and mental health. The enjoyment of this right is vital to their life and well-being and their ability to participate in' all areas of public and private life. Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. Women's health involves their emotional, social and physical well-being and is determined by the social, political, cultural and economic context of their lives, as well as by biology'.

Bearing in mind the above definition, reproductive health rights embrace certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. Many of these rights are reflected in existing International human rights instruments, in particular the Covenant on Economic, Social and Cultural Rights and the Covenant on Civil and Political Rights (ICCPR) as well as in the Convention against Torture and Other Cruel Inhuman and Degrading Treatment or Punishment (CAT) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

The Truth and Reconciliation Commission ("TRC") has an important historic opportunity to fully examine and record the crimes of sexual violence that are inflicted against Sierra Leonean women during the conflict. It cannot ignore violations of economic, social, and cultural rights and still fulfill its mandate under the law.

War related violence in Sierra Leone has resulted in unimaginable health consequences for women. Further, they have also had psychological and economic implications for individual women, family, community and the entire nation at large.

This submission also draws upon Sierra Leone's constitutional law and international human rights law to show how some violations of women's health rights constitute ill and of themselves severe ill treatment, and thus are violations that TRC must acknowledge.

Last but not least, we appeal to the TRC to ensure that their recommendations to the Sierra Leonean government and the international community take into consideration the particular health needs of the women survivors.

1. GENERAL HEAL STATUS OF WOMEN

World Health Organistion (WHO) defines health as a status of complete physical, mental and social welfare and not merely the absence of disease or infirmity. The health status of a country is generally determined by the health of the women and children who have special health needs. Thus programmes an maternal and child health, safe motherhood, primary health care and other health related fields such as HIV/AIDS are recognised by various national and international non- governmental organisations and donor agencies as

impacting directly on women's health. The section on women and health, one of the most controversial topics in Beijing, was ground breaking as it included reproductive and sexual health and rights."

The WHO found an alarming high prevalence rate of HIV/AIDS amongst Sierra Leone Army Soldiers. Some sexual violence victims are sure to have been infected by the virus, given that the probability of the transmission of HIV and other sexually transmitted diseases is greatly increased greatly during violent sex. The existing health services for women in Sierra Leone have always being inadequate, expensive and inaccessible to especially rural women. In national and international forums, women have emphasized that to attain optimal health throughout the life cycle, equality, including the sharing of family responsibilities, development and peace are necessary conditions. Women's health is also affected by gender bias in the health system and by the provision of inadequate and inappropriate medical services to women.

Sierra Leone records one of the highest maternal mortality of 1,800 deaths per 100,000 live births. Frequent pregnancies and childbirths; unsafe abortion and sexually transmitted infections (STI), physical abuse, malnutrition and poverty are responsible for the majority of maternal deaths. Due to long hours of daily work, women also bear a lot of stress that contributes to their poor health status.

2.Access to Health

Women have different and unequal access to use of basic health resources, including primary health services for the prevention and treatment of childhood disease, malnutrition, anaemia, diarrhea disease, communicable diseases, malaria and other tropical diseases and tuberculosis, among others. Women also have different and unequal opportunities for the protection, promotion and maintenance of their health. In many developing countries, the lack of emergency obstetric services is also of particular concern.

In Sierra Leone like in many countries, especially developing countries, a decrease in public health spending and, in some cases, structural adjustment, contribute to the deterioration of public health systems. In addition, privatization of health-care systems without appropriate guarantees of universal access to affordable health care further reduces health-care availability. The backbone of any effective health care system is the facilities and the medical personnel. T he war further degenerated the health care system in Sierra Leone. Noting that health was a luxury to a majority of women before the onset of the war, it is appalling to learn that was from 1991 to 1999, access to adequate health care services was relatively inadequate. The level of rebel activities in specific administrative areas determined to a large extent women's access to health care. By 1997, only 70 per cent of all health facilities were functioning. The rest were looted, damaged, burnt down or abandoned as a result of the war. Community Health Posts Maternal and Child Health Posts that sexual and reproductive health to women were hardest hit. It is said that 55 per cent and 63 per cent respectively of these facilities were currently functioning by 1997. These were further rendered dysfunctional in 1998 and 1999 when rebel activities intensified.. Diseases, suffering and death are associated with all armed conflicts because of the lack of adequate health care during and immediately after the war.

It is therefore indisputable that the already poor health stealth of women was severely hampered during this period. This situation not only directly affected the health of girls and women, but also placed disproportionate responsibilities on women, whose multiple roles, including their roles within the family

and the community, were often not acknowledged; hence they did not receive the necessary social, psychological and economic support. Good health is essential to leading a productive and fulfilling life, and the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment. Sierra Leone women's right to the enjoyment of the highest standard of health must be secured throughout the whole life cycle in equality with men.

II

HEALTH STATUS OF WOMEN DURING THE WAR

Women are victims of general violence and lack of health care that all categories of population in situations of conflict suffer. However women's reproductive and sexual health and their social status ascribed by virtue of their gender place them at relatively disadvantaged situations during conflict. The culture of violence against women and children was used as a weapon of war. With the onset of the rebel war violence against women became more open and less private. Thus women and girls faced severe health risks and problems associated with these brutal and horrendous acts of violence that they were forced to experience. These took the form of physical and psychological violence. Physical violence bore directly on individual women's health and their families. Indirect physical violence had to do with acts of rendering existing health facilities dysfunctional and non beneficial to women. Psychological violence relates to acts that will dehumanise individual women, families and whole communities. It was and is always a consequence of direct physical violence.

(a) Physical Assault

During the civil war, women as well as men endured very horrific experiences and were subjected to diverse forms of torture and assault. These phenomena affect all categories of people targeting them sometimes indiscriminately and some times deliberately. However, while we acknowledge that men and women may have had some similar experiences of abuses, it is very important to our history to recognise that they also experienced the war in different ways. Women endured specific forms of violence as a manifestation of the gender relationship and unequal power relations between women and men. These Violations targeted women's femininity and sexuality.

Women were subjected and made objects of physical abuse. These ranged from beatings, injuries, amputations, forced labour, sexual violence including rape and forced marriages. In a study by Physician:s for Human Rights conducted in displaced camps, virtually all households randomly surveyed in a 2001 reported at least one person having suffered abuses in the past ten years. These abuses include abduction, beatings, killings rape and other forms of sexual violence, forced labour, gunshot wounds, serious injuries and amputations (PHR 2001).

(b) ***Physical Torture .***

The number of war-related deaths in Sierra Leone cannot be ascertained. However it is assumed that more men than women may have died directly from the war. This is because the majority of men were conscripted

into the armed forces. For women who were killed, they were first sexually brutalised in the presence of their family particularly their spouses.

Women were used as object for sadistic fantasies. One of the most gruesome but isolated forms of abuse was committed against mothers and pregnant women. Targetting this category of women symbolises attack on motherhood, a much valued social status of women in traditional societies like Sierra Leone. It is also used as a weapon of war to demoralise and dehumanise families and communities. Such brutal acts involved for example disembowelling pregnant women in the presence of family and sometimes community members that result in almost all the cases in the death of the women and the babies. The perpetrators, in their own words, committed such horrendous acts, because they were desirous of knowing the sex of babies before delivery. Some of these acts were committed on bets. These acts of terror were used as weapons of war. Babies were also hacked to death. Some were even pounded alive in mortars into pulp.

A woman narrates a horrible scene.

> *"...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 down with their legs eagle-spread and took a sharpened stick and jabbed them inside their wombs until the babies came out on the stick. "*

(c) ***War Wounds and Amputations***

As a country we now have to live with the painful and unpleasant history of amputations, a brutal and horrific act of violence and torture. Though amputations were feature of the war since 1991, unprecedented incidence of amputations occurred during the three-week occupation of the city by RUF and AFRC in the January1999. It was during this period that the almost all of the amputees in the amputee camp lost their limbs. Other survivors have ended up with a lost limb as a consequent of gun shot wound/injury that could not be treated immediately after sustaining the injury.

Amputations include single and double amputee of the arms and legs and of varying degrees ranging from the ankle, knee and above the knee for those who lost their legs. From the arms, amputations range from the elbow above the elbow to the shoulder joint. Therefore the degree of social and economic dependence of an amputee is determined by the type and level of loss of limbs

In 2002, the number of amputees in amputee camp in the Western Area was recorded as 1.208 (NaCSA 2002). 42 (19%)of the 225 registered number of amputees in the Southern Region are women. 23% (55) of all war wounded and amputees (239) who are beneficiaries of Norwegian Refugee Council's Amputee and War-wounded Housing Project are women.

Mariarna is a survivor of a gunshot wound. She now has to live the rest of her life

Sexual Violence and Gender Violence Crimes

Goldblatt and Meintjes (1996) agrees that sexual assault in the context of war are institutionalised acts that make public the private. Women's experiences of sexual violence include all its forms from threat, assault, interference, exploitation to molestation without physical harm. The most common form of sexual violence was rape. The widespread and systematic use of rape and other sexual violence during the ten-year civil war in Sierra Leone is documented in a new Human Rights Watch report released today. The 75-page report "We'll Kill You If You Cry:" Sexual Violence in the Sierra Leone Conflict, presents evidence of horrific abuses against women and girls in every region of the country by the rebel, Revolutionary United Front (RUF), as well as other rebel, government and international peacekeeping forces.

Many young girls and women who were exposed to sexual violence had to deal with unwanted pregnancies and unwanted children. The majority of them were exposed to sexually transmitted infections including HIV. Some of them sustained injuries some of which led to the development of Vesico Vaginal Fistula (VVF) that require urgent medical attention.

In 1999, PPASL (1999) provided services to 230 clients who were abductees and referred from CCSL, MSF, UNICEF, ADRA and MSWGCA and PPASL Youth Peer Counsellors. Counselling was provided to 210 females and STI screening and treatment to 65 clients. Thirty-seven reported unplanned pregnancies resulting from sexual abuse. Two gynaecological cases were referred, one for prolapse uterus and one for vesico

vaginal fistula. The majority of the clients were women and were within the ages of 4 to 47 years.

Most of these physically related abuses were perpetrated against young girls. They were the ones most subjected to sexual violence, beatings, forced labours and other forms of tortures. Girl X was one of the survivors of the January 6 invasion of Freetown by the coalition forces of the RUF and the defunct AFRC forces. She narrated her experience.

"I initially endured rape and was later abducted by the rebels. While living 40 kilometres outside the city with the West Side Boys, one of the combatants forcefully took me as his wife. 1 was a seven-month pregnant by the time I was released. I now have a daughter to look after, a responsibility I was never prepared for. Her child can never enjoy the joy of *being brought up by both parents. "*

In 1999, FAWE through its Rape Victims Programme received 1384 girls and women out of a total of 1438 abductees. Treatment received included surgery, medication and counselling. 133 girls and women reported to have been sexually abused in 21 villages in the Lokomasama Chiefdom in the Northern Province

(GRADOC 2001). They experienced multiple rapes and single rape. 42.5% of them were forced to take drugs. At the time of the survey, about 60% of them had not received medical treatment while 78% of them had STIs that kept recurring.

(d) *Psychological Torture and Exertio*n

A lot of women and children now suffer from war-related trauma as a consequence of a number of social factors. Temporary separation and death as a result of rebel attacks or abduction of children, spouse, other family members and even themselves causes a lot of stress and grief for women.

Mama Fatu recounts her ordeal:

"*.... I had been married* to *my husband for years... We built a house before the rebel war. On this fateful day, a man called my husband and accused him of been a rebel so he should be killed. My husband wanted to defend himself but the man interrupted and said my husband was a lawyer* if *he was allowed to talk he'll be set freed so my husband was denied explanation. They carried him away and killed him. After killing him, they brought his head and said I should buy it. I had Le1000 that I gave them and they refused saying* it *was small. They took a cutlass and chopped me tearing the clothes 1 was wearing.... "*

, ... :

Those women who lived in rebel occujpied territories had to endure additional stress of coping with the violence they experienced on one hand and withnessed on the other hand.

One of the social challenges therefore associated with war is family disintegration. In displacement, virtually all women require to seek alternative sourcess of income in strange lands. Women hardest hit are those who become heads of households through death, separation or are single. Women affected by the war as single parents are socially and economically overburdened with family care.

Fatmata has to live with unpleasant memories of how she lost her son. She had this to say:

We hid and left the town and reached a village called Fabu where we rested We took the route to Senehun a town on Bo highway to get transport for Bo town. Upon reaching the town, we saw a crowd of people standing on line; everyone was again asked to dance. Son-in-law was to dance with their mother-in-law, sons with their mothers etc. My son and I started dancing. The instruction was we should hold each other's private parts and asked it how it was doing. There was a song for this exercise. My son, being shocked and filled with shame and fear couldn't follow the instructions properly. I danced it properly so that the rebels won't take notice of my son's stubbornness and kill him. However, after the dancing exercise my son was slaughtered right in front of me. They gave me his head, 'which I refused to hold. At this point, I fled with other people and the rebels started shooting behind us but as God could have it we managed to cross the river.

Many women in displacement either in camps or communities have relatively less access to reproductive health. Culturally most women do not enjoy reproductive. and sexual rights because they are either not aware of such rights or cannot exercise them if they do. Therefore, almost all of them have no power to refuse sex. Thus women's role as childbearers become more demanding and challenging in the midst of limited economic and medical resources required ensuring safe motherhood.

IV

THE PERPETRATORS

The key perpetrators of sexual violence, including sexual slavery, were the rebel forces of the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the West Side Boys, a splinter group of the AFRC and women. Human Rights Watch documented over three hundred cases of sexual violence by the rebels; countless more have never been documented. From the launch of their rebellion from Liberia in March 1991, which triggered the war, the RUF perpetrated widespread and systematic violence. The AFRC, which consisted of disaffected solders from Sierra Leone Army (SLA) who in May 1997 overthrew the elected government of President Ahmad Tejan Kabbah, were also responsible for subjecting thousands of women and girls to sexual violence, including sexual slavery.

The prevalence of peace sexual violence peaked during active military operations when the rebels were on patrol. Even in times of relative peace, however, sexual violence continued to be committed against the thousands of women and girls who were abducted and subjected to sexual slavery by the rebels. No region of Sierra Leone was secure.

Presenting a balance submission on women's experiences of the war requires an analysis of the roles of women as perpetrators of violence. Women as well as men enjoyed , leadership positions within the various ranks of the armed groups. Women served as ,officer commanding of armed units. Though in a relatively small proportion to men, men were conscripted as combatants. They also influenced decision as partners of male combatants. Thus, like their male counterparts, they exercised control and power over others in very negative and harmful ways that affected women's health in particular.

Women instructed and in some cases led attacks on communities and villages. There are instances of women maiming civilians.

As spies, some women actually influenced the torture or killing of civilians who they reported as enemies. They would infiltrate communities and camps to solicit information. During attacks or occupation of communities, they would identify people on the other side who in almost all cases are singled out for torture.

Women acted as part of a complex social system within which violence was institutionalised. In attempting to explain why women actively participated in violence especially against women does to yield a simple

response. Economic and social reasons have been highlighted as one justification for women's involvement in violence. Their engagement provided them with guarantee for security against violence to themselves and to their families and loved ones as well as for survival. Others have been sited as having participated in the conflict against their will. Like children affected by the war, some women's involvement in violence was a manifest of their propensity to fight back any form of inhuman situation they may have subjected themselves.

Participation in the violence may have also been one way in which some women demonstrated that they did not fit the stereotype of women. Social pressures and wanting to be like the others also account for women's active involvement in violence. Understanding that women were capable of perpetrating violence enables us to see that women are not monolithilic in their outlook as a group and are not bearers of certain essential qualities such as kindness and compassion (Golblatt and Meintjes 1996). Social, economic, cultural and political environments shape women's behaviour as they do men.

IMPLICATIONS FOR WOMEN'S HEALTH

War-related violence in Sierra Leone has resulted in unimaginable health consequences for women. They also have psychosocial and economic implications for individual women, family, community, and the nature. During the decade long conflict from 19919001, thousands of women and girls were subjected to widespread and sexual violence, including individual and gang rape, and rape with objects such as weapons, firewood, umbrellas, and pistols. According to Human Rights Watch, the victims or rape were of all ages, ethnic groups and socio-economic classes. The sexual violence was perpetrated by both the rebels and the government but mostly by the rebel forces. The rebels sought to dominate women and their communities by deliberately undermining cultural values and community relationships.

(a) **Sexual and Reproductive Health Needs**

Reproductive health is a state of complete physical, mental and social well-being and not only the absence of disease or infirmity in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and often to do so. Implicit in this last condition are the right o effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulation of fertility which are not against the law, and the right of access to appropriate health-care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant. In line with the above definition of reproductive health, reproductive health care is defined as the constellation of methods, techniques and services that contribute to reproductive health and well-being by preventing and solving reproductive health problems. It also includes sexual health, the purpose of which is the enhancement of life and personal relations, and not merely counselling and care related to reproduction and sexually transmitted diseases.

Health problems such as obstructed labour, menorrhagia, incontinence and sterility are some of the severe complications that women victims of sexually abuse present. Cases of VVF are now becoming known and being recognised.

Women and girls have generally become more vulnerable to violence and sexual exploitation as a resulted of psychosocial and economic problems associated with the war. Women with disabilities face far greater risk of exploitation than men. The lack of social guidance at family and community level has also exposed many young girls to risky sexual behaviours. In Sierra Leone, like in most countries the neglect of women's reproductive rights severely limit the opportunities in public and private life, including opportunities for education and economic and political empowerment. Shared responsibility between women and men in matters related to sexual and reproductive behaviour is also essential to improving women's health.

In Sierra Leone, HIV/AIDS and other sexually transmitted infections become fertile ground thereby resulting to a devastating effect on women's health, particularly the health of adolescent girls and young women. Many women abducted and sexually assaulted suffered from STIs. Many women and girls have still not been treated since their exposure to sexually violence. This is mainly because they have little access to information and services for prevention and treatment. This category of women needs to be captured as they do have reproductive health needs that have not been addressed. There is inadequate information on the incidence of sexually transmitted diseases during the war. Data from clinical records show a rising trend in the number of cases identified. For example positive cases for STDs, as a percentage of women screened, rose from 60.8 percent to 69.6 percent in 1997 (PPASL 1998).

Compelling evidence has shown that conflicts have become a critical factor in the spread of STIs and HIV. Renewed fighting in Angola saw the HIV prevalence rate rose from 1.2% in 1995 to 8.6% in 2001. This is also evidence in Rwanda that had 10% in the urban areas and 1% in the countryside before the war in the mid 1990s. By 1997, the urban and rural rate had soared just over 11%. HIV infection raised 6 fold amongst formerly rural people who fled to refuge camps. Therefore, post conflict Sierra Leone is an added problem that increases the vulnerability and exposure to infection. This could have been a contributing factor to the growth of prevalence in Sierra Leone from 2.99% end of 1999 to 7% in 2001.

Escape for these women and girls were regularly exceedingly difficult. Intimidated by their captors and by the circumstances, these women and girls often felt powerless to escape and were advised by other female captives to tolerate the abuses as it was a war situation. Even though many women did manage to escape, some escaped, from one rebel faction or unit only to be captured by another. An unknown number of women and girls still remain with their rebel 'husbands', even though the war was declared over on January 18 2002.

In addition, women were the indirect targets of violence directed at their loved ones and their children. Women and girls were raped and sexually attacked in front of their families, mothers, fathers, husbands, children: as a means of heighten the crime against them, torturing their loved ones and terrorizing the community. As a result their human rights as women which include the right to have control over and decide freely and responsibly on mattes relating to their sexuality and including sexual and reproductive health, free from coercion, discrimination and violence was thereby breached.

(b) Effect on Social and Psychological Well Being

Unplanned and unwanted pregnancies and children are a direct effect of rape and sexual slavery and exploitation. Considering the rampant and indiscriminate rape of young girls

and women, individual women have to deal with situation. Overcoming stigma associated with rape on one hand and children resulting from such acts on the other hand pose severe psychosocial problems for girl mothers, children of former combatants and their families. Some of the girls who were abducted and later returned pregnant or with ~. children have faced social isolation and family rejection.

While some women who separated with their spouses and lived in rebel held areas were never able to live with them again because they had been 'other men's wives', some have pretended that nothing happened and are living with it. Whichever the circumstance, women are forced to cope the social outcomes of these situations.

Women amputees have special social health challenges: Maintaining personal hygiene, child bearing and child care, domestic and general family care for example pose tremendous challenges on women. Living with such disabilities, depending on which degree makes them heavily dependent on a especially women members of their family

o for social care, and on their spouse or other members of their family of economic support in cases where they cannot ,earn direct independent and regular income. Amputations also' generally impose social and economic burden on family, community and the nation.

The incidence of domestic violence, sexual harassment of young girls, displaced and refugee women has also increased.

(c) Mental Health

The results of a recent study or, Mental health and Substance Abuse in Post Conflict Sierra Leone show that more than 90% of the sample have a significant traumatic exposure, 50-75% of the sample have a moderate symptoms, while 15-25% score more severe symptoms (Jensen 2002). About 5-10% of the these might need mental health interventions or at least a qualified evaluation to explore the needs. It concludes that there is enormous need for medical treatment and psychosocial follow-up. The study also reveals that the prevalence of mental health problems and war related experiences,,does not significantly relate to gender. This implies therefore that women as much as men require mental and psychosocial services.

IV

INTERNATIONAL HUMAN RIGHTS LAW

Many elements of international human rights law relate to sexual violence and to crimes that target women and girls in a discriminatory manner.

Article 9(1) of the International Covenant on **Civil and Political** Rights (ICCPR), for instance, provides that: "Everyone has the right to liberty and security of person." The ICCPR (article 3), like many other human rights instruments, is explicit in affirming that "the equal right of men and women to the enjoyment "of all rights its covers. The ICCPR as well as the Convention against Torture and Other Cruel Inhuman and Degrading Treatment or Punishment (CAT) prohibit torture under all circumstances. Article l of the convention defines torture as "any act by which severe pain or suffering, whether physical or mental, is internationally inflicted on a person .... when such pain or suffering is inflicted or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity."

The Convention of the Elimination of All Forms of Discrimination against Women (CEDAW) is the only major UN human rights treaty devoted to the equality of women. It was adopted by the United Nations in 1981, and is monitored by the Committee on the. Elimination of Discrimination Against Women, usually known as CEDAW Committee. CEDAW defines violence against women as a form of gender-based discrimination. In 1992, the Committee affirmed that both public and private forms of violence ("all forms of discrimination") against women are human rights violations in the CEDAW Committee's Reconnection 19, which establishes the links between violence and discrimination.

CONCLUSION

In most countries, the neglect of women's reproductive rights severely limits their opportunities in public and private life, including opportunities for education and economic and political empowerment.

Shared responsibility between women and men in matters related to sexual and reproductive behaviour is also essential to improving women's health. Sexual and gender-based violence, including physical and psychological abuse, trafficking in women and girls, and other forms of abuse, trafficking in women and girls and other forms of abuse and sexual exploitation especially in conflict situations place girls and women at high risk of physical and mental trauma, diseases and unwanted pregnancy. Such situations often deter women from using health and other services.

In addressing inequalities in health status and unequal access to inadequate health-care services between women and men in Sierra Leone, the government and other actors should promote an active and visible polity of mainstreaming a gender perspective in all policies and programmes., so that, before decisions are taken, an analysis is made of the effects for women and men respectively.

2. Recommendations for Action To Both the TRC and the Government of Sierra Leone ~ 4b

From the foregoing, it is clear. that medical, structural, social, economic,, legal and political support is required for rehabilitation of women survivors of the war and for women generally so that that post reconstruction efforts guarantee a just and peaceful social environment for women.

Finally, this submission makes the following recommendations to the TRC and the Government of Sierra Leone. Though the primary responsibility for its implementation rests with the government at the national level, the international community through development cooperation and other activities, various entities of the UN system, NGOs and organizations of civil society, including the private sector, are also targeted and assigned responsibility for action.

Recommendations to TRC

PuMic Education

- Ensure that T RC findings are accessible and disseminated, in various formats to the Sierra Leonean population in all areas of the country.
- A public education campaign on the report's findings should be designed in collaboration with civil society including the Council of Churches. Through this public education campaign, the TRC should promote public awareness of women's health rights and gender issues.

- Suggested outreach methods are- using media, mobile community outreach teams, information resource centers, plays, video5o, cartoons, among others.
- Increase awareness to access prompt medical services for women who require t

  emergency health care with VVF and STI;

- Encourage women to speak out about their experiences in the war especially sexually related violence.
- Provision of life skills to all single mothers, girl mothers and women amputees;

RECOMMENDATIONS TO THE GOVERNMENT OF SIERRA LEONE Consequently the TRC report should make recommendations to the Government to address and strengthen the promotion and protection of women's reproductive health rights. In accordance with the Beijing declaration, the government should work towards implementing the Platform and ensuring that a gender perspective is reflected in all policies and programmes on health.'"

- Urge sexual and reproductive service providers to extend their services to those who especially had not sought medical attention since their exposure to sexual violence and who may be living in remote or poorly accessible areas;
- Intensify sexual and reproductive health education for women and men for the achievement of gender equality, through gender mainstreaming.'"

The government of Sierra Leone should establish an inter-ministerial taskforce with representatives from Non Governmental Organisations/INGOs to integrate conflict-related sexual violence and related current problems including psychosocial care service affecting women and girls in all community projects that benefit women most affected by the war with an aim of improving legal, medical and social responses to women

- Urges government and other stakeholders to implement the recommendations of the study on mental health in Sierra Leone on developing a comprehensive mental health programme with a community oriented approach, involving all stakeholders;

Support and encourage community healing activities for survivors of violence;

Design and implernent, in cooperation with women and community-based organisations, gender sensitive health programmes, including decentralized health services, that address the needs of women throughout their lives and take into account their multiple roles and responsibilities.

- Skill acquisition and employment creation opportunities for women survivors to be able to among others access medical care for themselves and their families;

Initiate and strengthen existing household food security projects in war affected communities;

Strengthen nutrition education at community level;

.

Initiate and strengthen activities geared towards overcoming stigma and discrimination associated with sexual violence;

Develop strategic alliance and networking with NGOs on meeting the comprehensive need of abused women and girls;

THE IMPACT OF THE WAR ON THE ECONOMIC STATUS OF WOMEN IN SIERRA LEONE

STATUS OF WOMEN DURING THE WAR

During the war, 75 percent of the population was displaced. Some people became refugees in neighbouring countries while others were internally displaced in search of safe heaven. The war brought about a chain of crucial social and economic problems that warrant critical analyses and a long-term integrated approach for sustainable development.

During the war people were forcibly evicted from their houses, many houses and public buildings were burned down, looted, vandalised, furniture removed, savings forcibly taken from people and all livestock consumed. The livelihood system of the people was severely disrupted, there was loss of source of income, economic activities ceased, thereby increasing the level of poverty. Women and children were hardest hit. They were totally dispossessed of their worldly possessions and meagres savings. Spouses and other male breadwinners were either killed, made redundant or separated from their families

Madam Koloneh Jusu, leader of an association of Women Farmers at Peacock Farm, who were supported with farming tools, vegetable seeds and seed rice, had this to say:

" *Our house was burnt down during the war. We stayed in a displaced camp for six (6) months. When we came back, we put up a . temporary structure where me started rebuilding our lives again. It was the same story for most of the women in this association. We had no means of livelihood. Our husbands were either killed in the war or made redundant, because the industrial estate that employed them has closed down due to the wanton rebel destruction.*

Women carried the burden of caring for their households. There was therefore a significant increase in female-headed households and a subsequent increase in antisocial behaviours.

Madam Musu Ndanema, a community member has this to say:

The ten year rebel war completely crippled us, all our possessions were burnt dow, while our meagre savings were carted away by the Revolutionary United Front rebels. We were not able to send our children to school, because we had no means of livelihood. Conflicts emanating from gossip and idleness became rampant among the women in the communities. Homes were broken and families torn apart due to hardship.

The women were faced with the problem of food insecurity because the vast majority of them are illiterate, unskilled and unemployed. They heavily depend on agriculture for their livelihood. But the land tenure system in the country is very rigid, which makes it very difficult if not impossible for women to have access to land for cultivation, especially during the war. Women therefore sought new means of livelihood some of which were positive (new skills acquired quarrying, brick making, etc) and others negative (prostitution, child labour). As part of their coping mechanism, women became informants to the warring factions in order to survive. Their new environments or status brought about dramatic changes in their lives. Some of them were introduced to decision-making and control of resources, which are traditional roles of male members of the family.

Another option used was to reduce dependence on rice, which was supplemented with bread, "gari" (farine), tuber crops, breadfruits, bulgur wheat and maize mill. However, these substitutes were usually not backed up with adequate protein because of the high cost involved. Similar cuts and substitutes were made in terms of use of fuel energy and clothing by the lighting of single lamps in houses for short periods and the purchase of used clothing respectively.

For most of the families, both mothers and older children, mostly the girls, engaged in odd jobs and petty trading in order to maximise the family income. While this may be positive, it deprived the children of going to school and left the younger children un-attended.

Among women, the most common coping strategies include participation in savings schemes (OSUSU) to raise money for critical household expenditures, involvement in petty trading, quarrying and vegetable gardening.

Outright and discrete prostitution were also coping strategies for women of poor family descent though others made claims on wealthy relatives and friends both at home and abroad. But the opportunities for these claims were also severely eroded by the looting of the upper and middle classes during the war.

The illiteracy and school drop out rates increased, because the costs of education became high and the facilities limited, which deny many children, especially the girl chi?d, access to basic education, because their parents or guardians could not afford the charges. The enrollment rate therefore very low.

POST-WAR PROBLEMS FACING WOMEN

Women make a vital economic and social contribution to Sierra Leone, despite the fact their generally low economic and social status that has relegated them to positions of dependency and hardship. Women in both the rural and urban areas work for long hours but receive little or no income. The disparity in education between men and women tends to further contribute to this situation. The literacy rate of women is only 12 percent while that of males is 31 percent. Although access to education is open to bath sexes, it is estimated that the primary school enrollment is 43 percent for girls as compared to 57 percent for boys. Primary school enrollment for girls was 38 percent compared to 62 percent for boys. Girls have a higher drop out rate from school. In 2000, those taking the SSS-leaving examination (the WASSCE) totaled only 1,899 students, of whom 42 percent were females (793). At SSS level in 2001, only about 23,000 students attended, of whom less than 10.000 were female. Secondary schools are also heavily concentrated in urban areas. A key impediment for many girls is the lack of funds for school feels and other educational costs due to widespread poverty. It is estimated **that** some 90 percent of rural women are illiterate. Although 90 percent of rural women are engaged in agricultural activity, most women do not have title to the land they **work** on..

Since the end of the war, women continue to face pressing problems. Men continue to be dominant players in decision-making, even though women shoulder most reproductive. productive and community management responsibilities, many of which are not re-numerated. Women who have lost everything have to start again. Some women have been displaced and are now unable to return to their home areas. Others have been widowed and have become single heads of households. Because women are economically and educationally more disadvantaged, many have had to turn to prostitution as a means of income. This is especially common among single parent, female headed households.

The violence and displacement created by the war has broken down family and community structures and placed heightened pressures on the limited social services. The extended' family network that served as a safety valve for large numbers of **people** has been stretched beyond its limit. . .

The proportion of women living below the poverty line remains higher than men. Numerous studies indicate that reducing gender inequities and increasing women's access to productive resources are strongly correlated with improvements in family health and well-being and increased economic productivity. Statistics show that rising female educational levels are directly linked to falling fertility and mortality rates. It has also been demonstrated that female and male farmers can be equally efficient and productive if the) benefit from the same levels of input and human capital. Household food production relates directly to household nutrition and -female farmers tend to, be more involved in food production than their male counterparts. Gender inequality can lead to economic inefficiency as it exacts costs in terms of lower output and lower development of human resource cost.

Recommendations

- Increase funds available for micro-financing lending to women.
- Ensure women are included in all aspects of development programmes.

- Strengthen support for the informal sector as women are the majority in this area with significant implications for the economy as a whole.

Impact of the War on displacement and migration

INTRODUCTION AND BACKGROUND

Situation before the war was not that rosy. There was rural urban migration in search of jobs and opportunities but this was voluntary. There was increase in rural - urban migration triggered by the war because urban areas were relatively safe until the attack on urban cities. This movement into cities and towns led to a proliferation of slum settlements with limited social services and infrastructure substandard housing and increase in poverty, crime, unemployment and underemployment.

The armed conflict in Sierra Leone started -in March 1991. It started as an incursion by RUF from the South East point of Sierra Leone. This developed into a full-blown armed conflict with major players the RUF, AFCR, CDF and Government troops. The Armed conflict led to a systematic displacement of thousands of people. Men were called to fight while women and children were forced to flee their homes. There was massive displacement. This massive displacement was of two groups. The internally displaced population who were displaced within the country not in places of origin. They were uprooted from homes. They moved from Village to village, Town to Town and from one region to another. There was high rate Rural to Urban Migration. "

These were still under the protection of the national Government. These "are persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual , residence, in particular. as a . result of armed conflict, violations - of human rights, human made: disasters and who have not, crossed "an internationally recognized state border:" (Guiding principles on internal Displacement)

The other set of displaced persons are those who crossed national boundaries and in other countries therefore no longer had protection of Sierra Leone government so they needed international protection.

They are referred to as refugees. UN**HCR** ensures their protection. According to the 1995 conventions a refugee is some who: ,

- Is outside the country of origin i.e. has crossed as international boundary

Has a well founded fear of persecutions for reasons of Nationally

Religion
Political
Race

Member of a particular social group

Lacking National protection

In Sierra Leone situation 60% of Refugees were in Guinea, 30% in Liberia and 10% in other countries and 53% of Refugees were women. At the height of war there were about 1.2 million internally displaced populations 400,000 were in camps and the rest stayed with friends and relatives. In the two scenarios stated above women and girls in addition to being victims of an armed conflict were increasingly used as weapons of war. The absence of men and older boys in many situations of forced displacement exposed women and young girls to a life of constant fear, violation, ill - treatment and abuse. Women and children suffered consequences of physical and psychological violence and were left traumatized by amputations, beatings and rape.

As with all aspects of war, displacement has specific gender, dimensions. Women are more lilely than men to end up as displaced persons and to become the sole caretakers for children. Women and girls had to learn to cope as heads of household, often in environment where even in peacetime, a woman has few rights. And having fled, they found themselves vulnerable to attacks and rape while they were escaping and even where they found refuge. Some became trapped between , opposing factions in areas where there was no humanitarian access.

In a hostile environment without access to basic services, women were expected to provide the necessities for themselves and their families. In the urban towns and camp situation this forced women to provide sexual services in return for assistance or protection. Many women and girls due to the armed conflicts had no choice but to become sex worker in order to support their families. Women with their children became street beggars, hawkers of firewood etc.

CONCERNS

1 } Violence against women

Population displacement, particularly during flight to safety often result in the separation of **families** and women and **girls** during flight using unprotected, routes are exposed to sexual **abuse** by border guards, armed personnel and other male aggressors.

Case I Jina's story "We had to flee our village due to heavy attack by rebels. There was great carnage I was fortunate to have with me my three daughters the eldest been 15 years. We headed for Liberia. Border guards stopped us. We were asked to produce document. I did not understand what traveling document is in time of war, having abruptly left our house. i had to pay for the document by giving to them my daughter as wife so they said; I had to plead with them that my daughter is under aged. For that statement they beat me

and tied me until I could accept before they I could release her. I was not ready to leave my daughter with them. They were merciless they continued to beat me my children were crying. The continuous crying of my children brought an older border guard who told them to free me. We continued in constant fear. Life was stressful for me as a single parent. While in camp in Liberia at night armed men entered over booth and took all we had because there was no man.

Case II. Fatmata's story - "During the rebel attack on our Town we had to flee. During the fight i was separated from my husband. I had to continue with my son. We fled to another village. There was also an attack on the village. I was captured together with my son. The victims were all asked to sing for Foday Sankoh.

We danced and sang. I was called to sing and dance with my son. We were asked to dance in nude. My son was instructed to dance facing me and touch my private part I did likewise. At the end of the dance, they killed my son. It was terrible for me. I was asked to take his head. I eventually arrived in Bo without husband and son but God will protect me".

Case III Hawa: "I became displaced when I was a suckling mother. We moved from village to village in Kono. During one of our flights rebels captured us. The commando captured me. He said I should be his wife and also said that I should "wean" the child by having sex with him. I told him that my child was yet two (2) months old. During the cause of our stay he forced me I had no option I yielded. I was now moving with him he provided for me. My child died whilst I was pregnant. During another attack I had to escape. I gave birth to the child but since them I have not seen the commando".

From the testimonies collected from the two women, and girl there is indication that there are thousands of women and girl who might have gone through similar, physical, psychological and sexual violence during the wartime especially during flight.

Women and girls suffered all forms of violence both in camps, and urban displacement with relatives and friends. Women talked with especially.single parents often say they don't feel safe in camps. In camps there/are not enough protection officers or female staff. The place is dark. Domestic violence increase, and women and girls face sexual violence and discrimination in the distributing of social services-from food to plastic, sheeting 60% of National IDP camp population distribution was in western area (source NACSA and the highest **population of Displaced** people not in camps were also in the Western Area Freetown in particular.

In Guinea, there was massive incidence of rape when the rebels from Liberia attacked the camp communities. This necessitated the relocation of Refugees from South East to North Central Guinea. A 1988 report of the UNHCR. observes that Refugee women frequently suffer family violence due to part: -up frustration and fragmentation of community life despite the fact that policies to prevent violence against women are in place they are not being implemented. Some humanitarian workers in camps are. Contributing to violence against **women. In -Apri1** 2002 UNHCR and Save the Children UK issued a report of sexual violence and exploitation committed by peacekeepers and humanitarian workers in camps in Guinea, Liberia and Sierra Leone.

95% of camp management structure was comprised of men. Humanitarian organizations are dominated by men. Foods supplied in camps are not staple food (rice). To supplement or subsidize food and toiletries expose women and girls to exploitation and abuse. The young girls are told of missing cards for food rations for refusing to have sex.

2) Poverty And Lack Of Economic Empowerment

Poverty in general in Sierra Leone is caused by Bad Governance and economic mismanagement, poor growth performance increased vulnerability from the civil war, unemployment and underemployment, lack - of Access to Basic Social Services and other factors.

Women and girls face economic hardship in refugee and displacement situation many lack income - generating skills, land, family labour force and startup capital for business. Single female-headed household find themselves responsible for a large number of children. Women's inadequate access to financial resources that would provide for seeds tools and technical assistance make way for poverty.

To combat poverty, and become self-sufficient, economic empowerment of women and girls through income generating activities and training diverse fields are essential. Without access to economic means, the poverty experience may create grounds for renewed tension and conflict. The land tenure system and inheritance Laws is crucial to returning Displaced people especially women who might have lost husbands.

3) Education And Training

"Education is a human right and as essential tool for achieving the goals of equality, development and peace .....Literacy of women is an important key to improving health, nutrition, and education in the family and to empowerment women to participate in decision making in society ....." (The Beijing platform for Action)

Promotion of education is a key to empowerment. The displaced women and girls may be returning with or without skills learnt during displacement. Those skilled and returning are mostly not provided with start-up-kits to facilitate the establishment of their own business enterprises.

Most of the Human right abuses on the Displaced were due to the high level of illiteracy. These were marginalized and exploited. For sustainable development during return, focus must be made on this group. .

5) Repatriation And Resettlement

The ten-year of war caused the internal displacement of more than 1.2 million people within Sierra Leone. UNHCR has estimated that, in successive waves of flight at and return, more than 500,000 people have at some point had to flee Sierra Leone into neighbouring countries. UNHCR exceptionally facilitated the voluntary repatriation of refugees from Guinea due to the dire circumstances in Guinea. The voluntary

repatriated refugees could not get into place of origin due to insecurity at that time. These had to resettle in temporary camps until the government of Sierra Leone facilitated-resettlement into areas deemed sufficiently safe for the return of displaced people in safety and dignity. There was spontaneous repatriation of Refugees as condition became unbearable for them in place of Refugee. Voluntary/spontaneous repatriation continued from 2000.

Sierra Leone Refugees Repatriation In Figures

Year

2000 -	11,917
2001 -	124,787
2002 -	98,891
2003 -	4,430

Mode of Transportation

Road	-	30.651
Sea	-	50,184
Air	-	440
Spontaneous/Foot		158,744

Source NaCSA R&R database - February 20, 2003

From the number a larger number arrived on foot because they were desperate. It could be noted that most of the returnees on foot were women and children - one could imagine the hazardous journey it took them, only to come and face further shock of devastated villages and towns with even unrecognized family house site.

Displaced persons regularly loose much of their property when displaced. The destruction of the bombing, burning of buildings confiscation or forcible occupation of private;homes by military or other forces is among the experiences faced by displaced persons. Because of their vulnerability, displaced returning also need protection for the property left to them or acquired during displacement. When displaced persons return to their home they may find their property occupied by other people. The return of property is of crucial importance for a dignified return,

Access to land especially for the rural population for agricultural purposed is crucial for the sustainability both in short term, medium and long term otherwise returning displaced become dependent in assistance.

In the Sierra Leone scenario it will be difficult. Returnees are given 2 months food ration. This is only for registered IDPs and displaced returnees right to property for Sierra Leone women are the most challenging aspect of return. Right to property often must be protected by domestic law (Customary Law), which in most cases are not in favour of women.

Within the returning groups are a number of vulnerable groups deserving special attention during the resettlement process. These include

- Female - headed households

- Pregnant and lactating women

- Separated/abducted women

- Mentally and physically handicapped including amputee and - war - wounded

- Orphans

- The infirm

- Elderly

This group will face consideration challenges in returning to their resettlement areas and in rebuilding their lives particularly those who do not have extended families or able - bodied children to support them. Special attention needs to be give to them for reestablishing their basic requirements, such as shelter, rebuilding their livelihood and protecting them from sexual violence. Maximum attention should be given to, them to enhance their ability to cope during the transitional period.

Separated/Abducted Women.

Displacement during armed conflict often affects whole communities. Dispersing not only community members but also entire family and community members as left with no knowledge of the where about of their relatives and other members of their community village " women are major component of this group women have been the victims of abduction and sexual abuse throughout the course of the war.

Separated from their families and community these women, the majority' of whom have young children are in need of special attention which not only assist them in funding their families but also address their social . reintegration sensitization counseling and community based initiatives should target these women in their resettlement.

The Disabled

There are more than one thousand amputees and war wounded who required resettlement rehabilitation reintegration assistance. These have been disabled during the armed during the armed

conflict period either during flight or callously disabled in their homes. Assistance to the war wounded and amputees consists primarily of the essential task of physical reconstruction such as through the use of prostheses and physiotherapy as well as psychological rehabilitation. These should be supported to reengage in meaningful economic activities. The pilot programme of low-cost housing schemes for amputees and war wounded should extend to all part of the country.

NaCSA has planned Community - base Resettle assistance which includes based service provisions i.e. water, sanitation and education.

- Livelihood start - up assistance

- Agricultural start - up support

- Non farm up - livelihood support in urban areas

- Genera, start - up livelihood support activities include. Agriculture Roads rehabilitation and sanitation and community infrastructure rehabilitation-.

- Community - based reconstruction and rehabilitation.

Activities may include Agriculture fisheries and livestock rehabilitation, shelter, promotion and vocational scheme- capacity support programme will include activities by partners like UNHCR, DFID, EC UNAMSIL, NGO's International Organizations UN Agencies and line ministries.

It is hoped that these will enhance building communities and focus on women paramount.

RECOMMENDATIONS

We call upon the perpetrators of gender - based violation especially on displaced women and girls to admit publicly their role in and responsibility for these violations to also pledge publicly that neither they nor their movement/ organization will commit such violations in the future and to commit publicity to contributing to a programme of reparation to victims of their past violations.

2) The commission obviously requires knowledge of those who have suffered gross human rights violations before it is able to assist them. Nevertheless the commission needs to be mindful of the fact that many victims **will** find it extremely difficult to approach the TRC for help. The reparation and rehabilitation process should not simply be available for those who want it. Despite the possibly limited resources available for reparation, which we do advocate for, and despite the already huge workload facing the commission, the TRC should not shy away from actively encouraging, people to come forward to claim reparation.

The rural consideration should be given. The Truth and Reconciliation process needs to be one aimed at healing the whole society. This places positive obligation on the commission to begin this process as comprehensively as possible by seeking out those who are in need of help for example: The amputees, war widows disabled women and girls, war wounded grossly sexually abused girls

and women. In formulating a reparation and rehabilitation policy the commission needs to consider whether women have specific needs and interests.

3) Displaced and Refugee women are the witnesses of war's devastation and can provide personal testimony for the need to negotiate for peace, therefore these could be in cooperated in peace mission in the sub- region and at international level. Women's continuing role in sustaining peace must be acknowledged and maintained.

4) That the Government/NGO's and international Agencies develop operational and policy level initiatives to implement and institutionalize gender-and-age sensitive approaches in its protection and assistance activities, more specially on issues affecting Legal Security of Women.

5) It is essential that women and children actively participate in Reintegration and rehabilitation programme to achieve sustainable peace and Development. To also encourage the formation of women community based NGO's to be actively involved in the reintegration and Rehabilitation programme

G) Protection must be provide for women especially single parents who are returning to reclaim property especially land through inheritance and otherwise.

7) TRC must place special attention on sensitization to address stigmatization especially in areas of Resettlement.

8) Psychosocial support and reproductive health services for women affected by conflict should be an integral part of assistance to enhance reconciliation and sustainable peace. Special attention should be provided to those who have experienced physical trauma, torture and sexual violence. There should be an increased number of psychosocial counseling, and referral centers

i

9) It could be rioted that since the war started in 1991 there has been thousands of displaced people - men, women and children. The Displacement led them to become Refugees in another country. This will pose, social and cultural problems for children reared in two settings. We need to take note of these chances and put in place mechanism that could address their plight.

GENDER DISPARITIES AND THE LAW

Women in Sierra Leone face discrimination in many different spheres of life. These discriminatory provisions can be found in a number of provisions of the laws of Sierra Leone.

Chapter three of the 1991 Constitution provides for the Recognition and Protection of Fundamental human rights and freedoms of the individual. Specifically Section 1 5 proclaims *"irregardless of sex a person has a*

right to life, liberty and security of person, the enjoyment of property and the protection of law as well as protection from deprivation of property without compensation. "

RECOMMENDATIONS AND SUGGESTIONS

The Limited amount of Law reform that has taken place in the recent past has meant that a Progressive attempt at Law reform has not been attempted. All the various provisions of our laws that discriminate against women need to be reformed. By proposing law reform it is hoped that the law can become a driving force for beneficial change for the women of Sierra Leone. However, it is important to keep in mind that the law operates within society. We must therefore examine the socio-economic, political and cultural aspects to women's subordination that can determine the effects that the law has on the lives of women.

International instruments such as the Convention on the Elimination of all Forms of Discrimination against women (to which Sierra Leone is a Party) call on governments to intervene in and radically alter society as it is recognized that only this can change 'the patterns of domination and human rights abuses that women face all over the world.

We have identified a number of key areas relating to women in Sierra Leone in which there must be important changes in order far the law reforms to have the desired effects.

1. Legal Rights Awareness/education

If the rule of law is to 'be upheld the population needs to be aware of their rights and the legal system that exists to protect them. A program of basic legal education is especially important for women, as they have often been denied education and experience asserting their rights in the public sphere. It has traditionally been assumed that the husband or some other male family member would assert her rights for her. However it is often these men that deny the women their rights.

We have already discussed the importance of changing societal attitudes going alongside law reform. Just passing on information about laws and judicial procedures is not enough. There must be a critical awareness of the laws. It is only if women can identify with the social values and reasoning behind the law that change in attitude and practices is possible.

Knowledge of legal rights car, be useful even if there are no functioning police stations or civil courts in your area. Community level dispute resolution mechanisms and traditional legal structures can be strengthened to uphold the rule of law by people who are aware of their legal rights. It is important that the community is involved in the education process. If community members are to internalize their legal rights and obligations, then they must feel like they are part of the learning process.

Legal rights education can also facilitate popular participation in the reform of laws. As women get to know laws and the inadequacies of laws they can agitate and mobilize for changes that they see as necessary.

2.Domestic Violence

Domestic violence is an example of one such area where the law is not the primary impediment for women achieving justice. Assault, including, domestic violence, is a criminal act under the 'Offences Against the Persons' Act 1861. However the legal system in Sierra Leone has generally given little protection to female victims.

Domestic violence continues because it is widely accepted in Sierra Leonean Society. According to a study done by Physcians for Human Rights more than 60% of women

Internally Displaced Person's (IDP's) surveyed believed that their husbands have the right to beat them. In some areas of Sierra Leone domestic violence is even seen as an overt show of a man's love for his wife.

Traditionally there has been reluctance for the police to intervene in domestic matters. Domestic violence has been ~ perceived as a family problem that the state. has no responsibility to act in. Gradually c:hanging societal attitudes and women's right activists have forced the issue into the public eye. In Sierra Leone the pursuit of these cases by law often depends on the initiative of the victim, not the state. There is often a lot of pressure put on the victim by other family,-members to give up the prosecution. If she does so the case will be dropped.

It should be the responsibility of the state to punish those who commit violence. Given the complex family relationships that surround domestic violence it is even more important that the government take a leading role in this regard. Adopting a policy that guaranteed state prosecution for every domestic violence matter is recommended. This would show that the government is sincere in its commitments to eradicate domestic violence. It would also raise awareness that domestic violence is a serious issue that will not be taken lightly.

The police have shown some acknowledgement of the need for them to become more responsive to women with regard to domestic violence. We welcome the setting up of the Family Support Unit to investigate gender-specific crimes and to provide psychological and legal counseling as well as an emergency service for battered or abused women and children. Under this unit there will also be a domestic violence officer who will provide support and guidance to victims of domestic violence throughout the investigation process and court hearings39. We recommend that this unit be expanded so even more women are given the support necessary to feel that they are able to prosecute if they have been abused.

Domestic violence is a world-wide problem that is linked with the unequal power relationship between women and men. Although it will only cease as a systemic problem when women have attained true equality with men there are some short-term practical steps that government and other organizations can take to decrease its prevalence.

- Education for police officers on gender issues

- Change in child/women's maintenance laws- women must not feel that they are trapped in abusive relationships because the man will stop providing for the wife and children. Functioning child/women's maintenance laws will protect,her in this regard.

• Should sign, ratify and apply the Declaration on the Elimination of Violence against Women. The declaration sets out steps which states and the international community should take to ensure the elimination of all forms of violence against

women, whether occurring in public or private life.

• That it is not up to the victim to prosecute.

3.Economic self-sufficiency/Employment

Although the law is supposed to treat everyone equally regardless of their class or

economic situation, those who are most vulnerable to Human Rights abuses are often those who lack the social and' economic capacity to defend themselves. Women in Sierra Leone often have limited economic power and independence working in either low wage jobs or unpaid childcare or household tasks. Domestic violence provides an example of how this can affect the rule of law. Often women cannot afford to leave husbands who are abusive because they are unable to support themselves and their children and the child maintenance, alimony and divorce laws in Sierra Leone (mentioned above) do not serve them sufficiently.

It has been established that some measure of economic independence for women can have dramatic effects on the status and power relations within the family and therefore within society in genera1.40 The sexual division of labour and social perceptions about the importance of domestic work are of pervasive importance in gender inequality, particularly in sustaining female deprivation in many poorer countries. '

If women are to increasingly become economically self-sufficient there must he a corresponding shift in the male attitude to contribute more in the way of household and childcare tasks. Otherwise the woman will find herself working what has been referred to as the 'double-shift', doing a full day at work outside the home and still being responsible for all the household responsibilities.

An examination of the Structural Adjustment Policies (SAP) imposed on many developing countries over the post couple of decades have been shown to adversely effect women and children. These often include privatization, economic deregulation, and liberalization of trade and the cutting back of civil service and government social spending. The burden -of the cutbacks often falls disproportionately on women and children. Leaving aside the debate on whether these policies are beneficial for developing countries, this shows that economic and social planning should always be examined from a gender perspective.

In Sierra Leone women are in a disadvantaged position with regard to economic *and* employment position because of discriminatory laws, lower education levels and discriminatory labour practices and social attitudes.'There is a continued categorization of certain jobs as unsuitable far women which results in

women being trapped in the low wage and unpaid sector. Also because of inheritance laws and discriminatory practices women find it harder to get credit and therefore run a business.

4. Functioning Legal System

Ten Years of civil conflict coupled with decades of corruption and economic Mismanagement have left the Sierra Leonean legal system in disarray throughout the country. If the legal and constitutional reforms recommended are to have arm effect, the rule of law must be upheld by a functioning judicial system. Women'.s rights can he impaired not only by discriminatory laws but also by the failure of the government to put in place the institutional machinery essential for the realization or practice of the right.

Most citizens of Sierra Leone have no legal recourse if they feel that their rights have been infringed upon. They cannot afford a private lawyer and the government does not provide legal aid. If the rule of law is to be upheld there must be a functioning legal aid system so that all members of society receive legal representation. This is especially important for women who often do not have the financial independence to be able to afford the services of legal representation.

Cases such as child support or alimony can drag on for such a long time that women are tempted to settle out of court and often end up accepting a settlement that is less than they deserve. ,

Many of the reforms that we have recommended in this report require interpretation by a judicial system that has not been sensitized to gender issues. Although judges and magistrates are skilled and knowledgeable people they are also products of a discriminatory society. Several of our recommendations for law reform call for greater judicial discretion. In order for this discretion to be exercised in a way that will have the intended benefits judicial education on gender issues is necessary.

There are also other officials that work in the legal system who must be trained in a gender sensitive manner.

Courthouses have often been described as `temples of justice'. As such it is vital that the courtroom is the model of social equality and rules and procedures that discriminate against women should be eliminated. Archaic rules that require women to wear scarves on their head and skirts are indicative of the attitude that women should show more humility in the courtroom than men. In order for the courts to be the temple that upholds and safeguards equality the court rule and procedures must be amended.

5.Women's participation in Public Life

If women's interest are to be properly represented in public life there must be more women working in decision-making and policy making positions within government, civil service and the judiciary. While democratic systems have improved women's opportunities for involvement in political life, economic, social and cultural barriers still limit participation. Although the right to vote is essential, it is not in itself sufficient to

guarantee the rear and effective participation of women in the political process. Furthermore it is important that the government takes advantage of the expertise and knowledge of women's groups in civil society that are representative of women's views and interests and consult them when drawing up policies and legislation. In Sierra Leone there has been little participation of women in government and policy. This is a basic necessity if government policies are going to represent the interests of over half of the population.

In its National Policy for the, Advancement of Women the: Government acknowledges women,'s rights to work in any level of government and participate in decision making at all levels. It also agrees to create mechanisms to ensure that these rights are respected. It is no use to have right if in effect the proportion of women that hold meaningful positions of power are still a tiny fraction of that of man. What is important is for the government to take concrete steps to increase the number of women in these positions.

Many women have also raised as a concern to us the fact that as they are excluded from paying tax they are also unable to vote for the paramount chief. In this respect they are being excluded from their views being represented in the public sphere.

6 . State and Non-State Actors

When examining legal and human rights it is important to talk of duties that go

along with the rights. It moves the debate towards implementation, what actually has to be done for the rights to be realized. Government should be the major protector of its citizen's rights, but in Sierra Leone, as in many other parts o(' the world, problems such as inadequate resources, corruption and a weak legal system make this protection insufficient. The international community bears some responsibility for encouraging, and where necessary pressuring, the government to improve their policies towards women and citizens in general. This role is especially important in Sierra Leone because of the large role that the international community is playing in the county's post-conflict reconstruction. Civil society and NGO's also have a vital role to play in monitoring the achievements of and failings of government.

7. The Government - (Ministry of Gender and Children's ,Affairs)

We welcome the setting up of the Ministry of Gender and Children's Affairs and the creation of the two national policy documents setting out the government's gender related policies. However this Ministry is held back by an extreme lack of funding and capacity. These policies will be meaningless if they are not implemented and have little actual effect on the lives of women in Sierra Leone. There are also no concrete plans for law reform of certain laws, as mentioned above, that are discriminatory against women.

8. International Community

Taking into account the problems that Sierra Leone has faced, the international community has a large role to play and holds a huge responsibility in post conflict reconstruction. With the government having limited resources and facing so many demands it is important that the international community plays a role in standing up for the rights of women who traditionally have not been a powerful constituency in advocating for their interest.

Unfortunately it has been noted though that a disproportionate level of resources are used -through international NGO's rather than local structures. It is important that the international community plays capacity-building role so Sierra Leone can stand on its own in the future. UNICEF has provided resources and expertise for the Government to implement the Convention on the Rights of the Child (CRC) and create what is effectively a Bill of Rights for Children in Sierra Leone. This shows that with the assistance of the international community reform can be achieved.

CONCLUSION

As a result of the, Sierra Leone armed conflict women were victims of unbelievable horrific **atrocities, and injustices.'** As refugees, internally displaced persons women and men **experience conflict differently.** Women rarely have the same resources, political rights control over the environment. Their care taking responsibilities and engagement limit their mobility and ability to protect themselves. Of the thousands who died during the war men and women died differently while more men are killed in war, women experience violence, forced pregnancy, abduction sexual abuse and slavery. being infected with HIV/AIDS; The harm, horrible experience and shame women experience during Displacement is pervasive, their redress almost non existent. The situation of women in armed conflict has been systematically neglected and displacement taken for granted and prostitutions as survival strategy employed.

The Lome Peace Agreement was signed 7th July 1999 and the end of war peace and safety declared January 2002. This submission highlights many facets to the pain and suffering that violence in Sierra Leone caused to women and girls. These abuses are still occurring although within an altered political context. By raising these issues within TRC process we cannot simply put them behind us and assure that abuse of women has been neatly death within our past and reconciliation has occurred. Examining the conditions, which allow women to be harmed and violated should focus all our attentions in the need to eradicate this ongoing abuse. TRC must lift the veil of silence hanging over the suffering of women especially displaced women and must incorporate the struggle to end this suffering in the struggle for human rights in our country and work towards a vision of a transformed society and never again to go through the war situation.

We believe that the TRC process is not just aimed at healing our generation's pain. It is also aimed at setting in place the framework for the building of a human rights culture to be treasured by future generation.

REFERENCES

AASL (2001) Documentation of Action Aid Sierra Leone's Experience in Gender Mainstreaming. Freetown.

GRADOC (2001) Research Report on Sexually Abused Women and Children in Lokomasama Chiefdom (Phase One), Gender Research and Documentation Centre (GRADOC) for Women's Forum, May 200'..

Goldblatt and Meitjes (1996) Gender and the Truth and Reconciliation Commission. A Submission to the Truth and Reconciliation commission in South Africa. May 1996

GOSL/UNICEF (1999) Situation Analysis of Women and Children in Sierra Leone April 1999.

Jensen (2002) Mental Health and Substance Abuse in Post Conflict Sierra Leone. WHO, October 2002.

MOGCA (1996) National Programme of Action. Ministry of Gender and Children's Affairs 1997 - 2001

MOSGCA (2001) National Policy on the Advancement of Women. Ministry of Social Welfare Gender and Children's Affairs. 2001.

a

NRC (2003) Amputee and War-wounded Housing Project, Norwegian Refugee Council, 2003:

PPASL (1998) Annual Report 1998. Planned Parenthood Association of Sierra Leone. Freetown

PPASL (1999) Report on Reproductive Health Services 1999.

PHR (1998) War-related Sexual Violence in Sierra Leone, Physicians for Human Rights, Boston. Washington D.C.

Rehn E and Hohnson Sirleaf E-(2002) Women War Peace The Independent Expert's Assessment. Progress of the World's Women 2002. Volume 1

' Convention on the Elimination of All Forms of Discrimination against Women, (CEDAW) Article I

" *The human rights of women:* International Instruments and African Experiences Ed. Wolfgane Benedek, Esther M. Kisaakye and Gerd Oberleitner Zen Books Limited, London. p. 20

"' Paragraph 38 of the Declaration

" Respectively, paragraphs 57, 79, 105, 123, 141, 164, 189, 202, 229, 238, 252, and 272 of the Platform for Action.

Coalition for Women's Human Rights in Conflict Situations

SUBMISSION

BY THE

COALITION ON WOMEN'S HUMAN RIGHTS IN CONFLICT SITUATIONS

TO

THE TRUTH AND RECONCILIATION COMMISSION SIERRA LEONE

MAY 2003

The Coalition on Women's Human Rights in Conflict Situations is comprised of lawyers, legal scholars, women's rights activists and nongovernmental organizations concerned with international justice, whose mandate is to ensure that crimes against women are adequately examined and prosecuted. The Coalition seeks solutions to the invisibility of women's human rights abuses in conflict situations, to condemn the practice of sexual violence and other inhumane treatment of women as deliberate instruments of war, and to ensure that these are prosecuted as war crimes, torture, crimes against humanity, and crimes of genocide, where appropriate. Working at the local and international levels, Coalition members act as a resource for consultation and debate on substantive issues related to the integration of a gender perspective in post-conflict transitional justice systems. Coalition efforts also seek to strengthen international and regional capacity to monitor women's human rights conflict and post-war situations through the creation of appropriate mechanisms of accountability and the assessment of their transferability to other contexts.

This submission was drafted by Coalition members (in alphabetical order): Gaelle Breton-Le Goff, McGill Working Group on International Justice; Rhonda Copelon, International Women's Human Rights Law Clinic

(IWHR), City University of New York School of Law; Isabelle Solon Helal, Rights & Democracy (International Centre for Human Rights and Democratic Development) and Binaifer Nowxojee, Harvard University Carr Center for Human Rights Policy; with the help of intern Karine Belair. The work of Human Rights Watch and Physicians for Human Rights is gratefully acknowledged and heavily utilized in this submission.

Members of the Coalition also include Jennifer Green and Ixene Baghoomians, Center for Constitutional Rights; Ariane Brunet, Rights & Democracy (International Centre for Human Rights and Democratic Development); Annie Bunting; Betty Murungi, Urgent Action Fund; Jane Rocamora, Harvard Immigration and Refugee Clinic at Greater Boston Legal Services; and Anne Saris, McGill Working Group on International justice.

TABLE OF CONTENTS

INTRODUCTION 3

I. VIOLENCE AGAINST WOMEN DURING THE CONFLICT.....3

1.SEXUAL VIOLENCE AGAINST WOMEN DURING THE CONFLICT 4

2.. THE PREVALENCE OF SEXUAL AND GENDER VIOLENCE IN THE CONFLICT..... 4

3.. THE PERPETRATORS..... .5

4.. THE CONTEXT: WOMEN'S SECOND CLASS STATUS IN SOCIETY 6

II. INTERNATIONAL CRIMES OF SEXUAL VIOLENCE 6

1.HISTORIC TRNIALIZATION AND IMPUNITY 6

2.2. RECENT DEVELOPMENTS: ACCOUNTABILITY FOR SEXUAL AND GENDER VIOLENCE..... 7 *The Ad Hoc Tribunals.....8 10 The Rome Statute of the International Criminal Court.....8 10 Threshold Requirements for the Core Crimes **9***

III. APPLYING INTERNATIONAL LAW TO THE SIERRA LEONE CONFLICT 9

1. THE APPLICABLE THRESHOLDS. 9

2. THE SEXUAL AND GENDER VIOLENCE CRIMES.....10

Rape.....*10*

Sexual slavery.....I 1

Forced pregnancy.....12

Enforced sterilization 13

Sexual violence .....13 3. OTHER GENDER-BASED CRIMES DEVELOPED BY JURISPRUDENCE THROUGH GENDER NEUTRAL QUALIFICATION.....14

4. GENDER-BASED PERSECUTION (CRIME AGAINST HUMANITY) 14

IV.INTEGRATING SEXUAL AND GENDER VIOLENCE INTO NON-SEX-SPECIFICCRIMES 15

TORTURE (CRIME AGAINST HUMANITY AND WAR CRIME) 15

ENSLAVEMENT (CRIMES AGAINST HUMANITY) 16

OTHER INHUMANE ACTS (CRIMES AGAINST HUMANITY) 17

MUTILATION (WAR CRIME) 17

CRUEL TREATMENT (WAR CRIME) 18

V. INTERNATIONAL HUMAN RIGHTS LAW..... 18

VI. CONCLUSION 19

VI. RECOMMENDATIONS TO THE TRC .....:..... 20

ACKNOWLEDGMENT OF THE CRIMES COMMITTED DURING THE CONFLICT 20

PUBLIC EDUCATION .....:..... 20

ASSISTANCE TO SURVIVORS 20

MAKE RECOMMENDATIONS TO THE GOVERNMENT OF SIERRA LEONE.....20

MAKE RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY 22

END NOTES 23

INTRODUCTION

> *FK., a fifteen year- old girl was raped by the RUF in Lunsar in Port Loko district in May 2000 and witnessed the sexual mutilation of a pregnant woman as well as the killing of her three male relatives, and six amputations:*
>
> *"I was raped when the RUF attacked Lunsar in May 2000 by four rebels including one man called "Put Fire, " who had made me his rebel wife from 1997 to 2000. '"*

Rape of women in wartime is an act of hatred, dominance and violence that targets women's sexuality and gender roles. Women are generally treated as the property of the community the soldiers seek to conquer and subordinate. They are a form of "booty" rewarding soldiers for their bravery and to keep them fighting. Rape and sexual violence are also weapons of war serving military and political goals of the conflict. Through rape and sexual violence, one group of men assert their hatred of and masculinist superiority over women by inflicting unspeakable physical and emotional brutalities, isolating them through stigma and degradation, and rendering them, in some cases, incapable of reproduction or participation in family and community life. Rape and other sexual violence also humiliates and indirectly tortures, disrupts and destroys family relations, and the integrity and culture of the community. In some cases, the goal is genocide and ethnic cleansing; in others, it is conquest, subordination, terrorization, and social degradation. Combatants who rape in war often explicitly link their acts of sexual violence to their hatred of women and to the goals of destruction and domination of the community at large.

Sexual violence against women is one form of gender violence that can be committed against both men and women. Gender in international law refers to the differently constructed roles of men and women and the hierarchy of power between men in women in which the masculine is associated with power and superiority and the feminine with weakness, dependency and inferiority. The essential character of gender violence is an attack motivated by or intended to reinforce dichotomized and unequal gender relations, to strike at gender identity as traditionally constructed or to suppress resistance to traditional gender norms.

The Truth and Reconciliation Commission (TRC) has an important historic opportunity to fully examine and record the crimes of sexual violence that were inflicted against Sierra Leonean women during the conflict. Sexual violence has remained Sierra Leone's invisible war crime. Until recently, little attention has been paid either nationally or internationally to this human rights abuse, although sexual violence was committed on a much larger scale than the widely reported amputations for which Sierra Leone became notorious. The underreporting is a reflection of the failure of most observers, documenters, and the media to investigate and report the attacks on women. The lack of publicity is also the result of the subordinated status of women and girls in Sierra Leone that further disadvantages them and downplays their suffering. The stigma and

internal shame that makes survivors unwilling to come forward publicly for fear of rejection by their family and communities is also another reason for the silence.

The TRC has an opportunity to rectify that neglect by ensuring an enabling testifying environment that will encourage rape victims to come forward with whatever comfort and privacy they may require. In writing up its findings, the TRC can ensure that the experiences of women during the war are fully reflected. In its consideration of rape and other sexual violence crimes, the TRC should frame its findings fully to take note of the expanding definitions in international law that are set out in this submission in order to avoid arcane formulations that may downplay or trivialize women's experiences during the war. Lastly, we urge the TRC to ensure that their recommendations to the Sierra Leonean government and the international community take into consideration the specific needs of the women survivors.

I. VIOLENCE AGAINST WOMEN DURING THE CONFLICT 2

> Isata, a young girl, was abducted and gang raped by rebels: "I *was at home when they came and kidnapped me... They demanded money. My family has no money. They demanded Le 200, 000. 00 ($83.00) ... they said to my parents, come and see how we use your children. They undressed five of us, laid us down, used us in front of my family and took us away with them.* "3

This section is entirely based on the findings of Human Rights Watch, except when otherwise specified.

1. Sexual Violence Against Women During the Conflict

During the decade-long conflict in Sierra Leone from 1991 to 2001, thousands of women and girls were subjected to widespread and sexual violence, including individual and gang rape, and rape with objects such as weapons, firewood, umbrellas, and pestles. According to Human Rights Watch, the victims of rape were of all ages, ethnic groups, and socio-economic classes. The sexual violence was perpetrated by both the rebels and the government, but mostly by rebel forces. The rebels sought to dominate women and their communities by deliberately undermining cultural values and community relationships.

These crimes of sexual violence were generally characterized by extraordinary brutality and frequently preceded or followed by other egregious human rights abuses against the victim, her family, and her community. Child combatants raped women who were old enough to be their grandmothers, rebels raped pregnant and breastfeeding mothers, and fathers were forced to watch their daughters being raped. Women were made forced "wives" of combatants. Young women and **girls** whom the rebels thought were virgins were particularly targeted for rape and forced "marriage." Many of these younger victims did not survive these crimes of sexual violence. Adult women were also raped so violently that they sometimes bled to death or suffered from tearing in the genital area, causing long-term incontinence and severe infections. Many victims who were pregnant at the time of rape miscarried as a result of the sexual violence they were subjected to, and numerous women had their babies torn out of their uterus as rebels placed bets on the sex of the fetus.

Thousands of women and girls were abducted by rebels and forced into sexual slavery by their combatant "husbands." These abducted women and girls also remained vulnerable to sexual violence by other rebels. Many survivors were held for long periods by rebel forces and some even gave birth to children fathered by rebels. Some abducted women and girls were forcibly conscripted to fight and were given military training, but even within the rebel forces, women still held much lower status and both conscripted and volunteer female combatants were assigned "husbands." For civilian abductees, aside from sexual violence their brutal life with the rebels included being made to perform forced labor, such as cooking, washing, carrying ammunition and looted items, as well as farm work. Combatants within the rebel forces had considerable latitude to do what they wanted to abducted civilians, who were often severely punished for offences as minor as spilling water on a commander's shoes.

Escape for these women and girls was often extremely difficult: Intimidated by their captors and by the circumstances, these women and girls often felt powerless to escape and were advised by other female captives to tolerate the abuses, "as it was war." In some cases, the rebels made escape more difficult by deliberately carving the name of their faction onto the chests of abducted women and girls. If these marked women and girls were caught by pro-government forces, they would be suspected of being rebels, and often killed. Even though many women did manage to escape, some escaped from one rebel faction or unit only to be captured by another. An unknown number of women and girls still remain with their rebel "husbands," although the war was declared over on January 18, 2002.

In addition, women were the indirect targets of violence directed at their loved ones and their children. Women and girls were raped and sexually attached in front of their families, mothers, fathers, husbands, children, as a means of heightening the crime against them, torturing their loved ones and terrorizing the community.

2. The Prevalence of Sexual and Gender Violence in the Conflict[4]

In 2001, Physicians for Human Rights (PHR), conducted a population-based assessment of the prevalence and impact of sexual violence and other human rights abuses among internally displaced persons in Sierra Leone. PHR found that internally displaced women and girls in Sierra Leone have suffered an extraordinary level of rape, sexual violence and other gross human rights violations during their country's civil war, with half of those who said they came into contact with the Revolutionary United Front (RUF) forces reporting sexual violence. Approximately one of every eight household members (13 percent) reported one or more incidents of war-related sexual violence. Nine percent (94/991) of respondents reported war-related sexual violence.

Participants reporting war-related sexual violence related the following types of abuses: rape (89 percent), being forced to undress/stripped of clothing (37 percent), gang rape (33 percent), abduction (33 percent), molestation (14 percent), sexual slavery (15 percent), forced marriage (9 percent), and insertion of foreign objects into the genital opening or anus (4 percent). In addition, 22 (23 percent) of the women who experienced sexual violence reported being pregnant at the time of the attack with an average gestation of three months.

When the total number of war-related sexual violence incidents reported by the survey participants is extrapolated to the total female internally displaced population in Sierra Leone, some 50,000 to 64,000

Sierra Leonean internally displaced women may have suffered sexual violence. If non war-related sexual violence among females who are not internally displaced is added to the totals (assuming a 9 percent prevalence rate) for the internally displaced women, as many as 215,000-257,000 women and girls in Sierra Leone may have been affected by sexual violence.

3. **The Perpetrators**

The main perpetrators of sexual violence, including sexual slavery, were the rebel forces of the RUF, the Armed Forces Revolutionary Council (AFRC) and the West Side Boys, a splinter group of the AFRC. Over three hundred cases of sexual violence by the rebels were documented by Human Rights Watch; countless more have never been documented. From the launch of their rebellion from Liberia in March 1991, which triggered the war, the RUF perpetrated widespread and systematic sexual violence. The AFRC, which consisted of disaffected soldiers from the Sierra Leone Army (SLA) who in May 1997 overthrew the elected government of President Ahmad Tejan Kabbah, were also responsible for subjecting thousands of women and girls to sexual violence, including sexual slavery.

After the signing of the peace agreement in Lome, Togo, in July 1999, sexual violence, including sexual slavery, continued unabated in RUF-controlled areas and was also perpetrated by the West Side Boys, who operated outside of the capital, Freetown. The human rights situation worsened after the May 2000 crisis when fighting broke out again, until relative peace was re-established, with United Nations and British assistance, by mid-2001. The prevalence of sexual violence peaked during active military operations and when the rebels were on patrol. Even in times of relative peace, however, sexual violence continued to be committed against the thousands of women and girls who were abducted and subjected to sexual slavery by the rebels. No region of Sierra Leone was spared.

A limited number of cases of sexual violence by pro-government forces, the SLA and the militia known as Civil Defense Forces (CDF), the latter consisting of groups of traditional hunters and young men who were called upon by the government to defend their native areas have been documented by Human Rights Watch (HRW). Further, HRW has not documented any cases of sexual violence by the SLA occurring prior to 1997. This may in part be due to the fact that survivors would have often found it difficult to distinguish between rebel and government soldiers, as the latter frequently colluded with and disguised themselves as RUF forces. Sexual violence was committed relatively infrequently by the CDF, whose internal rules forbid them from having sexual intercourse before going to battle and who believe their power and potency as warriors depends upon sexual abstinence. Some of this internal discipline, however, was lost as CDF moved away from their native areas and traditional chiefs and were given more responsibility in national security. HRW has documented several cases of rape by the largest and most powerful CDF group, the Kamajors, who operate predominantly in the south and east.

There have been reports of several cases of sexual violence by peacekeepers with the United Nations Mission in Sierra Leone (UNAMSIL), including the rape of a twelve year-old girl in Bo by a soldier of the Guinean contingent and the gang rape of a woman by two Ukrainian soldiers near Kenema. There appears to be reluctance on the part of UNAMSIL to investigate and take disciplinary measures against the perpetrators. Reports of rape by peacekeepers with the Economic Community of West African States Monitoring Group (ECOMOG), the majority of whom were Nigerian, deployed at an earlier stage in the war,

were rare. Both ECOMOG and UNAMSIL peacekeepers have sexually exploited women, including the solicitation of child prostitutes, whilst deployed in Sierra Leone.

4. **The Context: Women's Second Class Status in Society**

Women and girls in Sierra Leone are subjected to structural discrimination by practice, custom and law. They face discrimination in terms of education and employment, in the political arena, and in other walks of life. Both customary law, which governs the majority of the population, and general law, which was inherited from British colonial law and is primarily applied in Freetown, discriminate against women and girls in terms of family law, as well as property and inheritance rights. In addition, the provisions pertaining to rape under general and customary law offer inadequate protection. The misinterpretation of the complicated provisions of general law by the police and courts means, for example, that those who are alleged to have sexually assaulted a minor are generally charged with "unlawful carnal knowledge of a child," for which the sentence is lighter, rather than rape. Under customary law, the perpetrator is generally required to pay a substantial fine to the victim's family as well as to the chiefs. The victim may also be forced to marry the perpetrator.

The concept of sexual violence as a crime in itself is a very recent one in Sierra Leone's patriarchal society. Only rape of a virgin is seen as a serious crime. Rape of a married woman or a non-virgin is often not considered a crime at all: as in many countries, there is often a belief that the woman must have consented to the act, or she is seen as a seductress. The virtual destruction of Sierra Leone's already corrupt and inefficient court system and police force during the war, moreover, created a climate of impunity that persists, allowing perpetrators of sexual violence (as well as other crimes) to escape justice.

The lack of attention to conflict-related sexual violence means that few assistance programs have been established for women and girls who were subjected to sexual violence, including sexual slavery. Survivors not only live with the severe physical and mental health consequences of the abuses suffered, but also fear ongoing non-conflict- related sexual violence, largely perpetrated with impunity. Women have a crucial role to play at this critical phase in Sierra Leone's history, but they will only be able to contribute fully in a civic culture in which women and girls are respected as equal partners and gender-based abuses are not tolerated.

II. **INTERNATIONAL CRIMES OF SEXUAL VIOLENCE**

> *Bola N. said: "My first captivity was when the nine men raped me ... I was not assigned to just to one man, as long as you are good looking, you have intercourse with all of them.* "[5]

1. Historic Trivialization and Impunity

Sexual and gender violence against women and girls in situations of armed conflict has long constituted, in theory, a clear violation of international law. Nonetheless, rape until recently has been mischaracterized and dismissed by military and political leaders as a private crime or simply the unfortunate or inevitable behaviour of a renegade soldier. It has been trivialized and accepted precisely because it is so

commonplace. Under a scheme of victors' justice, when all the belligerents do it, no one can be held responsible. Even when, for political reasons, the issue of rape has surfaced as an atrocity in the midst of conflict, it has most often been forgotten or hidden in its aftermath. Thus, until recently, impunity has been the order of the day. As the U.N. Special Rapporteur on Violence Against Women, Its Causes and Consequences emphasized: "[Rape] remains the least condemned war crime; throughout history, the rape of hundreds of thousands of women and children in all regions of the world has been a bitter reality."

Reversing this legacy remains the obligation of every transitional justice institution charged with examining or prosecuting crimes committed during conflict. It is critical to ensuring inclusive and non-discriminatory justice as well as to combating the stigma and blame that are at the core of the shame, isolation and abandonment suffered by women in post-conflict situations.

While rape has long been prohibited by international humanitarian law, it was written into the original international humanitarian convention, the 1907 Hague Convention, not as part of the violence of war, but as an offence against honour and dignity. 7 This characterization is based, however, on the notion of women as property and sexual violence as a moral affront described in largely moralistic terms. The word honour thus alludes to chastity, sexual virtue and good name and refers equally to the honour of the male-husband or father-with whom the woman is related. Thus, the traditional view of rape as an offence against honour failed to recognize women with rights to autonomy and protection, and thus failed to treat rape and sexual violence as a crime of violence an attack on women's physical and mental integrity. The notion of honour also obscured the atrocious nature of the crime and further contributed to the widespread misperception of rape as an "incidental" or "lesser" crime by comparison to killing, torture or enslavement.

The London Charter did not include rape explicitly $ and the International Military Tribunal at Nuremberg, though hearing some evidence of rape, did not mention it in the Judgement.[9] The Allied Powers in Germany had the authority to prosecute rape in the continuing war crimes trials of the Nazis, by virtue of Control Council Law No. 10, which named rape as a crime against humanity and thus illustrates that the severity of rape was fully recognized. But rape was never prosecuted. By contrast, even without explicit naming of rape in its Charter, the International Military Tribunal for the Far East did document and convict certain defendants for the blatant and widely publicized examples of mass rape, such as attended the Japanese conquest of Nanking and other cities. This reflected the understanding that rape was implicit in the named crimes of violence. But that Tribunal also completely ignored the extensive system of military sexual slavery known as the « comfort women)) system whereby over 200,000 women from Taiwan, Korea and the conquered countries of the Far East were forced to sexually serve the Japanese Army. [11] Thus, the failure to prosecute in the post-war Tribunals and War Trials lies not in the absence of adequate legal prohibitions, but in the international community's willingness to tolerate sexual abuse against women.

The post-war codifications of the laws of war in the Geneva Conventions did not build on even the limited steps taken by these war crimes trials. In the Fourth Geneva Convention, rape continued to be characterized as an attack on women's honour and the list of grave breaches or Common Article 3 do not refer explicitly to rape. 12 When, in 1977 in Protocol II, offences of sexual violence were explicitly included, they were again categorized as offences against dignity and honour or humiliating and degrading treatment and listed as rape, forced *prostitution* and any other form of *indecent* assault, » (emphasis supplied), 13 terms which in both context and language emphasized the moralistic nature of the offence carry-stigma for the victim. As a

consequence, women, whether combatants or civilians, have been consistently targeted for sexual violence such as rape, sexual mutilation and sexual slavery, while for the most part their attackers go unpunished. In addition, women shoulder in painful silence the blame or dishonour that is the result.

Thus, although rape and sexual violence are, in fact, comparable in gravity to, and often constitute, torture, mutilation and enslavement, they have, with rare exception until recently, not been exposed or condemned or otherwise treated as equivalent to these other non-sex-specific violations. Recent developments in international law, including the adoption of the Rome Statute founding the permanent International Criminal Court and the jurisprudence of the ad hoc International Tribunals make clear that this is no longer acceptable. Care must be taken to fully include and emphasize the seriousness of sexual violence as well as to avoid arcane formulations in order to reverse the ingrained and discriminatory attitudes which are the product of historically discriminatory law.

2. Recent Developments: Accountability for Sexual and Gender Violence

Over the last decade, 14 women's human rights activists and the survivors of this violence have brought about a change in the treatment of rape and other forms of sexual violence. The 1993 World Conference on Human Rights in Vienna was a watershed. In the document that resulted, the world community recognised violence against women as a priority concern and noted particularly the need to end 9impunity for sexual violence in war and conflict. Subsequently, the charging practices and jurisprudence of the ad hoc Tribunal and the codification of sexual and gender violence crimes in the Rome Statute of the International Criminal Court provide the basis for examining and prosecuting these crimes as international crimes today.

The Ad Hoc Tribunal

The statutes of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) explicitly listed rape as a crime against humanity under their jurisdictions and have convicted defendants of these crimes. Both Tribunals have also prosecuted rape and sexual violence as war crimes and treated rape as torture and sexual violence such as forced nakedness as inhumane treatment. The ICTR, after initial resistance to investigate and charging rape prosecuted and adjudged rape as a crime of genocide in the case against Jean-Paul Akayesu, the former mayor of Taba commune in Rwanda. This verdict marked the first time an international court found rape to be an act of genocide. In 2001 in the Kunarac case involving the Foca prison, the ICTY convicted the Bosnian Serb defendants of rape as a crime against humanity and treated rape as also torture, and enslavement committed in Foca. The severity of rape and other forms of sexual violence has been emphasized have emphasized by the fact that in several instances, the ICTY has devoted entire cases exclusively to sexual violence.

The Rome Statue of the International Criminal Court

The gravity of rape and other forms sexual and gender violence and persecution and their rightful place among the gravest crimes of international dimension was settled in the negotiations for the permanent International Criminal Court (ICC). Largely as a result of the efforts of the Women's Caucus for Gender Justice, other committed non governmental organisation and delegates, the Rome Statute of the International Criminal Court (Rome Statute) lists a significant range of sexual crimes as both war crimes and acts constituting crimes against humanity. These include rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and any other form of [serious or comparable] sexual violence. In addition, the Rome Statute recognised persecution based on gender as a crime against humanity. Persecution consist of an 'intentional and severe deprivation of fundamental rights' by reason of one's group identity and thus embraces more than gender-based violence.

In addition to the explicit naming of these crimes of sexual and gender violence, the ICC encompasses the principle of 'gender integration' implemented by the ad hoc Tribunals, meaning that to avoid discrimination, these crimes may also be prosecuted as other non-sex crimes of violence. The subsequently negotiated annex to the Rome Statute entitled 'Elements of Crimes' (hereinafter ICC Elements) designed as a non-binding guide to the Court, which details the suggested elements for each crime, makes clear that crimes of sexual violence can also be prosecuted as other crimes of violence such as torture or mutilation, thus adopting the approach of the ad hoc Tribunals as well as further confirming the Akayesu determination that sexual violence can constitute acts of genocide.22 This process of treating sexual and gender violence as also constituting the non-sex specific crimes is crucial to avoiding the re-marginalization of sexual violence and the discrimination against women that creates the persistent and recurring efforts to minimize or ignore this violence. When, as is now the case, rape is clearly recognized and prosecuted as the crime of torture,[23] it is exceedingly difficult to pretend to justify a failure to vigorously investigate and prosecute it.

While the Rome Statute does not apply to the events occurring in Sierra Leone as the treaty is not retroactive, the Rome Statute represents a codification of the minimal international consensus as to the international customary norms and the core, or gravest, international crimes. These norms are, therefore, properly applicable by the TRC.

The Rome Statute also codifies as among the « general principles » applicable to the Court, the principle that the interpretation and application of the statute shall be consistent with human rights and non-discrimination based, among others, on grounds of gender. The principle against discrimination is a customary norm applicable to all proceedings and institutions, including this Truth and Reconciliation Commission.

It is worth noting here that, unfortunately, the Statute of the Sierra Leone Special Court (Special Court) ignores the more forward-looking position of the Rome Statute, and utilizes the wording of Article 4(2)(e) of the Additional Protocol II (referring to rape, forced prostitution, and any other form of indecent assault). This does not reflect the recent evolution of the international law. Even before the Rome Statute was concluded, the ICTY Prosecutor began charging rape as torture, a characterization based on the violation and assault of a woman's physical integrity rather than on moralistic nature (a violation of honour).[24] The Coalition for Women's Human Rights in Conflict Situations (Coalition) urges that the TRC, in its-consideration of rape and other sexual violence, avoid the arcane formulations of the past and acknowledge the expanding definitions of sexual violence under international law.

As a result of these developments, perpetrators of rape and other forms of sexual violence must now be held accountable for rape and other sexual violence as a war crime, as crimes against humanity, or as acts of genocide, if this conduct meets the respective threshold elements of those crimes, as follows :

To constitute a war crime, an act of sexual violence against a civilian must take place in the context of and be associated with an armed conflict. [25] It is important to note that one act of rape or sexual violence can constitute a war crime and that rape need not be committed during war or as a weapon of war to qualify as a war crime. It is sufficient if war provided the opportunity for the illegal conduct.[26] The perpetrator need only be aware of the context of war.

To constitute or be a part of crimes against humanity, there must be widespread or systematic attack on any civilian population. "The concept of `widespread' may be defined as massive, frequent, large scale action, carried out collectively with considerable seriousness and directed against a multiplicity of victims."[27] But massive or large numbers are not required; rather the attack may be widespread based on the proportion of the targeted population affected or the patterns repeated in different places. "The adjective `systematic' signifies the organized nature of the acts of violence and the improbability of their random occurrence, although systematic does not preclude that crimes against humanity can emerge spontaneously and proceed in an organized or patterned way. The patterns of crimes-that is the non-accidental repetition of similar criminal conduct on a regular basis-are a common expression of such systematic occurrence." 28 The attack constituting crimes against humanity need not be a military attack; nor need crimes against humanity be linked to war. 29 The Rome Statute includes the requirement that the attack be pursuant to or in furtherance of a state or organizational policy to commit the attack .30 However, this requirement is not accepted in the jurisprudence of the *ad hoc* Tribunals.

In addition, the ICC requires that the perpetrator must be aware of the attack but need not know the details. [31] The perpetrator "must have known or considered the possibility that the victim of his crime was a civilian"[32]. However, the *mens rea* element does not refer to the personal motives of the perpetrator and, except for the animus required by the crime of persecution, no specific intent or animus is required. 33

Sexual violence or gender-based persecution, if itself widespread or systematic, can constitute crimes against humanity. In addition, if it is a part of a broader range of crimes such as murder, torture and inhumane treatment, this violence will also constitute crimes against humanity. Thus it is not necessary that rape or sexual violence itself be widespread or systematic to constitute crimes against humanity. An individual can be responsible for a crime against humanity even if he or she commits one prohibited act with the required awareness of the larger attack. "As long as there is a link with the widespread or systematic attack against civilian population, a single act could qualify as a crime against humanity.... an individual committing a crime against a single victim or a limited number of victims might be recognized as guilty of crime against humanity if his act were part of the specific context [of an attack of the civilian]."[34]

III. **APPLYING INTERNATIONAL LAW TO THE SIERRA LEONE CONFLICT**

1. The Applicable Thresholds.

With respect to the thresholds for war crimes and crimes against humanity, the interviews conducted with victims by Human Rights Watch and Physicians for Human Rights indicate that the sexual violence committed in Sierra Leone meets the elements of war crimes and crimes against humanity and, therefore, constitutes these international crimes.

As to war crimes, for example, there is no question that sexual violence against women was closely associated with war in that it occured as part of the rewards of war, and as a weapon of war-that is, of humiliation and degradation of women, and of the enemy men, and of the community. Further, the infliction of sexual violence was temporally related to the war and war provided the opportunity and sense of entitlement for the most grotesque and brutal forms of violence against women. Thus every act of sexual violence, having this association to war, constitutes a war crime.

The threshold for crimes against humanity appears also to be clearly met whether one examines the sexual violence in isolation from other aspects of the attack or as part of a larger attack. The Statute of the Special Court adopts the broad formulation of the jurisprudence and includes crimes committed "as part of a widespread or systematic attack against any civilian population. ,35 As reported by the PHR Survey discussed in Part I of this statement, it is estimated that 9% of respondents suffered some form of sexual violence and that the individual crimes of sexual violence may have affected over 200,000 women and girls. Such numbers are not required to demonstrate crimes against humanity; but here they attest to the enormity of suffering. The prevalence and patterns of sexual violence; the testimonies indicating approval by those in the hierarchy, among other characteristics, also indicate that the sexual violence was not simply coincidental but rather systematically employed.

Thus it appears that sexual violence crimes alone constitute crimes against humanity. Alternatively, there is no doubt that the sexual violence crimes also constituted part of the larger attack on civilian populations in Sierra Leone.

2. The Sexual and Gender Violence Crimes

The Rome Statute and the Statute of the Special Court of Sierra Leone list the sexual crimes of rape, sexual slavery, forced pregnancy, enforced prostitution, enforced sterilization, and other sexual violence. While the Rome Statute includes these crimes as both crimes against humanity and war crimes, the Statute of the Special Court does not explicitly include enforced sterilization and Section 3 does not explicitly recognize any of these sexual violence crimes, except for the crimes of rape and enforced prostitution, as war crimes. Nonetheless, it is incumbent upon the TRC to consider all internationally cognizable crimes.

Based on the jurisprudence developed by the ICTR and the ICTY, and the Rome Statute and annexed Elements of Crimes, the following is a brief summary of the crimes applicable here. The examples documented by human rights groups are relentless. Below are a very limited number of examples that we anticipate will be reflected in various ways in the report of the TRC.

Rape 36

The ICTR and the Celibici Trial Chamber of the ICTY have defined rape as a physical invasion of a sexual nature. 37 The ICC Elements and other ICTY jurisprudence have added more detailed descriptions of the invasion. 38 Under the more detailed definition, rape involves penetration however slight of the vagina or anus by a penis, object or other body part or of any other body part by a penis. The definition of rape (as well as of forced prostitution and other sexual violence) includes a broad concept of force including threat thereof and coercion, "such as that caused by fear of 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." 39 Coercion can result from threats to harm the victim or to harm a third party, including but not limited to a family member, with the knowledge that it will operate as coercion for the victim. The force/coercion element is intended to be broad and the jurisprudence indicates that in certain circumstances, like for example, armed conflict, or the military presence of militiamen or combatants exercising, coercion may be inherent .40 Thus, the presence of armed combatants in a village exerting temporary power and control would be sufficient to meet the coercive element. The *Kunarac* Trial and Appeal Judgments added that it is sufficient if shown that the invasion was against the woman's will.[41]

Examples of rape from Sierra Leone include:

- *Vaginal, anal invasion and gang rape:*

R.T. was about sixteen when she was brutally raped vaginally and anally by ten RLTF rebels in the forest near Koidu in Kono district in January 1997.

`*I was raped by the ten rebels, one after the other. They lined up, waiting for their turn and watched while I was being raped vaginally and in my anus. One of the child combatants was about twelve years. The three other child soldiers were about fifteen. The rebels threatened to kill me if I cried.* "42

In terms of the element of force or coercion, the examples in Sierra Leone reflect both situations of both force and coercion. The Rome Statute, echoing the jurisprudence of the *ad hoc* Tribunals, provides in its Rules relating to evidence of sexual violence and applicable to rape and to other crimes of sexual violence, that even if the victim agrees or fails to object, rape is committed so long as the coercion undermines the victim's capacity to given genuine consent. 43 Sexual invasion of minors, so prevalent in Sierra Leone, is per se rape.[44]

- *Invasion by objects or body parts:*

H.K., the sixteen-year-old Freetown student forced to be the wife of Colonel "Jaja," had an umbrella shoved up her vagina as part of the torture that followed her being accused by "Jaja" of stealing his money: *"Once a boy named Junior came by and put his hand inside my vagina. He brought out his hand, which was all bloody and said, "Look at your blood, you're sick " All the civilians seeing this felt sorry for me, but of course they couldn't say anything. "*[4]*s*

J.M. described how rebels brought her into the village square, forced her to lie down and then poured boiling palm oil into her vagina and ears:

`Several of them pulled her legs apart and held her tightly. They poured a pan of boiling palm oil into her vagina and then into her ears. This terrified us. She started shaking all over and was bleeding from the nostrils and mouth. While on the ground they struck her with a gun and danced around her saying, "When you were loving with the old man [Sankoh], you didn't show us any respect, but now your time for punishment has come. " She died about an hour later. The rebels said they were sent by Sankoh who was living in Kailahun about seven miles.'[46]

- Checking virginity:

Fatmata, 38 years old, witnessed young girls being given an examination to determine if they were virgins or not: *"Inside the compound of the house next to where we were being searched, I saw five young girls between thirteen and sixteen, lying completely naked on the ground with one or two rebels holding each one by the arms, another two holding the legs apart and a female commander named Rose putting her fingers inside the vagina* of *each one to determine if she was a virgin or not. "*[47]

Sexual slavery 48

The two essential elements unique to the crime of sexual slavery are the "exercise of any or all of the powers attaching to the right of ownership over one or more persons..." and the forced participation in one or more acts of sexual violence. 49 The ICC adds the requirement that this be accomplished by such acts as "purchasing, selling, lending or bartering such a person or persons, or by imposing on them a similar deprivation of liberty" which can include reducing a person to a servile status under international law or forced labor .50 However, the requirement of a commercial element or the limiting definition of liberty in the ICC Elements have been decisively rejected by the *Kunarac* Appeal Chamber. The Coalition urges that the Appeal Chamber's approach, which identifies various indicia of slavery, none of which are mandatory, be utilized. For example, while confinement is an indicia of slavery, it is not required and the possibility of some free movement or escape does not obviate the enslavement condition. Sexual slavery is a form of enslavement identified by the fact that the perpetrator must cause the victim[s] to engage in one or more acts of a sexual nature.

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. In Sierra Leone, as well as many other conflicts, women and girls were given as "wives" to commanders and combatants. These sexual slaves are widely referred to in Sierra Leone as "bush wives." When forced "marriage" involves forced sex or the inability to control sexual access or exercise sexual autonomy, which, by definition, forced marriage almost always does, it constitutes sexual slavery, as recognized by the Special Rapporteur for Systematic Rape, Sexual Slavery, and Slavery-Like Practices during Armed Conflict. 51

Examples of sexual slavery from Sierra Leone include:

- *Detention: AJ,* a fourteen-year-old student was abducted in Pujehun and tortured by the RUF from February to May 1994:

`I was put under the control of Commander Patrick, a Liberian. (...) Once, after the commanders had gone to the warfront, Neneh told one of our guards to open up the cage where I was being held and take me out. She said, "My husband is interested in you. If you accept him to have sex with you, I'll kill you, so be forewarned. "" 52

-Abduction and forced "marriage":

H.K. testimony: She was assigned as the wife of "Jai a" and was so badly treated by him that even the other rebels sometimes tried to prevail on him to be less violent: *"Jaja was already "married" to another abductee, and when she saw what he had done to me, she escaped. He always beat both of us. He used to sex me twice every night . He made me take his penis in my mouth. I tried to refuse him but he always threatened to kill me. He was actually an SLA soldier but had joined the RUF His CO. was Colonel Stagger, who used to criticize him for how he treated us. Colonel Stagger used to say, `Look, when we take these kids, we should take care of them and now you beat her for nothing. ' Jaja used to say it was not Stagger's business. Stagger's own abductees were treated pretty well. He never beat them."*[53]

Forced pregnancy[54]

As a result of highly contentious negotiations, both the Rome Statute and the ICC Elements provide an excessively narrow definition of forced pregnancy: "The perpetrator confined one or more women forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law."[55] In the case of Sierra Leone, there are reported examples of women raped who become pregnant and were not permitted by their rapist or another to obtain abortion. In the view of the Coalition, the torture imposed upon a woman forced to bear a child of rape and/or under circumstances of enslavement and/or for the purposes of increasing the population available to the captor or for marking the identity of the ultimate child constitute violations of international law. The concept of "forced pregnancy," first articulated officially in the Vienna Declaration and Programme of Action 56 referred however to the confinement or other means of preventing pregnant women from obtaining abortion. The Coalition urges that the broader understanding of forced pregnancy be utilized by this Commission.

Examples of forced pregnancy from Sierra Leone:

IS., a 27 years old student who was abducted by the AFRC during the January 1999 invasion, tried to abort, but was unsuccessful:

"When I got pregnant I didn't tell my rebel husband for months. I asked a woman who knows about medicine to give me herbs to abort the baby, but it never worked and after my belly started to swell, he found out. He warned me that if I tried to flush the baby out, he'd kill me. He said he wanted the baby and that he hoped it would be a boy. "[57]

"M. W., *the abducted nurse, also mentioned that medical personnel were instructed by a rebel doctor, Dr. Lahai, not to perform abortions, give birth control, or advise that traditional herbal treatments be taken, as the rebels felt that too many people had died and they needed to increase the population."*[5g]

Enforced sterilization 59

The ICC Elements define enforced sterilization as follows: "The perpetrator deprived one or more persons of biological reproductive capacity" and "the conduct was neither justified by the medical or hospital treatment of the person or persons concerned nor carried out with their genuine consent."[6°] It includes acts committed upon women, including during the war in Sierra Leone, such as the removal of fetus, uterus, castration, destruction of reproductive organs, as well as medical sterilization without consent. Although this crime is not listed in the Sierra Leone Special Court Statute, mutilation of Sierra Leonean women that results in sterilization should be recognized as enforced sterilization at the same time as these acts also qualify as "other sexual violence." The numerous attacks reported against pregnant women, including the cutting the fetus out of a pregnant woman's uterus and the mutilation of her organs thus constitute enforced sterilization as well as mutilation and inhumane treatment.

Examples of enforced sterilization from Sierra Leone:

K.M. who was abducted during the 1997 attack on Kabala, witnessed the killing and sexual mutilation of a pregnant woman near Kono in Kono district:

"They captured a Koranko woman who was pregnant. Two RUF, Captain "Danger" and C. 0. "Cut Hand " argued about the sex of the child. They bet 100, 000 leones [approximately U.S. $5O] on the sex of the child. Then they shot the woman dead and opened her belly. The R UF held up the baby with the placenta, which they shook in the air. The baby cried and then died. I wanted to run away but my husband said that the civilians would think that I was a rebel and that they would kill me." 61

Sexual violence 62

Sexual violence as a war crime must be "serious" in dimension or, as a crime against humanity, of "comparable gravity" to the other crimes against humanity. 63 The ICC Elements define sexual violence to encompass both involuntary sexual assaults and sexual performance, and thus applies to coercion resulting in sexual entertainment or nakedness.

The scope of sexual violence is broad. As the *Akayesu* Trial Chamber opined, "[s]exual violence is not limited to physical invasion of the human body and may include acts which do not involve penetration or even physical contact."[64] It relates to the lack of sexual autonomy, which is violated wherever the person subjected to the act has not freely agreed to it or is otherwise not a voluntary participant." [65] It could include biological and medical experimentation of sexual nature or experimentation on reproductive capacities, sexual mutilations, harassment and threats of rape or other sexual violence. Forcing a woman to lick a penis (which might also constitute rape) or to perform sexual acts that are not rape, such cutting or sexual touching of the body or breasts are forms of sexual violence.

It should also be noted that most of what is sexual violence today was incorporated historically in the concept of offense against honour and humiliating and degrading treatment, now independently codified as a war crime in the Rome Statute, Article 8(2)(c)(ii). [66] The adoption of the clause describing the sexual violence crimes in the war crimes articles-"also constituting a grave breach of [or for non-international armed conflict, a "serious violation of article 3 common to the four"] Geneva Conventions"[67]was specifically intended to declare the status of the sexual violence crimes as comparable to the grave breaches, which are the most serious violations recognized under humanitarian law. 68 While sexual violence can be charged under both rubrics, it is important not to utilize the rubric of humiliating and degrading treatment to diminish the understanding that all forms of sexual violence, whether or not they involve touching, constitute physical and/or mental violence against the person. In sum, the Rome Statute rightly recognized the historic failure to treat sexual offenses as among the most severe violence and it named them explicitly as crimes of violence. As discussed below, the *ad* hoc Tribunals' jurisprudence has largely adopted this approach as well. For that reason, we do not separately consider humiliating and degrading treatment here. 69

Examples of Sexual Violence from Sierra Leone:

- *Sexual cutting and mutilation:*

A.J., a 14 years old girl:

"Two weeks later, the four young men managed to escape. When the rebels found out, they blamed us for what happened. They said the boys were really SLA soldiers that were there to get information on the R UF I was then tortured by a Liberian RUF commander named C. 0. Rackin. He said I was "bright and bold " and must have known how they escaped. He interrogated me, asking me if the boys were SLA's. During the interrogation he cut me in twenty-one places with a knife including a deep cut on my left breast. He drew a small, small circle in the dirt and told me to step inside and walk around in it. Any part of my body left outside he stabbed with a knife ".[7°]

- *Forced Nakedness:*

J.M.'s testimony: *"The RUF rounded up about seventy of us civilians, including Abi and ,Janneh, and accused us of making a plot to arrest Sankoh .... So .Janneh was the first to be killed. The rebels grabbed her, stripped her and threw her down in front of the whole village"* 71

Fabian, twenty-one, and eight other women were brought into a room on January 21 and forced to strip naked in front of eleven rebels after a picture of President Tejan Kabbah was found in the parlor. She described how they were terrorized and humiliated for over two hours:

"As soon as the commander summoned us to the room he said, also you are Kabbah's children; the ones calling in the jets to bomb us. He then ordered us to strip naked and stand in a line in front of him with our legs spread two feet apart. I begged him to leave me as I had my three-month-old infant in my arms but he tore the baby from my arms and threw him against a wall. 1572

3. Other Gender-Based Crimes Developed by Jurisprudence through Gender Neutral Qualifications

Sexual and gender based crimes constitute crimes against humanity through gender neutral qualifications when they meet all the elements of crimes of torture, enslavement, persecution, other inhumane act in crime against humanity (widespread or systematic attack, against civilians with the knowledge that the crimes constitute a part of the attack). This "gender-integrated" understanding of gender-based violence has been accepted by the ICTR and ICTY and is a critical protection against gender-based discrimination.

4. Gender-Based Persecution (Crime against humanity)

The Rome Statute includes gender as a ground of persecution in recognition of the significance of attacks targeted on the basis of gender at both women and men. Article 7(1)(h) identifies as a crime against humanity "[p]ersecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court".[73] Article 7(2)(g) then defines persecution as the "intentional and severe deprivation o f fundamental rights contrary to international law by reason of the identify of the group or collectivity." Article 7(3) then defines gender as "refer[ing] to the two sexes, male and female within the context of society." The second clause in this definition encompasses attacks directed against women because of their status or gender-dictated roles as well as because of any perceived resistance to that dictated role. 74

Article 2 (h) of the Special Court Statute does not, however, take into account the aforementioned provision of the ICC Statute, but rather adopts the wording of ICTR and ICTY Statutes. This is unfortunate, but again, it need not limit the scope of this Commission's consideration of the crime of persecution. We note as well that the ICTY jurisprudence clarifies the scope of the *actus reus* of persecution in recognizing rape as well as others physical assaults as a part of the crime. 75 Indeed, the bases of persecution are not fixed but must be considered in each context where an identifiable group or collectivity is targeted. To ignore gender-based persecution would be inconsistent with the general principle against gender-based discrimination.

The definition makes clear that the international crime of persecution includes but is broader than the infliction of violence upon a person.[76] It includes as well restrictions on rights such as freedom from detention or custody, of movement, of the rights associated with security of person and family life, control of access to one's body or autonomy of the body as well as restrictions of rights of access to justice, health, education, and work, and freedom of political opinion and religion. "It is not an individual act, but rather their cumulative effect that matters."[77] There is no question that the combination of sexual and gender violence and the ongoing threat of forced marriage, rape and other sexual violence alone resulted in the intentional and severe deprivation of fundamental rights constituting gender-based persecution in addition to other grounds of persecution.

It is worth noting that in the Sierra Leone conflict, in addition to rape and sexual violence directed at women, the brutal attacks on children, pulled from women's protection, was a form of gender violence. Violence designed to feminize and thus humiliate men, such as raping women or daughters in front of them is a form of gender violence directed at both the men and the women or girls. The abduction and conscription of young boys designed to prevent them from growing up into enemy soldiers was a form of gender violence.

While this testimony focuses on the gender violence directed at women, it is important that the TRC also give attention to the manifold aspects of gender violence perpetrated in this conflict. 78

IV. **INTEGRATING SEXUAL AND GENDER VIOLENCE INTO NONSEX-SPECIFIC CRIMES**

It should already be clear that rape and other forms of sexual and gender violence also constitute acts which meet the criteria of other non-sex-specific crimes such as torture, mutilation, enslavement, and inhumane or cruel treatment. As discussed above, it is important for the TRC to emphasize the applicability of these crimes as it assists in countering deeply engrained cultural and legal attitudes that tend to minimize rape and sexual violence. In addition, the recognition of the crimes against women in Sierra Leone as among those long universally accepted as the most grave also tends to assure to the survivors the full measure of both dignity and equality to which they are entitled. Accordingly, in this part, the Coalition provides brief discussion of their applicability.

Torture (crime against humanity and war crime)

In the international criminal instruments, the crime of torture is codified as both crimes against humanity (Art. 7 (1) (f) of the Rome Statute and Art. 2(f) Special Court Statute) and war crimes (Art 8 Rome Statute and Art. 3(a) Special Court Statute). In the Rome Statute, the actus reus of torture as a crime against humanity requires only the "infliction of severe physical or mental pain or suffering on one or more persons... [who] were in the custody or under the control of the perpetrator." Torture as a war crime requires in addition that the severe pain or suffering be "for such purposes as: obtaining information or a confession, punishment, intimidation or coercion for any reason based on discrimination of any kind." In this sense the latter definition is more similar to the purpose requirement contained in the *UN Convention Against Torture and Other Cruel Treatment or Punishment* 79 It should be noted that the purpose requirement is not a specific intent requirement, but is to be objectively determined as was originally intended to broaden beyond interrogation the recognized goals of torture. It should be noted as well that the right of not to be tortured is one of the fundamental rights of a nonderogable nature, i.e. it is a *jus cogens* norm. 80

Rape and other forms of sexual violence also constitute torture under human rights and humanitarian law. This is not only clear from the horrific examples provided heretofore, but it has been recognized explicitly in the ICTY and ICTR decisions as well as in the Rome Statute, as discussed above. Most recently the *Kunarac* Appeal Chamber made clear that the severity of pain and suffering inflicted by rape constitutes torture. It should be noted that, despite error in an early ICTY opinion, there is no longer any requirement [as is required by human rights law] that the person committing the torture have official status when the torture is committed in the frame of war or crimes against humanity.

It must also 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. When children or spouses or parents are sexually threatened or assaulted in front of another family member, that is recognized as a form of torture. Thus in Sierra Leone, it is torture when daughters, including virgin daughters, are raped in front their fathers or

mothers, when a breastfeeding woman is raped in front of her husband and children, when a post-menopausal woman is raped in front of her son. It has also been judged that forced observance of sexual violence inflicted on a woman engaged with a man caused him severe physical and mental suffering. [81] 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.

Examples of sexual and gender violence as torture from Sierra Leone:

One woman also reportedly had pepper put in her vagina as the RUF suspected her of being the wife of a SLA soldier. Rebels inserted burning firewood into the vagina of twenty-five-year-old F.T. and another woman during the January 1999 invasion of Freetown:

"Once we were on the ground all the rebels surrounded us, and a tall rebel well over six feet went to the kitchen of Parliament House and took a piece of burning firewood from the fire. He then squatted down and with his two hands inserted it into my vagina. Then he returned to the fire and got another piece and then a third. I felt like I was being stabbed inside. (...) He did the same to the other woman. While they did this to us, I heard them say "This is the way we are going to fuck you. We are not able to do to you half of the things we do to people in the provinces. You bastard civilians, you hypocrites; as soon as you see ECOMOG, you start to point f iners at us. "[92]

Later in the same year, K.M.'s baby was killed in front of her in Kambia district by a rebel captain who wanted to rape her: *"Captain "Danger" pulled my baby from my back and before I could do anything he sliced my child in two. I was told not to cry as otherwise I would be killed as well.* ,83

S.G., a fifty-year-old widow, was raped by a teenage rebel called Commander "Don't Blame God" and subsequently had both arms amputated in Mattru village in Bo district prior to the 1996 elections:

"Commander Don't Blame God said: "I have a letter for you but wait for the cutlass man to come. " Then the one with the machete came and told me to put out my left arm. It took them three chops with the cutlass to cut off my arm. After this I begged them not to cut my other arm but they struggled with me and a rebel held it down and cut it off. The cutlass man said, "We belong to Foday Sankoh 's group. " Then one of them took my left arm and put it under my vagina and kicked me twice in the vagina ... very, very hard. " 4

Enslavement (crimes against humanity)

Enslavement is named as crimes against humanity (Art. 7 (1) (c) Rome Statute and Art. 2(c) Special Court Statute). It is also prohibited by numerous international human rights and humanitarian law instruments and is one of the original universally condemned crimes under customary international law. Likewise enslavement is a *jus cogens* violation**.** 85

The sexual form of enslavement is now codified as "sexual slavery." Beyond that enslavement takes many forms, some of them gendered. Young girls and boys, men and women can be enslaved in one of many

ways: in domestic labour, mining, arms factory, de-mining and medical experiments. It becomes a gender crime when an individual is enslaved because of his/her particular function in the society: women used for domestic labor (cooking, washing, cleaning, serving, educating children), men for transport or fighting, young girls for spying, girls and women for sex and reproduction.

In the *Kunarac* Judgement, the ICTY recognized that both forced domestic labour and sexual services of women and girls constituted enslavement 86 The essential element of enslavement is, as discussed above the exercise of any or all of the powers attaching to the right of ownership. The indicia have been elaborated by the *Kunarac* Appeals Chamber and include restriction or control of an individual's autonomy, restriction of freedom of choice or freedom of movement, extraction of forced or compulsory labor or service, often without remuneration though not necessarily, involving physical hardship; sex; and human trafficking. Enslavement may be accompanied by a claim of exclusivity; torture, cruel treatment and abuse, including sexual; and other means of psychological as well as physical control. Enslavement does not require a showing of non-consent since the exercise of free will by the victim may be irrelevant or impossible because of the coercive environment. It also does not require detention or the absence of any avenues of escape. It may also be the product of a commercial exchange but this is clearly not required. 87

Examples of enslavement from Sierra Leone:

See M.P. testimony telling that she was abducted and confined in a RUF camp from until February until May 1994: "Two *weeks later, the four young men managed to escape. When the rebels found out, they blamed us for what happened. (...) Then a commander called Momoh Rogers, who was the battalion commander, ordered that my cousin and I be put in a wooden cage smaller than one square meter. He said that if our brothers who had gone to tell the SLA came to attack, it would be very easy for them to kill us. The cage was what the village people used to store their husk rice in and it had almost no ventilation. We were only let out to defecate. They told me I had to pee on myself in the box. They poured water into the cracks but it was never enough and was dirty. Sometimes they dropped cassava and boiled bananas into the cage, feeding us like we were animals. The stab wounds I had got infected and I got sores all over my body. They were painful and smelled very badly.* "[88]

The crimes committed during the detention of this girl could also be qualified as torture and eventually as other inhumane acts.

See also examples and testimonies above in the sexual slavery section of this submission.

Other inhumane acts (Crimes against humanity)

Other inhumane acts are also categorized as crimes against humanity (Art. 7(1)(k) Rome Statute and Art. 2(i) Special Court Statute) and encompass acts that are of similar gravity and seriousness by comparison to the enumerated crimes. These will be acts or omissions deliberately cause serious mental and physical suffering or injury or constitute a serious attack on human dignity."[89] Such acts need not amount to the severity of torture although the distinction is not a clear one and needs to be examined in context. To the extent there are serious sexual and gender crimes that are not mentioned in the Special Court Statute (e.g. enforced sterilization and gender-based persecution), they would clearly qualify as other inhumane acts. The perpetrator need not intend the suffering but only know that the acts will cause such suffering.

Examples of other inhumane acts:

See A.J. testimony as cited above: *"He interrogated me, asking me if the boys were SLA's. During the interrogation he cut me in twenty-one places with a knife including a deep cut on my left breast.* "[90]

See Katmara B. testimony: *"At this point we were given guns and cutlasses, and told that we were to go and cut hands off."*[91]

See F.K. testimony: *"They bet on the sex o the baby so they decided to check it. Kill Man No Blood split open her belly. It was a boy. One of the other rebels took the baby out and showed everyone that it was a boy. The baby was still alive when he threw it on the ground next to the woman but died shortly after* "[92]

Mutilation (war crime).

The crime of mutilation has been listed as a war crime by Art 8(2)(c)(i) of the Rome Statute and the ICC Elements explain mutilation as permanent disfigurement or permanently disabling or removing an organ or appendage under circumstances that are not medically justified. ICC Elements, Article 8(2)(c)(i)-2. Consequently, sexual mutilation includes disfiguring or removing a woman's breasts, face or other part of the body; removing the uterus or fetus of a women; burning and cutting sexual organs and breasts, burning and cutting the vagina. It is clear that the reported cases of cutting open women to remove the fetus constitute mutilation as well as torture and enforced sterilization.

Cruel treatment (war crime)

Cruel treatment involves an act or omission that knowingly causes serious mental or physical suffering or injury, or constitutes a serious attack on human dignity.[93] Treatment that does not meet the purpose requirements of torture may constitute cruel treatment. 94 For example, the following acts constitute "cruel treatment": forced nakedness and terrorizing and threatening physical and sexual violence.

V. INTERNATIONAL HUMAN RIGHTS LAW

Many elements of international human rights law relate to sexual violence and to crimes that target women and girls in a discriminatory manner.

Article 9(1) of the International Covenant on Civil and Political Rights (ICCPR), for instance, provides that: "Everyone has the right to liberty and security of person." The ICCPR (article 3), like many other human rights instruments, is explicit in affirming "the equal right of men and women to the enjoyment" of all rights it covers. The ICCPR as well as the Convention against Torture and Other Cruel Inhuman and Degrading Treatment or Punishment (CAT) prohibit torture under all circumstances. Article 1 of the convention defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person .... when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity."

The **Convention on the Elimination of All Forms of Discrimination against Women** (CEDAW) is the only major UN human rights treaty devoted to the equality of women. It was adopted by the United Nations

in 1981 and is monitored by the Committee on the Elimination of Discrimination Against Women, usually known as the CEDAW Committee. CEDAW defines violence against women as a form of gender-based discrimination. In 1992, the Committee affirmed that both public and private forms of violence ("all forms of discrimination") against women are human rights violations in the CEDAW Committee's Recommendation 19, which establishes the links between violence and discrimination. CEDAW reinforces state responsibility in ensuring "without delay" that any "act or practice of discrimination against women" be stopped (article 2(d)). The CEDAW Committee has enumerated a wide range of obligations of states related to combating sexual violence, including ensuring appropriate treatment for victims in the justice system, counseling and support services, and medical and psychological assistance to victims. CEDAW also has an Optional Protocol, which is a mechanism that offers victims of rights violations the possibility of real remedy in two ways: through a complaints procedure (Article 2) which allows individual women and women's groups to file a complaint directly to the Committee; and, through an inquiry procedure (Article 8), which enables the Committee to initiate direct inquiries and seek information to verify complaints of systematic CEDAW violations in a state party. It also establishes a followup procedure where governments may be required by the Committee to submit a progress report on remedial efforts taken regarding complaints (Article 9). However, domestic remedies must be exhausted before a complaint can be submitted to the Committee.

In a significant development in 1993, the United Nations General Assembly adopted the **Declaration on the Elimination of Violence against Women"** (A/RES/48/104, December 20, 1993, issued on February 23, 1994) in which it declared that prohibiting gender discrimination included the elimination of gender-based violence and that all nation "should pursue by all appropriate means and without delay a policy of eliminating violence against women." While not technically, binding, the resolution is increasingly regarded as a source of customary international law. In Article 1, it defines violence broadly: `Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.' The Declaration specifies particular forms of violence as encompassed in the definition: violence within families, including sexual abuse of children, dowry-related violence, marital rape, female genital mutilation and "other traditional practices harmful to women"; violence in the general community such as sexual harassment and intimidation in the workplace and educational, institutions; and all forms of violence perpetrated or condoned by the State. Further, it explicitly recognizes that women in situations of armed conflict are especially vulnerable to violence. One major obstacle to women's equality worldwide has been the tendency for nations to invoke "traditional values" as a justification for discrimination against women. The Declaration makes a strong stand against arguments of "cultural relativism" in the context of violence against women. Article 4 states that "States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination." Article 4 (c) also urges states to take all appropriate measures to eliminate violence against women, whether perpetrated by the state or private actors in the home or in the community.

The Declaration analyzes violence against women, not as the result of individual acts of aberrant behaviour, but as a "manifestation of historically unequal power relationships between men and women." It states that "violence against women is one of the crucial social mechanisms by which women are forced into a

subordinate position compared with men." The Declaration implies that violence both contributes to, and maintains, women's inequality and that its eradication will require fundamental societal restructuring.

Article 19(1) of the **Convention on the Rights of the Child** (CRC) requires states parties to protect children from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse." States are also enjoined to provide special protection and assistance to a child "temporarily or permanently deprived of his or her family environment" (article 20(1)). A child's right to "such measures of protection as are required by his status as a minor" is also guaranteed by the ICCPR (article 24 (1)).

The **African Charter on Human and Peoples' Rights** guarantees the "elimination of every discrimination against women ...and protection of the rights of the woman and the child" as well as the right to integrity of one's person, the right to be free of "all forms of exploitation and degradation .... particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment" (articles 3,4 & 5).

VI. CONCLUSION

The above-described sexual violence crimes committed against women and girls continue to haunt the survivors long after the abuses are committed, leaving lasting scars on the physical and mental well-being of survivors. Other related consequences of the war that women suffer include loss of family members, stigma and loss of social position, poverty, and shortages of food, water, clothing, shelter, health care and sanitation.

Additionally, it is foreseeable that an armed conflict such as the one in Sierra Leone, involving widespread sexual violence, will serve as a vector for sexually transmitted disease. A World Health Organization report found an alarming high prevalence rate of HIV/AIDS amongst Sierra Leone Army soldiers. Some sexual violence victims are sure to have been infected by the virus, given that the probability of the transmission of HIV and other sexually transmitted diseases is greatly increased during violent sex. In addition, in post-conflict situations, women continue to remain marginal and vulnerable to violence and exploitation, be it by former perpetrators still in the community, within community or in the domestic sphere.

The relative lack of attention paid to the widespread and systematic acts of sexual violence, sexual slavery and their consequences means that there are few assistance programs for survivors. The international community and the government of Sierra Leone need to drastically increase funding to ensure that desperately needed health care, education, adult literacy, skills training, trauma counselling, and income-generating schemes are provided. Rape and other forms of violence against women continue to remain largely unpunished in the domestic legal system. The TRC can play a role in pushing for the government and international community to meet the urgent needs of the women survivors.

VI. RECOMMENDATIONS TO THE TRC

Acknowledgment of the Crimes Committed during the Conflict

- The final report of the TRC should document and highlight the full range of sexual violence crimes committed against women during the Sierra Leone conflict and the fact that these crimes were widespread and systematic. Additionally, the TRC should seek to identify all the perpetrators responsible for this violence, including rebel forces, government soldiers, civil defence militias, and U.N. peacekeepers.

- The TRC should recognize that the sexual violence directed against Sierra Leonean women represent a crime under international humanitarian and human rights law. It is important for the TRC to identify these international sexual violence crimes as a step toward countering the deeply engrained cultural and legal attitudes that tend to minimize rape.

Public Education

- Ensure that the TRC findings are accessible and disseminated, in various formats, to the Sierra Leonean population in all areas of the country. A public education campaign on the report's findings should be designed in collaboration with civil society. Through this public education campaign, the TRC should promote public awareness of women's rights and gender issues using media, mobile community outreach teams, information resource centers, plays, videos, cartoons, among other means.

Assistance to Survivors

- Recommend that the government implement the plan to create the special fund for war victims-which the parties to the Lome Peace Agreement made a commitment to establish-and that priority be given to the reparation and rehabilitation of sexual violence survivors, among others.

Make Recommendations to the Government of Sierra Leone

The TRC report should make recommendations to the Sierra Leonean government to address and strengthen the promotion and protection of women's human rights, including:

Regarding Women's Rights

- As a priority, the government should take steps to uphold women's human rights. The judiciary, police, security forces, prosecutors and staff of local courts in Sierra Leone should receive human rights and gender training.

- All necessary measures should be taken to ensure that former rebels release all women and girls abducted during the armed conflict who continue to be held, and provide them with the necessary social and economic options to enable them to leave these often abusive relationships.

• The government of Sierra Leone should establish an inter-ministerial task force with representatives from nongovernmental organizations to deal with the conflict-related sexual violence and related current problems facing women, with the aim of improving the legal, medical and social responses to women's and girls' needs.

Women and the Law

• The Sierra Leone legal system should be reformed from a gender perspective, to ensure that the domestic laws and courts are not discriminatory and meet international human rights standards. In particular, to combat impunity and work toward changing societal attitudes toward sexual violence, the government of Sierra Leone should: Revise or revoke existing laws (general, customary and Islamic) that discriminate on the basis of gender, and ensure that they meet international human rights standards. The necessary steps to amend the constitution must be taken to remove the provision exempting personal law and customary law from the prohibition on gender-based discrimination. Provide training on these new laws for the judiciary, police, prosecutors, and staff of local courts, and more generally, ensure that human rights education, including women's rights, be made an integral part of training of health, legal, education, military and law enforcement professionals.

• Strengthen the capacity of its police force and judicial system adequately to address cases of sexual violence including rape. Efforts should include the recruitment of female police officers, training in appropriate means of obtaining evidence, development of procedures that protect the rights and privacy of victims, protection for victims and witnesses, development of forensic capacity, and social services.

• Work with professional organizations and international experts to establish gender-based violence reporting procedures that are effective, sensitive, and that protect victims.

• Repeal the provision in the 1999 Lome Peace Agreement Act that grants amnesty to all warring parties, so that individuals who committed acts of sexual violence (and other crimes) during the war may be prosecuted in the domestic courts.

• Establish an independent national human rights commission as provided under the Lome Peace Agreement that will contribute to the promotion and protection of human rights beyond the lifespan of the Special Court for Sierra Leone and the Truth and Reconciliation Commission.

Women's Health

• Ensure that sexual violence survivors receive the assistance and help they need in order to achieve a maximal rehabilitation in society. Special attention should be paid to the needs of sexual violence survivors.

- Prioritize the nationwide establishment of free reproductive health clinics for women and girls that can provide testing and treatment for sexually transmitted diseases, including HIV/AIDS treatment, along with other services.

• Establish programs (medical care, trauma counselling and mental health programs) that will help to rehabilitate the survivors of sexual violence and provide them with desperately needed assistance. The government of Sierra Leone must redress its neglect of survivors' protection needs by drastically increasing funding and encouraging donor funding for this purpose.

Increase the number of female clinicians/health care workers and to increase the number of health care workers trained in women's health.

Formulate and execute a national strategy to address HIV/AIDS to facilitate treatment and prevention, and to encourage donor funding to support those efforts.

Women and their General Rehabilitation into Society

• Establish earmarked assistance programs for women in the areas of education, jobs/skills training, and income-generating schemes.

• Strengthen women's civil society groups through capacity building and leadership training.

• Take special efforts to encourage community acceptance of both rape survivors and their children as they reintegrate into society, while ensuring that the physical, emotional and economic well-being of the children born as a result of rapes are protected. Engage in a nationwide public awareness campaign, in collaboration with women's groups, in order to educate women, men and youth on issues relating to sexual and domestic violence against women and to women's rights. This could include promulgation of information through radio.

Make Recommendations to the International Community

The TRC report should make recommendations to the international community to address and strengthen the promotion and protection of women's human rights, including:

Urge the international community-the U.N., donor governments and humanitarian organizations-to provide technical and financial support to the Sierra Leonean government and civil society groups for legal reform and training and assistance to sexual violence survivors. In particular, prioritize initiatives directed at women including legal reform, increased judicial and police capacity to respond to the problem of sexual violence, reproductive health, and skills training. Call on the international community to assist and develop the capacity of Sierra Leonean civil society organizations promoting women's rights.

Ensure that Security Council Resolution 1325 on Women, Peace and Security requiring greater involvement of women in all peacekeeping and peacebuilding measures is implemented by the peacekeeping operation in Sierra Leone. Ensure that the peacekeepers include women in all aspects of planning for peace, humanitarian relief efforts, demobilization, reintegration and rebuilding and support local organizations working to promote women's full participation and rights. Take steps to discipline and hold accountable any peacekeeper responsible for sexual violence, abuse or exploitation of Sierra Leonean women.

END NOTES

' Human Rights Watch, " *We'll kill you if you cry ", Sexual violence in the Sierra Leone Conflict ",* January 2003, p.35, available on http://www.hrw.or~4/ (hereinafter HRW report, *"We'll kill you* if *you cry").*

[Z] Note that this section is entirely based on the findings of Human Rights Watch, except when otherwise specified. See HRW report, *"We'll kill you* if *you cry ", supra* note 1, pp. 3-5.

[3] Physicians for Human Rights, *"War-related sexual Violence in Sierra Leone: a Population Based Assessment",* January 2002, p. 78, available on http://www.phrusa.org/ hereinafter PHR report).

[4] The statistics reported below are taken from PHR report, *Ibid, pp.* 1-
3. [5] PHR report, *supra* note 4, p. 65.

[6] Preliminary Report submitted by the Special Rapporteur on Violence against Women, its Causes and Consequences, Commission on Human Rights, Fiftieth Session, November 1994, U.N. Document E/CN.41995/42, p.64.

7 See, for example, *Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulation concerning the Laws and Customs of War on Land,* 18 Oct. 1907, 3 Martens Nouveau recueil (Ser. 3), 461, art.46, 187 Consol. T.S. 227 (entered into force 26 Jan. 1910) art. 46: "Family honour and rights, the lives of persons, and private property, as well as religious convictions and practice, must be respected."

[8] Article 6(c) states that crimes against humanity are "Atrocities and offences, including but not limited to murder, extermination, enslavement, deportation, imprisonment, torture, or other inhuman acts conunitted against any civilian population or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal whether or not in violation of the

domestic law of the country where perpetrated." The Nuremberg Charter, as amended by the Berlin Protocol, 59 Stat. 1546, 1547 (1945), E.A.S. No. 472, 82 U.N.T.S. 284

[9] *Trial of the major war criminals before the International Military Tribunal, Nuremberg, 14 November 1945-1 October 1946, Vol. XXII* (1947-1949) 49.

'° Allied Control Council Law No. 10, 20 Dec. 1945, (Official Gazette of the Control Council of Germany), No. 3, 22. See generally Diane Orentlicher, "Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime," *The Yale Law Journal* (New Haven, CT), vol. 100, no. 8, June 1991, p. 2537.

" See the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery, *Judgement on the Common Indictment and the Application for Restitution and Reparation,* (Tokyo, 2000), delivered at The Hague, The Netherlands, 4 December 2001.

[,2] Article 27 of the *Geneva Convention Relative to the Protection of Civilian Persons in Time of War,* Aug. 12, 1949, 6 U.S.T. 3516, 75 U.N.T.S. 287. *(Geneva Convention IV)* prohibits "any attack of [women's] honour, in particular against rape, enforced prostitution, or any form of indecent assault." Common art. 3 (1) c) refers to

" outrages upon personal dignity, in particular humiliating and degrading treatment", whereas art 147 describes grave breaches.

[13] While Common Article 3 to the Geneva Conventions, applicable to internal armed conflict left rape implicit, *Protocol II* to the Geneva Conventions forbids rape explicitly, but characterizes it as « outrages upon personal dignity » comparable to « humiliating and degrading treatment » rather than as a physical assault. *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts,* opened for signature December 12, 1977, Article 4.2(e), 1125 UNTS 3, 16 ILM 1442 (1977) [Protocol 11].

[14] *Declaration and Programme ofAction,* UN World Conference on Human Rights, adopted in Vienna on June 25 1993, A/Conf. 157/23 . Even the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) adopted in 1979, has no specific provision on violence against women. In 1985, the Nairobi Forward-looking Strategies had acknowledged the problem of violence against women, and urged governments to respond, but there was no explicit recognition that violence against women is a human rights issue. In the years following Nairobi, the issue of violence against women received consideration within the ECOSOC, particularly by the Commission on the Status of Women. In addition, in 1992 the Committee on the Elimination of Discrimination Against Women, the body created to monitor the CEDAW, adopted a general recommendation on "Violence against Women" (CEDAW General Recommendation 19). It stated that "the definition of discrimination includes gender-based violence" and that "gender-based violence ...seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men". While CEDAW has extended the notion of discrimination to include violence against women, the impact of its work is largely confined to those nations that are parties to the Convention.

[15] The Prosecutors of the ICTY have issued indictments treating rape as a crime against humanity in, for example, *Prosecutor v. Meakic and Others,* Indictment as amended 2 June 1998, Case No IT-95-4; *Prosecutor v. Jankovic and Others,* Indictment Case No IT-96-23, as amended 7 Oct 1999; for the ICTR, see for example *Prosecutor v. Semanza,* Indictment, Case No ICTR-97-20.

[16] *FurundzUa* and *Celibici Judgments, supra* note 15; *Prosecutor v. Drago jub Kunarac, Radomir Kovac and Zoran Vukovic,* IT-96-23& IT-96-23/1-A, Appeal Chambers, 12 june 2002 (hereinafter, *Kunarac Appeal Judgment);* on rape as torture and forced nakedness as inhumane treatment, see *Prosecutor v. Jean Paul Akayesu,* Trial Judgment, Case ICTR-96-4-T, Ch.I, 2 sept 1998 (hereinafter, *Akayesu Trial Judgment) para. 687 and 697.*

'7 *Furundzija Judgment, supra* note 15; *Kunarac Appeal Judgment, ibid.*

[18] *Rome Statute of the International Criminal Court,* 17 July 1998, UN Doc. No. A/CONF.183/9, 37 LL.M. 999, entered into force on July 1 2002,(hereinafter *Rome Statute).* For discussion of the negotiation of the sexual and gender crimes, see Cate Steams, "Gender Issues" in Gender Crimes in R Lee ed, *The International Criminal Court: the Making of the Rome Statute-Issues, Negotiations, Results,* The Hague. Kluwer Law, 1999; Rhonda Copelon, "Gender Crimes as War Crimes: Integrating Crimes Against Women into International Criminal Law" (2000) 46 McGill L.J. 217; Barbara Bedont, "Gender Specific Provisions in the Statute of the International Criminal Court", in F. Lattanzi, W. Schabas (eds), *Essays on the Rome Statute of the ICC,* Naples, Editoriale Scientifica, 1999.

[19] *Rome Statute, ibid,* Article 7(1)(g) and Article 8(2)(b)(xxii) and 8(2)(vi)(e).

[20] *Ibid.,* Article 7(1)(h) and 7(2)(g).

[21] *Ibid.,* Article 9. Elements of Crime, U.N. Doc. PCNICC/2000/1/Add.2 (2000) (hereinafter ICC *Elements).*

22 See Introduction to ICC *Elements, ibid.,* para. 9 and article 6 (genocide). We have not studied the crime of genocide in this statement to the TRC since we believe that the crime was not committed in the context of the Sierra Leone conflict.

23 *Kunarac Appeal Judgment, supra* note 18.

24 See ICTY, *Prosecutor v. Anto Furundzija,* Case No IT-95-17/1, Judgment (10 Dec 1998) (hereinafter, *Furundz~a Judgment)* and *Prosecutor v. Delalic and Others,* Case No IT-96-21, Judgment (16 Nov 1998) (hereinafter *Celibici Judgment) ,* where sexual violence was charged as torture.

zs Prosecutor v. Dragoljub Kunarac, Radomir Kovac and Zoran Vukovic, Trial Judgment, Case IT-96-23T, 22 Feb 2001, para. 487 (hereinafter *Kunarac Trial Judgment); Kunarac Appeal Judgment, ibid.; ICC Elements, supra* note 23, 8 2) b) xxii)-1 (3)

[26] *Kunarac Appeal Judgment, supra* note 18.

[27] *Akayesu Trial Judgment, supra* note 18, para. 580. [28] *Kunarac Trial Judgment, supra* note 26, para. 429. 29 *ICC Elements, supra* note 23, art 7 (Crimes against Humanity), Introduction, para. 3. [30] *Kunarac Appeal Judgment, supra* note 18.

[31] *Rome Statute, supra* note 20, Article 7(1). See also *Kunarac Trial Judgment, supra* note 26, para. 244 and 434. *Kunarac Appeal Judgment, J bid.* It should be noted that one aspect of the chapeau elements for crimes against humanity was highly contested and dubiously resolved, i.e., the question of whether the state or organization must actively pursue the forbidden attack or whether passive tolerance of the attack is sufficient. In our opinion, the threshold requirements of the ICC Elements are neither authorized by the Rome Statute nor consistent with international legal standards. See *Kunarac Appeal Judgment, ibid.*

12 *Kunarac Trial Judgment, supra* note 26, para. 435.

33 *Prosecutor v Tihomir Blaskic,* Trial Judgment, Case IT-95-14-T, 3 March 2000 9 (ICTY).
34 *Kunarac Trial Judgment, supra* note 26, para. 431.

3s See art 2 of the SC-SL *statute,* available on

32

36 *Rome Statute, supra* note 20, Article 7 (1)(g)(crimes against humanity) and 8(2)(e)(vi)(non-international war crimes); the para.llel provisions of the ICC *Elements, supra* note 23, Articles 7(1)(g)-1 and 8(2)(e)(vi)1; and SC-SL *Statute, ibid.,* Article 2 (g)-l.

37 *Celibici Judgment, supra* note 15.

31 *ICC Elements, supra* note 23, Articles 7(1)(g)(i) and 8(2)(b)(xxii) and 8(2)(e)(vi). See *Furundzya Judgment, supra* note 15.

39 The concept of "invasion" is intended to be broad enough to be gender-neutral. It is understood that a person may be incapable of giving genuine consent if affected by natural, induced or age-related incapacity. See art.7(1)(g)-1 of the elements of crimes and procedure, NU, Doc. Off. ICC-ASP/1/3.

ao Akayesu Trial Judgment, supra note 18, para. 688.

[a1] *Kunarac Trial Judgment, supra* 26; *Kunarac Appeal Judgment, supra* note 18.
[a2] *Ibid.,* p.29.

43 Rules of Procedure and Evidence, ICC-ASP/1/3. Rule 70 a) b) c).

aa It should be noted that the ICC Rules contain very strict provisions against the admission of prior sexual conduct of the victim. *Ibid.,* Rule 71: "In the light of the definition and nature of the crimes within the jurisdiction of the Court, and subject to article 69, paragraph 4, a Chamber shall not admit evidence of the prior or subsequent sexual conduct of a victim or witness".

as HRW, *"We'll kill you ifyou cry", supra* note 1, p.34-35.
46 *Ibid,* p.33.

[a] HRW report, *"Sierra Leone, Getting away with Murder, Mutilation, Rape", July 1999, p.* 50, available on http:// www. hrw.org/. (hereinafter, HRW report, *"Sierra Leone, Getting away with Murder,Mutilation and rape ").*

[ag] For a further discussion on sexual slavery, please refer to "Enslavement (crimes against humanity)", *infra* p.25. *Rome Statute, supra* note 20, Articles 7 (1)(g) and 7(2)(c) and 8(2)(e)(vi); *ICCElements, supra* note 23, Articles 7 (1)(g)-2 and 8(2)(e)(vi)-2; and *SC-SL Statute, supra* note 37, Article 2 (g)-2.The Statutes also recognize the crime of « enforced prostitution. » Articles 7 (1)(g) and 8(2)(e)(vi) of the *Rome Statute* and parallel provisions of the ICC *Elements* and Article 2 (g)-3 of the SC-SL *Statute.* Although the elements of sexual slavery and enforced prostitution differ, enforced prostitution has long been an euphemistic and stigmatizing way of referring to sexual slavery. Even the factor of a pecuniary exchange in the context of force, required for enforced prostitution in the ICC *Elements,* does not operate to distinguish slavery from forced prostitution. Because there is no example known to us in the Sierra Leone situation which is not also sexual slavery, the Coalition counsels against utilizing this nomenclature because of its detrimental impact on women.

49 *Rome Statute, ibid.,* Article 7(2)(c) and ICC *elements, ibid.,* cited above.

so ICCElements, ibid., Article 7(1)(g)-2. See *ICCelements, supra* note 23, art. 7(1)(g)-2, note 18: "It is understood that such deprivation of liberty may, in some circumstances, include exacting forced labor or otherwise reducing a person to a servile status as defined in the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956. It is also understood that the conduct described in this element includes trafficking in persons, in particular women and children."

[5,] Final Report Submitted by Gay McDougall, Special Rapporteur for Systematic Rape, Sexual Slavery, and Slavery-like practices during Armed Conflict, UN Doc. E/CN.4/Sub.2/1998/13 (12 June 1998), para. 45.

[s2]HRW report, *"We'll kill you ifyou cry", supra* note 1, p. 43.

s3 *Ibid, p.* 44

sa Rome Statute, supra note 20, Articles 7 (1)(g); *ICCElements, supra* note 23, Articles 8(2)(e)(vi) and 8(2)(e)(vi)-3; SC-SL *Statute, supra* note 37, Article 2 (g)-3.

ss ICCElements, ibid., Article 7(1)(g)-4 f.

56 *Supra* note 16.

57 HRW report, *"We'll kill you* if *you cry", supra* note l, p. 42-43. [s8]

ibid., p. 42-43.

59 *Rome Statute, supra* note 20, Articles 7 (1)(g) and 8(2)(e)(vi); *ICCElements, supra* note 23, Articles 7 (1)(g)-5 and 8(2)(e)(vi)-5. The *SC-SL Statute, supra* note 37, does not list this crime.

33

bo *ICC Elements, ibid.,* Article 7(1)(g)-5. The deprivation is not intended to include birth-control measures which have a non-permanent effect in practice. It is understood that "genuine consent" does not include consent obtained through deception

6 [1] HRW report, *"We'll kill you ifyou cry", supra* note 1, p.35.

62 *Rome Statute, supra* note 20, Articles 7 (1)(g) and 8(2)(e)(vi; *ICCElements,* Articles 7 (1)(g)-6 and 8(2)(e)(vi)-6; and SC-SL *Statute, supra* note 37, Article 2 (g)-5.

63 The ICC *Elements, ibid.,* require that the sexual violence be of compara.ble gravity to the other sexual and reproductive crimes. To the extent that might result in a lower standard for inhumane treatment than for sexual violence, this addition in the ICC *Elements* would either be discriminatory or the lesser form of sexual violence would have to be prosecuted as inhumane treatment

64 *Akayesu Trial Judgment, supra* note 18, para 688. 6s *Kunarac Trial Judgment, supra* note 26, para. 457. 66 For definition of this crime, see ICC *Elements, supra* note 23, Article 8(2)(c)(ii). The ICTY has also defined the crime in similar terms: "An outrage upon personal dignity is "any act or omission which would be generally considered to cause serious humiliation or otherwise be a serious attack on human dignity. [...] The statute does not require that the perpetrator must intend to humiliate his victim, that is, he perpetrated the act for that very reason. It is sufficient that he knew that his act or omission could have that effect". *Kunarac Trial Judgement, supra* note 28, para. 507 and 773-774. See also *Zlatko Aleksovski Trial Judgment,* Case IT-95-14/1-T, 25 June 1999, para. 54, 55, 56 confirmed on appeal, Case IT-95-14/1-A, 24 March 2000, para. 28. Apart from sexual violence, offense against honour and humiliating and degrading treatment can apply to such acts such as: the impossibility to bury the bodies of a person's relatives or the impossibility to respect the dead rituals that condemns a person to damnation, the loss of home and land

because they are synonymous to the loss of identity and self-esteem, the violation or destruction of cemeteries or rituals locations, the obligation to eat with the wrong hand, or the public performance of certain acts, the presence of laugh and applauds exacerbate the humiliation.

[67] *Rome Statute, supra* note 20, Articles 8(2)(b)(xxii) and 8(2)(e)(vi)

[6$] See Cate Steains, "Gender Issues", *supra* note 20.

69 See Ariane Brunet and Stephanie Rousseau, « La reconnaissance des violations specifiques des droits fondamentaux des femmes : une condition indispensable de la lutte contre 1'impunite » in CIDPDD *Campagne contre l'impunite : portrait et plan d'action,* Montreal 1997, p.207-236; Rhonda Copelon, Surfacing Gender: Re-Engraving Crimes Against Women in Humanitarian Law, Hastings Women's Law Journal, vol 5 (1994) pp.243-265.

'° HRW report, *"We'll kill you ifyou cry", supra* note 1, p.31. "
Ibid., p.33.

'[Z] Human Rights Watch, "Getting Away with Murder, Mutilation, Rape New Testimony from Sierra Leone" July 1999, p. 54, available on http:J/www.hrw.org/

73 *Rome Statute, supra* note 20, Article 7 (1) h.

74 Cate Steains, "Gender Issues", *supra* note 20; Rhonda Copelon, "Gender Crimes as War Crimes: Integrating Crimes Against Women into International Criminal Law", *supra* note 20.

[,S] *Kupreskic Trial Judgment,* Case IT-95-16-T, 14 January 2000, (ICTY) para.571, 615(b). Some accused *by the ICI'Y also pleaded guilty to the count ofpersecution that encompasses sexual assaults. See, ICTY,* indictments of Stevan Todorovic, Blagoje Simic, Milan Simic, Miroslav Tadic, Simo Zaric.

76 *Prosecutor v. Kvochka and Others,* Indictment, as amended 1 Oct. 1999. 77 *Kupreskic Trial Judgment, supra* note 77, footnote 894.

78 See for instance " Rape and Other Sexual Violence against Boys and Men by Male and Female Rebels" in HRW report, *"We'll kill you if you cry ", Ibid, p.* 42.

[,9] *Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment,* 23 ILM 1027, entered in force 26 June 1987.

[8°] See *Furundzya Trial Judgment, supra* note 15, para. 153 and 154. See also, ICJ, *Barcelona Traction Light and Power Company Ltd,* 1970 Report 3, 32, para. 32-34.

[81] *Furundz~a Trial Judgment,* ibid., para. 267.

[82] HRW report, *"We'll kill you ifyou cry", supra* note 1, p.34.

[83] *Ibid.,* p.33. 14 *Ibid.,* p.36.

34

31

95 See Cherif Bassiouni, "Sources and Theory of International Criminal Law" in International Criminal Law, Vol I, Crimes, 2°d Ed., Transnational Publishers inc., Ardsley, New-York, pp.79-80, and 663. See also, ICJ, Barcelona Traction Light and Power Company Ltd, 1970 Report 3, 32, para. 32-34.

[86] The elements have been developed in Kunarac Trial Judgment, supra note 26, para. 542 and 543. [8'] Kunarac Appeal Judgment, supra note 18.

[88] See HRW report, "We'll kill you if you cry", supra note 1, p. 31-32.

[89] ICTR, Kayishema Trial Judgment, Case ICTR 95-1-T., Ch.II, 21 May 1999, para. 15 1.

[90] HRW report,. We'll *kill you* if you cry", supra note 1, p.31.

[91] PHR report, supra note 4, p.69.

92 HRW report, "We'll *kill you* if you cry ", supra note 1, p.35.

93 ICTY, Celebici Trial Judgement, supra note 15, para. 552. See also ICC Elements, supra note 23, Article 8(2)(c(i)-3.

94 *Ibid,* para. 552.

29

PLANNED PARENTHOOD ASSOCIATION OF SIERRA LEONE

SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION

SIERRA LEONE

"THE SITUATION OF WOMEN AND GIRLS IN THE PRE-CONFLICT, CONFLICT AND POST CONFLICT SIERRA LEONE".

INTRODUCTION

The Planned Parenthood Association of Sierra Leone is a voluntary and non-profit making local NGO which was established in 1959. Its role is to supplement the efforts of government and other NGOs in promoting and providing appropriate gender sensitive Sexual and Reproductive health Information, Education, Communication, Counselling and Services, thereby contributing to the reduction of HIV prevalence, maternal mortality, unsafe abortions and increase the contraceptive prevalence rate in the country.

PRE-CONFLICT PERIOD

Before the advent of the war in Sierra Leone, the general socio-economic and health status of women and girls were quite low particularly in the rural areas where the bulk of the population lived. The level of illiteracy was high especially among women. There was early sexual activity and this was mostly done in wedlock in many traditional settings. As a result, these girls started child bearing at an early age. With limited access to health care facilities they were at risk of developing problems/complications related to pregnancy and child birth. Also young girls who lived in urban areas and who were school going resorted to unsafe abortion which sometimes resulted in disabilities or even in death. All of the above contributed to the constant high maternal mortality rate recorded over the years. May I hasten to say that data on unsafe abortion is not readily available as abortion is illegal in Sierra Leone. In addition the total fertility rate is estimated to be 6.5 children per women. Despite this high level of fertility, many women never had the previledge to decide freely & responsibly on the number and spacing of their children. Family planning services led to a relatively low level of contraceptive practice especially in the rural areas were it was estimated to be 13.6% and 20.1% in urban areas (SWAC Survey 1998).

With the above information highlighted, one can clearly see that there were many unmet health needs in Sierra Leone. In order to address some of these unmet needs, the Planned Parenthood Association of Sierra Leone with funding form the International Planned Parenthood Federation was able to establish family planning programmes in various communities in Freetown, Bo, Kenema, Makeni, Port Loko and Kono. Information, education, counselling and contraceptive services were provided in communities and branch clinics in the operational areas. During the early 60s, family planning was not popular as there were lot of misconceptions but with intensive education and sensitisation, it gradually gained momentum. By mid 70s, the Association in collaboration with the Ministry of Health was able to provide family planning training for health personnel in the Ministry as well as others from private clinics and military hospitals both in the urban and rural areas. Logistical support including contraceptives and incentives were provided to these personnel who integrated family planning services into their existing health programmes. Inorder to increase access to family planning services local residents were identified in their communities and trained to provide family planning services as well as STI prevention in both urban and rural communities.

Namely: Western Rural - Newton and Songo

Kono District - Nimikoro and Tankoro Chiefdoms

Bo District - Valunia, Komboya, Nyawa Lenga, Gbo, Tinkonko, Bumpe, Jaiama Bongor, Baoma, and Lugu chiefdoms

Port Loko - Kaffu Bullom, Loko Massama and Maforki chiefdoms

Moyamba - Rutile.

Other health related services offered included; laboratory test for cervical cancer, sexually transmitted infections, various blood, urine and stool. Also counselling and treatment of STIs, infertility, immunization and treatment of minor ailment are provided.

CONFLICT PERIOD

During the conflict, there was massive destruction of lives and properties including health facilities in both urban and rural areas. Also there was mass migration of people, many bread winners lost their lives, children were separated from their parent and wives from their husbands. Thousands of young girls and women were abducted and raped some by individual/gang of rebels or Sierra Leone Army Force personnel. The war worsened the plight of women and children, young girls turn to commercial sex inorder to cater for their parents and or siblings whilst others got engaged in high risk sexual behaviour. This led to an increase in the incidences of sexually transmitted infections which is an area of serious concern as the presence of STIs further increase the risk of contracting HIV. Displaced camps were set up in various locations in the country. The Association provided IEC and free clinical services to displaced persons in a number of camps in Freetown, Bo and Kenema. Some of the women and youth were trained in income generating skills such as soap making, garri and bread production. In addition some were trained as community based distributors to provide services in the camp. We collaborated with FAWE to provide counselling and clinic service for returnees in Freetown and Bo. Outreach activities were adversely affected thus some staff were redeployed to relatively safe areas.

The Association like many others suffered losses during the conflict. We lost four of our land cruisers, one familiar Peugeot, one mini bus which were assigned to Bo, Makeni and Freetown with damaged to properties in Kono, Kenema and Makeni. Kono and Makeni clinics were later closed down as a result of the escalation of the war and the staffs were made redundant.

POST CONFLICT PERIOD

After the invasion of Freetown in 1999, abductees were provided with counselling and free medical services. A total of 230 abductees were seen in our clinic of which 210 were females many of whom had been raped. Victims were between the ages of 10 & 41 years. Services offered were counselling to all the victims and those relatives who accompanied them to help them cope. 65 cases were counselled and treated for sexually transmitted infections. 35 pregnant women and girls were counselled, examined and referred to the PCM Hospital for appropriate management. *Note that all of these pregnancies were unplanned. In addition two had miscarriages and were managed. 41 cases received treatment for minor ailments, three were treated with physical injuries, 2 cases with gynae problems were referred to PCM Hospital and 1 drug addict was also referred for rehabilitation. With the inception of the DDR programme, staff from PPASL provided reproductive health information and education to ex-combatants at the Lungi, Port Loko and Bo camps. Condoms were also distributed to both male and female ex-combatants.

Now that the war is behind us the country is faced with many challenges some of which include the dire need for accessible and affordable quality reproductive health services for adolescents, women and men in

all the regions in the country. To meet these challenges, PPASL is currently providing RH services at various communities and clinics in Freetown, Bo, Kenema and Port Loko. Services are mainly youth focused and are provided by trained health personnel and community based service providers. We also collaborate with UNICEF, UNAIDS, UNFPA, Ministries of Health, Education, Social Welfare Gender and Children's Affairs as well as other NGOs and Institutions to address the issues of STI including HIV, gender based violence and family planning.

RECOMMENDATIONS TO THE COMMISSION

To effectively address the reproductive health problems faced by women and girls in conflict situations, centres must be established with trained personnel to provide compassionate care in all regions in the country. Secondly women and girls must be empowered economically inorder to make them more independent both in social and traditional settings. Strict penalties must be imposed on perpetrators of gender based violence irrespective of their socio economic status.

I thank you all for listening.

SUBMISSION

BY

International Rescue Committee Submission to the TRC

Introduction

Founded in 1933 by Albert Einstein, The International Rescue Committee is a leading non-sectarian, voluntary organization providing relief, protection and resettlement services for refugees and victims of oppression or violence conflict. The IRC is committed to freedom, human dignity and self-reliance. This commitment is reflected in well-planned global emergency relief, rehabilitation, resettlement assistance, and advocacy for refugees and others displaced by conflict.

2.

The !RC established an office in Sierra Leone at the end of 1998 to address the enormous humanitarian needs arising from a decade of conflict. Today the IRC operates out of its headquarters in Freetown, and its field and sub-offices in Kenema, Koidu, Bo, Gerihun, Zimmi, Daru, Kambia, and Kailahun. Program sectors include Health, Education, Gender-Based Violence Prevention and Response, Refugee Camp Management, Child, Protection,Water and Sanitation, Refugee Youth Programs, and Community Empowerment.

The IRC Sierra Leone provides reintegration services for Sierra Leonean returnees and internally displaced persons, and facilitates post-conflict development as it transitions into long-term development strategies. The IRC Sierra Leone serves the needs of Liberian refuges through emergency response and humanitarian aid.

2.1

The IRG Gender-Based Violence Program in Sierra Leone started in 1999 as a component of an emergency reproductive health program. The health program ,recognized that the specific health and psychosociai needs of the women and girls raped and sexually assaulted during the war were not being adequately addressed. Since-it's inception, based on beneficiary needs, GBV has evolved into an independent sector and has assisted over 800 survivors of conflict and post conflict related gender-based violence. Under the legal component of the GBV program more than 70 cases of-post-conflict rape and sexual assault have been charged to court, of which 10 cases have been successfully prosecuted in Sierra Leone.

The IRC GBV program looks at G3V programming from a holistic perspective and addresses prevention and response from the health; psychosocial, legal/justice and security sectors. IRC G3V currently operates in 3 Liberian Refugee Camps, as well as in Kono, Kenema, Kaiiahun and Freetown. In the provinces the program works with communities to establish Women's Community Centers and establish Women's Action Groups (WAGs). These groups are then provided training on gender based violence issues and serve as agents of change in the respective communities. In Freetown IRC has helped to start a Sexual Assault Referral Center called the Rainbow Center. In the next two years the GBV program will establish two more Sexual Assault Centers, one of which will be in Kenema and the other will be in a location to be determined.

In an attempt to get an approximate idea of the number of women raped or sexually assaulted during the war, Physicians for Human Rights (PHR) conducted a population based assessment of war related sexual violence in Sierra Leone. This report officially released in 2002 estimates that 50,000 – 62,000 Sierra Leonean, IDP women may have suffered war related sexual violence. According to the assessment the prevalence of war related and non war related sexual violence was 17% which means that an estimated 94,000-122,000 women in Sierra Leone may have experienced some form of sexual violence in their lifetime.

While the GBV program was originally started to provide emergency health and psychosocial service to survivors it has also started providing post conflict activities in Sierra Leone. This transition to post conflict services was based on the high number of incidents of post conflict violence against women reported directly to IRC staff or collaborating agencies. In addition nine percent of the 991 participants directly interviewed during the PHR assessment reported sexual abuse by family members, friends or civilian strangers in their lifetime (non-conflict related). Based on this the GBV program started targeting non-conflict related gender based violence.

IRC did no program in Sierra Leone before the war and no baseline data about gender based violence in pre -conflict Sierra Leone is available. Therefore we cannot state whether or not the prevalence of violence against women has increased or remained constant. In this document IRC will report on what it has observed in its operational areas specifically related to post conflict gender based violence.

Anecdotally, some Sierra Leoneans blame the existence of sexual violence on the conflict and say that it was very taboo before the war. Other Sierra Leoneans say that it was common before the war. It is clear however that a culture that accepts violence against women and girls exists in Sierra Leone.

In all of its operational areas IRC has observed sexual and physical violence against women. Domestic violence or wife beating is extremely common and accounts for over 50% of the cases documented by IRC. IRC has documented cases where women have been beaten unconscious by husbands or boyfriends. Flogging or beating a women with a stick is seen as acceptable as long as she does not sustain 'serious' injuries. Injuries are not considered serious unless thee is bleeding or open wounds. IRC has also documented cases where husbands want to take other wives and try to force the first wife out of the home. This is done by withholding money for food and necessities.

In one case a woman that was 8 months pregnant was beaten and kicked by her husband until one eye was swollen, shut and she had bruises all over her body.

In another case a woman was beaten by her husband for failing to prepare food. The beating was so severe that the woman was unconscious for 24 hours.

In another case IRC assisted a woman who had been forced to marry a 40 year old man when she was 16. Her husband wanted to take another wife and had stopped giving her money for food, clothing and schoolfees or any necessities. If she asked for these things he would tell her she was stupid and ugly. She had sought assistance from the chief and elders but her husband had her arrested for shaming. She walked 20 miles to the IRC office to seek assistance because she had heard 'they deal with women's issues.'

Provincial (Kenema, Bo and Kono)

In the last nine months IRC has documented over 70 cases of sexual assault in Kenema, Bo and Kono. There have been more than 210 cases of wife beating and 10 cases of sexual exploitation. IRC has documented 15 cases of girls being forced to marry. In at least half of those fifteen cases the girls were forced to leave school to marry older men.

In one case a 14 year old girl was sent to fetch water. On her way a man tried to get her to stop and talk to her. She refused and tried to run away. The man caught her and tried to remove her pants. The girls struggled and the man beat her severely. Consequently, the girl's eye had to be removed.

A husband wanted to have sex with his wife and she did not want to have sex with him. He accused her of having a boyfriend and took her to the chief . The chief fined the woman and sent her home. The husband again asked the woman to have sex and she said no and he stripped her naked in public.

Urban

From March 3rd to April 30th 2003, the IRC supported Sexual Assault Referral Center (SARC) located at the Princess Christian Maternity Hospital received 91 sexual assault survivors. Of these 91 clients 98.9% were female with the most frequently reported sexual assault being rape (78%). in 88% of the cases the perpetrator was known to the survivor and 47% of the assaults were committed by neighbors or co-tenants.

In Freetown a four year old was grabbed by two men. One of the men held her down while the other raped her.

In another case a girl reported being raped to her mother. Her mother blamed her and shaved her head as punishment.

1.Legal sys shortcomings

,

There have been consistent obstacles to survivors of gender based violence accessing justice. These obstacles exist in both rural and urban settings but are more pronounced in the provinces.

These include:

The Sierra Leone justice system currently operating in the provinces is overburdened with work and seriously understaffed. Judges, magistrates and state prosecutors cover more than one district, thus weeks may elapse between court sittings in one district.

Many survivors are poor and are unable to afford transportation from rural areas to court, and if, due to multiple adjournments, they are required to return on repeated occasions, they are likely to drop their cases before conclusion. Such adjournments are commonplace due to absence of witnesses or key court personnel, insufficient evidence, or missing documents.

Court staff including Magistrates, bailiffs, and prosecutors lack training, knowledge and understanding of issues of gender-based violence and the needs of survivors. Survivors are openly blamed for the violence perpetrated against them and this is reflected in the treatment they receive in the judicial system. For the most part, survivors' cases are heard in open chambers, and survivors must tell their stories and respond to questioning and cross-examination in an often crowded court room.

Perpetrators are given the opportunity to directly question survivors in court. Thus you have situations where a 50 year old perpetrator may be interrogating his 13 year old victim in open court. This re-victimizes survivors who may already be experiencing feelings of shame due to the social stigma they face. This is a deterrent to survivors pursuing their cases in court.

Survivors have a limited understanding of the law and the pluralistic legal s./stem. Because of this they are at a disadvantage when it comes to understanding and advocating for their legal rights. In addition to this, in the provinces there is limited or no legal aid available, particularly legal aid specifically for survivors of GBV. There are few, if any, female lawyers or lawyers specifically trained in GBV in Sierra Leonean law in the provinces.

For survivors who wish to pursue the matter legally, they must obtain a medical certificate from the police doctor or doctor identified by the Ministry of Health and Sanitation to conduct forensic examination. Only one such doctor is available in each district in the provinces; none of these doctors are female; few if any have received training in responding to the health needs of survivors. It is not clear how the Police doctor is chosen arid arbitrary decisions regarding this are made regardless of the doctor's interest, skill or knowledge level.

If the designated police doctor has traveled qr is busy the survivor must come back for treatment and to get the P-3 form signed if she wants to pursue legal action. Having to wait increases the already serious potential health consequences survivors face.

In several provinces the identified forensic doctor levies a fee for medical certificate to the survivor; such fees are above and beyond fees for medical services as determined by Ministry of Health's policy. The IRC GBV Program has documented cases in which the fee levied was as high as 50,000 Le. Few, if any, survivors are able to afford these fees and thus are unable to pursue legal action as the police doctormay refuse treatment. •

In at least 30 cases the doctor's *in Bo and Kenema* have refused treatment to the survivor because she is *unable* to pay the Le 30,000 – Le 50,OOO fee. In one instance a 7 year old girl was sent away with no medical treatment after being raped because her family was *unable* to pay. While IRC facilitated these survivors receiving *health* care at a clinic this is not a long term solution.

In one case an 8year old girl was raped *and* her father wanted to report the ,'matter to the police. Because of the *distance* to the police station the man sold his portable radio for transport money. When he and the girl arrived at the police station he was sent to the hospital. At the hospital the man was charged Le 50,000 *which* he did not have. He returned to the Family Support Unit and told them that he was *returning* to his village to stab the perpetrator so then *both* he and the perpetrator would be brought to the police station.

Police personnel in the provinces receive inadequate training to conduct interviews with survivors, many of whom are children. Police interviewing techniques have been observed to be harsh and judgmental of survivors. Additionally, police investigations are often poorly conducted, whether due to insufficient training or insufficient resources or, both.

In many cases perpetrators are not arrested or are released due to lack of evidence. In some instances perpetrators collude with police or other legal personnel to botch an investigation or lose valuable evidence thus leading to dismissal in court. 1n other instances perpetrators threaten or coerce survivors and/or family members into dropping charges or not appearing in court.

The IRC GBV Program *documented* one case *in which* the police officer *knowingly and* purposely documented the statement of a survivor inaccurately; this was discovered because the survivor's family member who present was literate and able to read the statement.

In another case a woman was raped *and wanted* to bring charges against the perpetrator. *Unbeknowning* to her, her husband *had* met with the perpetrator *and* agreed to allow the perpetrator to pay him money not to bring charges. The perpetrator was *subsequently* released.

2.6

Physical Health Consequences of GBV`

Survivors may suffer physical health consequences including death, injury (wounds, broken bones) or disability, urinary tract infections, irritable bowl system, injuries to

the reproductive system (menstrual irregularities, childbearing problems, infection, chronic pelvic pain, WF may result from early pregnancy in cases of rape or forced early marriage), STI's and/or HIV/AIDS, unwanted pregnancy, miscarriage, unsafe abortion,:depression leading to Oronic physical complaints or illness (real physical problems with no actual diagnosed disease-such as headaches, for example).

Due to cost of services or medications or distance to health facilities, many survivors do not seek healthcare services after an incident of GBV unless they experience physically debilitating symptoms. Thus, many serious health consequences, such as STIs or damage to the reproductive system may go undiagnosed and untreated.

For those survivors who do seek treatment, they often receive poor or inadequate services as healthcare providers are for the most part untrained in the diagnosis and treatment of GBV-related health problems. For example, emergency contraception is rarely offered to a survivor of rape. Health care providers are not trained in screening for survivors of violence.

Additionally, the MOHS has not put forth standard protocols for the treatment of survivors of rape, domestic violence, or other forms of GBV. Adopting such protocols as the World Health Organization's Clinical Management of Rape Survivors guidelines could prevent HIV or STI infection as well as unwanted pregnancy.

10. RECOMMENDATIONS

Clear policies should be set forth from the different government ministries regarding GBV prevention and response that are consistently implemented at national as well as regional levels.

The respective ministries should develop ***standards*** of care and provide appropriate training in order for police, court personnel, native administration, healthcare providers, to provide appropriate response to survivors that will ensure survivors' choice and dignity are respected.

The MOHS should clearly post the fee for services survivors should be expected to pay. The MOHS should take steps to hold doctors who refuse treatment to survivors accountable.

The MOHS should adopt and train all of its staff in the World Health Organization's ***Clinical Management of Rape Survivors.***

> The Government of Sierra Leone work with GBV and other programs to design and implement a national prevention strategy to reduce all forms of violence against women. This should be targeted at the general population as well as specifically to youth, teachers, civil servants, police, military, peacekeepers.

Ensure that gender equality reflected in political agenda and provide increased opportunities for women to participate in political process. "

Poverty reduction initiatives targeting women should be implemented.

Law reform initiatives that seek to eliminate gender discrimination from customary, statutory, and religious laws; such initiatives would be guided by international human rights standards. .

Take steps to improve the legal system's response to cases of GBV, including the development of strategies for timely prosecution and the protection of survivors

Adopt a Zero-tolerance policy to GBV that illustrates the political commitment to preventing and responding to GBV.

THE ROLE OF MARKET WOMEN IN THE CONFLICT AND THE EFFECT OF THE WAR ON MARKET WOMEN

BACKGROUND TO THE FORMATION OF THE SLMWA

Our group, the Sierra Leone Market Women Association, was formed in August 1996. The objectives for the formation of the association were to bring all market women together, educate them on their roles, rights and responsibilities and to contribute in nation building.

Our mission statement is "to promote the economic empowerment of our members". We believe that if we are empowered economically we will be in a better position to make independent decisions politically, socially and psychologically. We can also be in a better position economically to educate our children to be better citizens than ourselves and to give us a better old age. Since we do not have any pension schemes, we believe that our educated children are a guarantee to a better old age.

CAUSES AND EFFECTS OF THE WAR - CONTRIBUTION OF MARKET WOMEN IN THE CONFLICT AND AFTER

The decade long conflict in Sierra Leone has devastating effects and brought immense suffering on the women especially the Market Women.

There is an overwhelming consensus that women in general Suffered disproportionately as victims of atrocities unleashed on the civilian populace. There was a tremendous increase on sexual and gender based violence such as abduction, rape and killing of women and the girl child. There was an increase of women headed households.

Despite all these, market women still continue to do their daily activities, which is buying and selling of our goods, risking their lives to go beyond rebel lines to buy goods to support their families.

Before the war, as we travelled across the country to buy various goods for sale to support our families, educate children, and attend to the general social welfare of our people and our country, and despite the fact that our contribution was, and still not taken into consideration in calculating the GDP - that is the Gross domestic product, we played and continue to play a substantial part in the country's economy. We have been and will continue to be stakeholders in this country called Sierra Leone. Most of us have husbands that are unemployed; redundant while some others are widows, divorced or unmarried.

The discrimination against us as women in Sierra Leone is an issue of concern to us who wish to see the development of women in this country.

> We as market women are the lowest in the cadre and have suffered serious marginalisation and discrimination both by educated women, men and the government for over a long period of time. In fact, this has been the case as far back as the time we gained independence.

Most governments only recognize us market women when it is time for elections, campaigning and using us as instruments to get political power. We will then be assembled like herds of sheep and masqueraded for the public and the international community as COOKS AND ASHOBE DANCERS. Elaborate promises will

be made to us about the education of our children, providing housing and health care for us - promises that have never been kept. Any attempt by us to contact them ends up in embarrassing us and accusing us of being nuisances. Over the years we have become pawns in a game of politics that we do not understand.

The most embarrassing situation is when a market woman is fooled by a politician to be a campaign manager for his/her party, after he/she wins the elections that politician will abandoned her. The worse she can do then is to visit that person's house. The relatives of that politician will then treat you as if you have come to hijack their wealth from them. This behaviour over the years has humiliated and demeaned us as women.

Our participation into politics has always been on an individual basis for individual politicians. We became involved collectively as a group in the 1995 -96 campaigns for election and democracy against the military. We formed the majority of women that marched into the street against the military, mobilised our women for both the Bintumani 1 and 2 conferences.

The Military men flogged many market women at the Aberdeen Bridge because they suspected that we were campaigning for elections before peace. We never relented, but marched forward and joined our educated women folks in the struggle forward.

During this struggle, we not only suffered the beating by the military, but many us lost our resources as well as our homes as some of our husbands became very intimidated by the boldness of their wives and divorced them.

90% of us market women are breadwinners in our homes. When the war intensified in 1996, a lot of the expatriate, diplomatic communities, educated and professional Sierra Leoneans fled the country and we thus lost the majority of our customers. This saw a reduction in our income or revenue, yet at the same time we became heads of households as our husbands lost their jobs overnights, which meant an increase in our responsibilities.

The war and the several coups also brought a complete breakdown on the economic activities of the country. This created a lot of suffering for us as market women. Most of us had lived on commission basis to earn our living and look after the children. We take goods from wholesale stores, sell them on a retail basis and pay back the cost and take the profit. We did not have the resources to purchase the goods ourselves.

In 1997 when the AFRC coup took place we condemned the coup of the AFRC and encourage our members not to support the newly created political class of the AFRC. Because of this, market women suffered both economically and physically. Our goods were looted, our tables burnt down or uprooted and broken down. Some of' our women were physically assaulted and molested. We could not travel out of the country, because we did not have the financial means as well as the educational capacity to live in exile. We stayed behind and continued to do our selling to sustain the lives of the remaining populace in the country.

Despite not being politically active, we still suffered casualties to some of the AFRC atrocities and some of our women and children lost their lives in road and sea accidents in a bid to escape the rampant shooting

and mayhem that was being unleashed on the general populace. Let me also highlight the very terrible incident at Mabayla where a bombing incident took place killed many people including one of our members and her entire family. Another member who was pregnant was seized, her pants taken off and mercilessly flogged in public by the AFRC at Guard Street market.

In 1998 after the Intervention, many ECOMOG soldiers were wounded and admitted at the Military hospital at Wilberforce. Our association contributed and prepared food for the wounded soldiers.

We also contributed to the 40th day ceremony of the late General Mitikishi Maxwell Khobe at the National Stadium

Over the years we have become active members of the Sierra Leone civil society network, and participated in almost all civil society initiatives. We were part of the delegation to Liberia and Guinea to establish linkages between the civil society in Sierra Leone and the civil society in the Mano River Union countries in September 2001, to form the Mano River Union civil society network.

We also played our part in the promotion of the peace process after it was signed in Abidjan. We were among the civil society who visited Corporal Foday Sankoh to talk to him to release the 500 UNAMSIL peacekeepers that were abducted by the RUF in Kailahun in 1999. We also mobilised our women in the demonstration against him in May 6 and 8 2000 that saw his final arrest. Our association was fortunate not to have lost anybody amongst those that were killed, but we were fully involved in the funeral arrangement and the welfare for those that were killed and wounded.

In June 1999 when the negotiation of the peace process was going on in Lome, the Market Women Association was one of the strong associations amongst the civil society organisations, that organized the second protest in the form of civil disobedience in Freetown for the slow pace of the peace process and to also caution the government on the way it was giving political positions to the RUF. We attended security briefings on the security situation of the country at the Wilberforce Hockey Pitch on a daily basis to help mobilise support against the RUF/AFRC rebels.

We formed the bulk of those who participated in the nationwide peace march organised by UNAMSIL and Campaign for Good Governance on April 2001.

After the return of the democratically elected government of President Kabbah in March 1998, some of our members were accused of collaborating with the AFRC junta. I am convinced that most of those who joined the AFRC regime did it out of ignorance of the consequences. But during the intervention, some of them were molested for supporting the regime and called collaborators, whilst on the other hand some of our members houses were burnt down by the RUF because they considered them as pro-government. So the market women suffered on every side, that is pro and anti government.

After 1998, we started our first micro credit program. We had our first grant from the United States Democracy and Human Rights. This enabled us to provide micro credit to the various Chair ladies of the markets in Freetown, train our members on human rights especially on the rights of women, domestic and sexual violence.

Over the last few years we have received support for Micro credit assistant from The British Department for International Development with the help of Campaign for Good Governance, the Sierra Leone Women's Forum, Association for Rural Development (ARD) and few others. We have established branches in Moyamba, Mattru Jong, Kambia, Bo, Kabala, Kono, Kailahun, Tombo, and Waterloo.

We have introduced a Human Rights component and established linkages with other Human Rights organisations like Campaign for Good Governance which is providing legal representation for us, National Forum for Human Rights and FAWE for counselling and the protection of our members, so that we can refer domestic and sexual violence cases to those organisations. We were founder members of the Women's Help Line so that market women can have access to a refugee and counselling Centre whenever their husbands beat them. We are hoping that in the near future, we will be able to create a shelter for abused market women to take refugee and get some psychosocial counselling.

We also do refer market women who have Gyneanocological problems to the Marie Stopes Clinics and to the Reproductive Health Centre at PCM Hospital.

We invite people to deliver talks at our monthly meetings for heads of market. We have listened to talks on HIV, Civic Education from NCDHR, the Community Relation Department of the Police, Reproductive Health, Marie Stopes Clinic, Special Court and various others.

The referral of domestic and sexual violence such as wife battering, rape, child maintenance and children custody and other abuses are in progress. We are in the process of training all the Chairladies and Secretaries of our various markets on leadership skills, and Human Rights monitoring to enable them to monitor abuses in their market places to minimise this.

We are also trying to replicate the food preservation and hygiene program, which we have collaborated with NaCSA and conducted for 300 market women in the western area. We want to continue this program for all market women who are selling non-washable foodstuffs in all markets for better impact.

INFORMAL/PRIVATE SECTOR.

Most governments in Africa, including our government in Sierra Leone always tend to forget about the informal sector, failing to realize the valuable roles the informal sector plays in the economic development of the country. The contempt with which we are held still continues. We are treated with disdain and contempt, dismissing us as a bunch of illiterate women. We are never consulted when economic policies of the country are being decided. We do not benefit from government patronage unless and until you are a member of the ruling party. We cannot access credit from commercial banks as ¯we do not have collaterals. This has made it impossible for our small-scale businesses to grow beyond a certain level.

Despite our numbers, and the role we play in the economy of the informal sector, we have not been given the recognition and support we deserve as citizens of this country. We have been manipulated, humiliated, abused and abandoned like everybody else. We are an essential part of society, but we have not been treated thus.

These and others are some of the things that are depriving Sierra Leone from moving forward. Politicians and educated people know that majority of us cannot read and write and we have always been and still are being taken advantage of.

It is therefore not surprising that most of our members are requesting for adult literacy programs and Campaign for Good Governance is helping us in it. We have made several efforts, but nobody is responding to us. We want to be part of the world around us. We want to understand our children, read their school reports, access the banking system, read our bank balances, know how much money we deposit, how much money we withdraw, own properties, and fight for our rights. We want to be respected citizens of this country, who can walk with pride and proud to call ourselves the Market women of Sierra Leone. We deserve all these and even more. We are the backbone of the family and the economy. But this has not been reflected in the way we are treated.

The Freetown City Council constructed 25 markets in western area since colonial time, when the trading activities were only in the hands of few Sierra Leonean.

None of these markets have any facilities needed by us i.e. water pumps, stores for our goods, security, electricity, sweepers cold rooms etc. We have always paid our market dues, but because we are a bunch of illiterate women the city council feels that they cannot be accountable to us. Who are we, illiterate bunch of women, to demand accountability?

We have been contributing on a daily basis amongst ourselves to pay for people to clean our markets. Why then do we pay dues? The City council has never given us an account of how much money they have been collecting over the past thirty years. For us as market women, it is the most corrupt Institution in this country.

On a daily basis in Freetown and the rest of the country the very City Council and the police is constantly harassing us for street trading, without even trying to identify an area where it can relocate our people. This "no street trading exercise" started in the late 80s by the then Mayor Alfred Akibo-Betts, but up till now all the previous governments and the present one have not set up a system whereby they can re-locate trading and business activities in a bid to address this situation. All they do is harass us and collect bribes from us. The city council even collect market dues from areas prohibited from trading.

The inconsistency and improper documentation of custom duties has always been another concern raised by some of our members who are travelling to neighbouring countries to buy goods. At any time they travel to buy goods, they will meet new taxes on their return. They cannot distinguish between police and custom officers. But as far we are concerned, these are the same people as they are only concern about extorting money from us, failing to realize that all those monies will be retrieved from the civil populace

GENDER EQUALITY/ TRADITIONAL SET UP

As market women of Sierra Leone we suffer more from the legal discrimination against us, because of traditional, cultural and religious laws especially Mohammadan laws that control most of our lives. Even the constitution discriminates against women probably because it recognises customary and religious laws. The inconsistencies in the legal system affect different women at different times because of the intermarriage.

The worst case is the North, where the only role a woman can play is to show support of decisions taken by the men by clapping, even if it is against the women. There are so many taboos to help men secure the customary law, just to suppress or prevent us women from participating in decision-making in their locality.

HIV/AIDS.

Most our members are married in polygamous homes, sharing their husbands with minimum on average with another woman. We are very concerned that we will become main victims of HIV and being breadwinners, maybe will die before we can educate our children.

FINDINGS

Although all efforts are being made to consolidate and build a sustainable democracy, yet the instances of bad governance, which contributed to the root causes of the conflict, are on going. I.e. neglect of the rule of law (lawlessness), injustice, corruption, high rate of unemployment and unskilled citizens, marginalisation of youth and women, discrimination against women even in the constitution, manipulative politics, centralization of power, lack of confidence in the judiciary, the police, the non- duality education and the brain drain are all still prevalent.

10: RECOMMENDA TIONS.

1. When a political party wins an election, it ceases to be a political party. It becomes a government and should represent the interest of the whole country and not just those that voted for it.
2. Contracts should be given to respectable and genuine business people and not fake party supporters. Only qualified Sierra Leoneans can be given jobs, or promoted, or given scholarship.
3. The constitution should be amended and international conventions that recognises and guarantee the rights of' women should be enacted into our national laws. All laws that discriminate against women especially the customary law should be codified or abolished.

4- The government in good faith should accept constructive criticism; it will help to correct situation.

5.Give priority to Education especially for the girl child, and Health and Sanitation

6. Continuous and genuine consultations on roles and rights of citizens should be organised by the government. We want to move forward.

7. Government functions should be decentralised and elected local structures as low as village level, should be established. Women must be given special quota system.

8. Women must learn to support and work with each other. There are too many petty rivalries amongst educated women and their various organisations.

9. The barrier between the elite, rich, illiterate and vulnerable must be broken. We are all interdependent. Let us try to appreciate each other's roles in society, because everybody's role is useful for the development of this country.

10. Sierra Leoneans should and must be given priority in terms if investments, loans and other business ventures. It has come to our notice that over the years, foreigners are given more priority than our own citizens and by our own governments and fellow Sierra Leoneans. This breeds bad blood in the society and sets the arena for corruption among other things. We want to own our economy, our resources and our entire nation.

11. The 1969 non-citizen trade Act must be implemented to enhance a good trading atmosphere for business people especially market women

12. Bigger markets with necessary facilities must be constructed all over the country, especially in the city and other big towns to avoid the harassment of business people and street trading.

Compiled by

Marie Bangura (Mrs)

Secretary General

Sierra Leone Market Women Association

THEMATIC PRESENTATION

The Situation of Women and Girls in the PreConflict, Conflict and Post Conflict Sierra Leone

A Thematic Presentation

BY

Prof Amy E Joof on Behalf of

GENDER RESEARCH AND DOCUMENTATION CENTRE (GRADOC) University of Sierra Leone Mount Aureol

PRESENTED TO THE TRUTH AND RECONCILIATION COMMISSION (TRC) 23rd May 2003

INTRODUCTION

In 1992 the Senate of the University of Sierra Leone as one of its structures approved the establishment of the Gender Research and Documentation Centre (GRADOC). A task force was appointed to set up the Centre and later in 1995 a Director was appointed to administer its activities.

The Mission of the Centre was to assist the government of Sierra Leone to implement its national human resource development policy for the empowerment of women and men. This purpose is pursued through mainstreaming gender studies into the University and other educational institutions generally, and through research, sensitisation, seminar, advocacy and networking, and outreach to the wider social system.

The institutional structure comprises a Director, a standing Committee for administrative functions, Librarian/Typist, Two Lecturers and four Technical Committees to address major issues within the structure. These technical committees are: -

The Curriculum Committee

The Research Committee

The Publication and Documentation Committee

The Net Working Committee

These are to initiate and provide gender studies at the University of Sierra Leone and other educational institutions, develop statements of goals and appropriate administrative management authority to review, co-ordinate and monitor relevant GRADOC activities.

The mainstreaming proposal was justified on the grounds that the national development process envisaged for equitable advancement of women and men to the year 2000 and beyond can only be operationalized through strategic interventions at all levels of policymaking, planning and programming. University level is an intervention point because of its high-level leadership output. In mainstreaming gender studies at this level, GRADOC also seeks to fulfil specific objective B4 paragraph 85(g) of the Beijing Platform for Action, which encourages academic institutions to:

Support and develop gender studies and research at all levels of education, especially at the postgraduate level of Academic Institutions and apply them in the development of curricula including University curricula, textbooks and teaching aids, and in teacher training.

OBJECTIVES

Similarly in response to The University's advocacy for gender to be an area of concern in higher institutions, GRADOC has designed the aims and objectives of its programme to:

1. Contribute to gender studies as an academic discipline through gender sensitive research and dialogue on culturally relevant framework;

4.Facilitate mainstreaming of gender studies at all levels of University education, both undergraduate and postgraduate

5.. Improve opportunities for both gender and especially for the girl child in the Sierra Leone school system through creating an awareness of their needs.

4. Increase awareness of and sensitivity to the implications of policies and plans for Gender Equity and Empowerment among teaching staff at all levels of education through advocacy, sensitisation and training programmes.

5. Develop gender positive teaching and learning materials specific to the African cultural context, and facilitate their incorporation at various levels;

6. Improve contact, networking and information sharing through high level personel doing research on gender issues in Sierra Leone and other countries and those involved in policy making;

7. Provide consultancy, readership and referral services through a fully functioning documentation and service centre.

THE NATURE OF WORK

GRADOC' S first achievement was the link with the Centre for West African Studies at the University of Birmingham in the United Kingdom.

In 1996 (26-29 March) GRADOC organised a workshop in collaboration with the British Council on the theme "Setting an Agenda for Gender Studies at the University of Sierra Leone". The formation of the four technical committees mentioned above was an outcome of this workshop.

There are already gender studies components within the course structure of the Department of Education where teachers are trained to teach at secondary school level and where other cadres of students come to pursue Master's courses in Education.

GRADOC Research Centre currently holds over 500 books, journals, bibliographies and articles. The centre has become of immense value to researchers in academic community because of its focus on Information Sharing. Current materials and update information are obtained from British Council, UNDP and other interested partners.

The networking with organisations/institutions interested in gender issues has been favourable, for example with the British Council, UNDP/SEGA, Ministry of Social Welfare, Gender and Children's Affairs, FAWE Women's Forum to name a few. However, linkage with offices such as Forut, and Action Aid have been effected. Intra University linkage is also affected with University Research & Development Services URDS and the Department of Education, FBC

The Gender in Education courses at the Department of Education, Fourah Bay College was started three years ago for Postgraduate Diploma and Masters students. Enrolment in these courses is rising steadily over the years even though the number of female enrolment is increasing upwards yet it is still lower than the male. This however reflects the total enrolment pattern and trends in general in the educational system in Sierra Leone.

The GRADOC and the University Research and Development Services (URDS) at the University of Sierra Leone have been working closely for the purpose of information sharing and networking.

AREAS OF FOCUS AND ACTIVITIES

CONDUCTED

It has planned to introduce gender studies as an academic discipline into the curricula of the University of Sierra Leone; at both undergraduate and graduate levels, in the Department of Education, Institute of African Studies M.A. programme, Foundation Courses in Languages and Linguistics, Adult Education, etc

It has conducted research, focusing on issues; such as violence against women, women in Science and Technology, women in management in higher education, empowering women at grass root level through education and skills training.

It is trying to document information on gender issues in the country as and when they become available i.e. build a directory of completed work or those in progress, such database can facilitate gender responsive development planning, policy formulation and implementation.

That GRADOC is stretching out its arms in various ways to larger society through networking and advocacy:

A Gender Research and Documentation Centre was established and equipped with materials, equipments and personnel, that is open to the University Community Population and the Public at large.

A workshop on "Setting an Agenda for Gender Studies at the University of Sierra Leone" was organised that brought together thirty-nine senior academic and administrative staff drawn from various faculties, department, colleges and other institutions. Three workshops have been conducted so far, Concepts and Methods in Gender Studies was the second workshop. Other workshops held in December 2000 and February 2001 were on modularisation of the Masters in Gender Studies courses and another on Gender and Sexual Violence involving rape victims.

Gender Studies has commenced in the Department of Education FBC at the Postgraduate Diploma and Masters levels.

An approved Curricula finalised into modules has started in the Department of Education, FBC. The commencement of the Masters in Gender Studies programme took off in October 2002/2003 academic year.

MASTERS IN GENDER STUDIES PROGRAMME COMMENCING 2002/2003

The third year of the link between GRADOC, USL and Centre for West African Studies CWAS, University of Birmingham involves modularisation of 12 courses for the Masters programme.

The course number and title of the modules are as follows:-

I[st] Semester

*1.	Gen 611 -	Gender and Development
*2.	Gen 621 -	Gender Relations in African Societies
*3.	Gen 631 -	Gender Awareness Research
	2[°d] Semester	
*4.	Gen 612 -	Gender Population & Development Studies
5.	Gen 622 -	Gender and Education
6.	Gen 652 -	Gender Conflicts & Human Rights
7.	Gen 662 -	Gender and Environment/Agriculture
	3[rd] Semester	
*8	Gen 641 -	Research Projects * Programmes in Gender Studies
9.	Gen 651 -	Gender and Health
10.	Gen 661 -	Gender and Employment/Income
	4[t'] Semester	

11. Gen 672a - Research Projects

12. Gen 682b - Research Projects

*Compulsory courses

The Masters course, which started October 2002, and will run for two years as a research based Masters programme involving six months of research. Course such as Gender, Conflicts and Human Rights will serve to correct the unequal power relations between men and women in our society. Gender and Environment/Agriculture will focus on women as caregivers and farmers and their role in conserving resources such as fuel wood in our environment. Gender and Employment/Income will focus on the stark under-representation of women in careers in Science and technology. Gender and Education will focus on engendering women so as to close the gender gap in literacy rate and leadership and managerial positions in our society. Gender and Development will bring out how structural adjustment programmes hit our women the hardest. Gender and Health will focus on women as primary health providers for their families and draw our attention on some of the current health risks like STDs including AIDS in our society. Gender Relations in African societies will focus on the unique nature of our African societies and how some gender roles have been misconstrued. The two research methodology courses, in which students will have a feel of conducting group gender research, will involve documenting their findings and using the data as advocacy and lobbying tools. Various theoretical framework in all areas of study will be taught.

These courses will help us achieve the first and second objectives of GRADOC as stated on page 2-3.

MOUNTING SENITIZATION CAMPAIGNS FOR THE PROMOTION OF GOOD GOVERNANCE

GRADOC has in the pipeline a project involving sensitising the public to promote good governance by including the visits of women in decisionmaking in both in-country government and international organisations at the highest levels. The democratisation process involves including all minority groups in all of society's legal enterprises. It is therefore crucial women should be empowered and advocated for, if Sierra Leone should develop and their voices should be heard.

CONCULSION

GRADOC has addressed the needs of women and girls in Sierra Leone ensuing from the conflict and this fits in with the service role of GRADOC to the community. We would like to see more medical help and psychological counselling being offered to rape victims, but this is outside our mandate. We have recently been working with women's FORUM on the SGVV project and hope to continue doing this on a wider scale.

In addition to teaching and capacity building through training, promotion of research activities and application of findings is one of GRADOC's main objectives.

Consequently during and after the conflict period in Sierra GRADOC conducted a major research on Gender and Violence known as the GAV Research Project, as its contribution towards knowledge and understanding of what was happening in Sierra Leone.

CONTRIBUTION OF GRADOC TO NATIONAL RECONSTRUCTION IN SIERRA LEONE 2000 /2001 ACADEMIC YEAR AND BEYOND POST CONFLICT PERIOD

1. **THE_ GENDER_ AND VIOLENCE _ (GAV) RESEARCH PROJECT**

GRADOC embarked on creating a database of rape victim's experiences during the ten-year war in Sierra Leone in November 2000, a research project that was funded by DFID and managed by the British Council. So far 338 rape victims have been interviewed and GRADOC is documenting their experiences. A needs assessment survey was also done alongside the interviews and fifty scholarship and twenty grants for skills training are being disbursed to sexual gender violence victims (SGVV) as interventions to help meet their needs.

The project is on-going and the target for the database is one thousand rape stories. The findings of this project were disseminated at a one-day workshop held at the British Council Hall in February 17th 2001 to about 60 participants including some of the rape victims and to the larger society through radio broadcast and newspaper article following the workshop. A lot of feedback from the public was received as to show how to prevent a recurrence of such atrocities and GRADOC is embarking on some of the projects emanating from these ideas as phases II and III of the project.

The main objective of the survey was to provide primary and secondary data of the incidence levels and nature of physical violence committed against women and girls during the January 6 rebel incursion into Freetown and its environs. It has since been extend to Kenema and Lokomasama, Lungi. The data is being used to design development projects for these victims. The information will be used as a lobbying tool to impact policies of government, national and international human rights organisation, and to develop programmes to promote the rights of education of women and children will impact poverty alleviation and sustainable development. It will encourage men, women and girls to come forward and be sensitised and helped medically.

SEXUAL AND GENDER BASED VIOLENCE

The International Context

Over the last 25 years, the subject of Gender and Violence has been named as `violence against women', `sexual violence' or `gender violence'. It is a global perspective which following the convention on the Elimination of Discrimination Against women (CEDAW) 2001 has been influential in effecting a more recent shift to the language of gender violence.

CEDAW (2001) stated that the general prohibition of gender discrimination includes

`gender violence - that violence which is directed at a woman because she is a woman or which affect women disproportionately. It include acts which inflict physical, mental or sexual harm or suffering, threats of such acts, coercion or other deprivations of liberty".

CEDAW affirms that violence against women constitutes a violence of women's rights. The changed global context also highlighted by the United Nations Fourth World Conference on Women 1995, and subsequent conference, like the 1996 International conference on violence, abuse and women's citizenship, according to (Brighton,) has resulted in the inclusion of feminist, activists and researchers in consultative process by International bodies and many national and local governments. These initiatives were informed by feminist's understandings of and research on gender violence, its nature, impacts, prevalence and critiques of the limited responses on the part of the law, the police and the community.

The change in International context has also had an important influence on National governments. Signatories to the Beijing Declaration are now required to report regularly to the United Nations on progress made on `critical areas of concern relating to the "advancement of women and the achievement of equality between men and women" as a matter of human rights (United Nations, 1996: 33)

`Violence against women and the `persistent discrimination against and violation of the rights of the child' are respectively the fourth and twelfth critical areas' and such are issues centrally included in government reports to the UN. That feminists research and activist features significantly in many reports is a testament to the widespread influence of feminists work in this area.

In Africa gender violence as most believe, seem to have been socially and culturally instituted and ascribed as a result of sex roles. Most African societies are highly patriarchal and inequality exists in terms of women's role in decision and policy making, which has implications for family roles, stereotyped roles of boys and girls culture of silence, incest and taboos.

According to the African Charter of Human and People's Rights, all International instruments governing Gender violence of which ever form need to be addressed using instruments governing Gender violence of which ever form need to be addressed using local and international means available.

Rape and sexual abuse of women have long been part of international and internal armed conflict, but have not figured prominently in war crimes proceedings, while violence not associated with armed conflict has continued in diverse forms across all societies.

There are a number of complex explanations to this gender blindness, firstly, the true level of global violence against women has remained covered. Violence against women remains widely unreported and therefore it is not officially recorded. Economic and social dependency upon the men who are abusing them prevents many women from reporting the violence they suffer. In many instances where violence is reported, legal officials regard it as a private matter and fail to respond as they would to public violence and other forms of criminal assault. Traditional and cultural assumptions about gender violence within society are used to justify continued oppression and subordination of women. Challenging these is seen as socially destabilizing and as a threat to family social cohesion.

The National Context - Sierra Leone

The ten year long civil war in Sierra Leone caused mass exodus of refugees to neighbouring countries as well as displaced hundreds of thousand of citizens countrywide. Refugees and internally displaced persons have suffered unimaginable acts of violence as a result of the conflict. Women and young girls have been particularly affected by the war and many raped, maimed forced into prostitution and involved in unwanted relationships.

On the 6th January 1999, Revolutionary United Front (RUF), Armed Forces Revolutionary Council. (AFRC) Forces invaded the city of Freetown and hundreds were amputated, beaten and abducted including men, women and children. Houses were set on fire and properties carted away and burnt. There were also widespread rape and sexual violence and abduction of women and children of both sexes. About two thousand three hundred and fifty (2,350) cases of sexual abuse were reported at FAWE, SLAUW, MSF, and MSWGCA (FAWE, 200) all that time and the number revealed later were considerably higher. Men under a patriarchal system actually enjoy war at the level of our outlet for aggression liking the rules and strict hierarchy and delighting in the technology that enables them to kill.

Men often justify their violent behaviour as a response to feeling of frustration, anger or fear of a level of power (Hearn 1996: pg27) Men that are violent to women are making a choice to be this way because even within a patriarchal ideology men can choose not to be violent, and not to use their institutionalised power to coerce women into acquiescence.

The level of violence used in such sexual encounters and the other atrocities will be revealed in the Sierra Leonean war rape stories, for example abducted women and girls were forced into marriage. Abducted women and girls were forced into marriage and turned into sex slaves as a result of which were many unwanted pregnancies contraction of HIV, sexually transmitted diseases, gynaecological, psychological and emotional problems.

Sierra Leone Association of University Women (SLAUW), Forum For Women's Educationalists (FAWE), Ministry of Social Welfare Gender and Children's Affairs (MSWGCA), MSF Holland set up a baseline survey in planning intervention programs for furthering the education, promotion of health of girl's raped/sexually abused during the rebel incursion. These institutions have branches in all parts of the country.

The Social Issue of Rape

The incidence of rape during wartime has been attributed to the evidence of hate, which accompanies the act. During war, power and the hate, sex and lust seem to reinforce the male domination, cultural expectations and unequal power relations between the sexes that, contributes to the lust factor. Would more education serve to reduce lust in a society?

A society without violence was described by Collins in the South Pacific in the island of Martinique (Cousins 2001). The adults have autonomy over their own bodies and their society precludes rape. Complementary adults marry. This situation however may not be due to much education but to a utopian vision of the world as emphasized by reconceptualists. Infact though rape can be prevented in some African societies because of recognizable structures of female solidarity, it may be difficult to.convert men to African feminist cause.

Some men in Sierra Leone are compelled by tradition to dominate their wives. And for some ethnic groups the meaning of marriage causes the problem of violence.

In a transformative feminism however, both women's equality with men and rules of conduct challenge structures that support gender based violence (Cousins, 2001). Is rape caused by psychologically deranging men? Why is rape so common in a society at war? Are men aggressive? Is the pattern of rape shown in Sierra Leone war functional, intentional and patterned? Stranger rape is much more understandable than familiar rape and police rape. How can we correct this masculine misbehaviour?

Is it due to the ownership in marriage that is prevalent in the African society ? Is it why wives are beaten and raped even in the absence of war? Stories of rape have involved contradictions, absence, silence and attacks. Strategies of resistance to rape can be built up through use of legal system and female solidarity. Do these challenge social structures? It is hope that the debate which this research will bring about will address all such concerns in the Sierra Leone society and reduce the incidence of rape particularly today in war torn Sierra Leone.

Rationale/Justification

Rape has been a social problem in Sierra Leone even before the rebel war but is now of high unimaginable incidence because of the war. Many women and young girls have suffered and are now suffering because of these abuses committed during the war. There is dire need for violence to be addressed as we move from conflict to post conflicts in the design of actions/programs, polices and strategies in alleviating the problems of women and girls. Over one million persons have been affected.

Objectives of the Study/Research

The main objectives of the survey is to provide primary and secondary data of incidence levels and nature of physical violence committed against women and girls during the January 6 incursion into Freetown and its environs.

Specifically,

• To create awareness of the incidence of rape and other forms of sexual abuse.

• To use the data collected as a lobbying tool to impact policies of national and international institutions.

• To assist Human Rights organisations to develop programs aimed at promoting the rights of women and children.

• To design and develop programs in education and health for rape victims.

To identify gaps in providing inputs to poverty alleviation programs and strategies.

Strategy

The project outputs are:

1. Visibility - data, which make visible the physical violence suffered by women and children at the hands of the rebel.
2. Proper planning - data which would inform us about development interventions for victims.
3. Lesson learnt; ideas about preservation strategy of the future generation.
4. Intervention programmes, some of these victims have expressed concern about formal education and may benefit more informal programmes and other development initiatives

Impact

The project shall serve as an eye-opener to the world on the plight of Sierra Leonean women and Children as a result of rebel war and its consequences. Long term beneficiaries - Traumatised women and girls, their families and the community at large. The victims of rebel atrocities have begun to provide us with data on their experiences and what would be welcomed by them.

As a result of on-going repatriation and rehabilitation of displaced women and children, the project has been divided into two phases.

Phase I - Survey Undertaken

From 1999 - 2000

Freetown, Kenema and the Environs in Sierra Leone.

Phase 11 2001 Jan. - **2001 June - 6months**

Regional headquarters towns and highly commercialised resettle areas. Lokomasama Chiefdom, Lungi, Sierra Leone.

On-going

It is envisaged that the survey would provide the basis of creating a database linked up with the Internet:

• sexually abused girls

violence

gender-based violence institutions/organisations

Target Group

Initially 500 victims of rape and violence were targeted for the project. Due to current repatriation and resettlement activities only the first phase of the project has been completed. A total of 226 victims were interviewed, mainly in the Western Area and Kenema and its environs. The second phase was partially completed in November 2001. Modalities for the intervention stage are being look into such as management of psychosocial stress and support needy people.

METHDOLOGY

A semi-structured interview schedule for rape victims was designed and administered. To supplement information obtain from interviews conducted, experiences of rape victims were recorded, transcribed and data coded for analysis.

RESPONDENTS' ENQUIRIES

At the end of the interviews, respondents were given an opportunity to ask questions. Questions were raised about the contact address of the interviewers (12.8 percent), the motive for conducting the survey (8.4 percent) the outcome (4.9 percent) and obtaining help in the form of credits (10.2 percent). Also 8.4 percent of the respondents enquired about course support, 9.3 percent about loan repayment, 0.9 percent about medical assistance, and 1.3 percent about child support. Respondents also asked about what they would benefit from the survey.

SUMMARY, CONCLUSION, DISCUSSION AND RECOMMENDATIONS

SUMMARY

The conduct of the survey was necessitated by the need to document incidence of sexual abuse suffered by young girls and women in Sierra Leone particularly during and immediately after the invasion of Freetown in January 1999. The information collected and analysed shows that the victims of such sexual violence are scattered all over the country. The next phase of study would also take the spatial spread of the victims all over the country.

THE FOLLOWING ARE HIGHLIGHTS OF FINDINGS:

•Over 50 percent of the respondents currently reside in Freetown Environs.

•Almost 70 percent of them live in private residences and 29.6 percent in camps

(li)A total of 74.8 percent of the respondents is outside Freetown.

6.Over 80 percent of respondents are between 15 and 29 years.

35.8 percent of the respondents are currently unemployed but only 16.4 percent were in this category before the incident.

3.32.7 percent of respondents were students before the incident. Many, of these lost the opportunity of continuing with education, which would have enhanced their status in the future.

–Respondents requested for support to either pursue their education or promote the business they already engage in.

–Over 60 percent of respondents were gang raped leading to widespread incidence of STD's of various types.

–The use of drugs was also widespread and was distributed to all age categories of respondents but more especially to those 15 years and over.

- All respondents were traumatised and suffered from depression weight loss and loss of appetite.
- Also 27 percent became pregnant as a result of the rape but only 15 percent had babies who are surviving. Others lost their babies or had abortions
  - 28.8 percent got no medical attention and 18.6 percent no counselling.
- All respondent indicated that they needed support of various types.

CONCLUSION

It is crucial to note that as a result of the incident many school children lost the opportunity of furthering their education, which is so vital to the improvement of their status. Those who have surviving children are faced with the problem of caring for themselves and their children in the face of the high levels of unemployment among them.

More importantly, it is possible that those who did not receive medical or counselling services may be facing serious physiological and psychological problems, the implications of which can be far reaching. This is by no means assuming that those who received there services were healed of the various afflictions they suffered as victims of rebel war in the country.

DISCUSSION

Of the total sample of 226 rape victims interviewed 67.3% suffered multiple rape i.e. 152 victims of SGV (Sexual and Gender-based Violence). The range of experience with the rebels varied. A summary discussion on the issue of rape as experienced in the Sierra Leone war will now be made from the range of experiences with the victims.

The experiences range from women who suffered a prolapsed uterus following rape, as well as several cases of serious injury among women who have had objects inserted into their vaginas. Sexual assault was committed with objects such as firewood, umbrellas and sticks. Other experiences during attacks against a hamlet, village or town included abduction of victims who were then forced to become sexual partners or "wives" to their rebel captors. Once captured, victims often described trying to attach themselves to one rebel so as to avoid gang rape, be given a degree of protection and be subjected to less hardship. They often become pregnant, had children and remained with the rebel for years. Some received military training, were given drugs and later themselves became perpetrators of serious abuses. These abuses involve finding and later abducting young girls to be later raped by their commanding officers (Higonnet, 2001).

The incidence of sexually transmitted diseases is very high among the victims of sexual violence. The incidence of HIV/AIDS in rape victims is currently unknown but of great concern given rising infections generally. There are effectively no programs available to test for infection. Girls as young as twelve have fallen pregnant as a result of rape. Twenty-seven percent of sample of SGVV became pregnant. Only 15 percent of the sample had surviving babies and 11.5 percent did not state whether or not they had babies.

According to health practitioners, victims of sexual violence often suffer anxiety and depression that lasts for years. Sierra Leonean society attaches a strong stigma to rape and women are commonly blamed for having been raped or sexually assaulted. Some victims stayed with the rebels for fear of being rejected by their family. This was particularly the case for those who become pregnant and later had a child (Higonnet, 2001).

The perpetration of sexual violence is often marked by the systematic breaking of taboos and the undermining of cultural values. At times, fathers were forced to watch the raped of their daughters, middle aged women were raped by boys as young as eleven, women were raped in public places and girls were raped during sacred coming-of-age rituals. As in other countries, the abuse of women in the Sierra Leonean conflict is rooted in the persistent rights violations that push women into a lower status with limited rights in all spheres of their lives, from home to work (Higonnet, 2001).

In thousands of cases, sexual violence has been followed by the abduction of women and girls and forced bondage to male combatants in slaverylike conditions, often accompanied by forced labour. These sexual crimes are most often characterised by extraordinary brutality and are frequently preceded or followed by violent acts against other family members. The rebel factions use sexual violence so as to terrorise, humiliate, punish and ultimately control the civilian population into submission.

While it is usually the case that women know the perpetrators of these violations, very few have dared to bring charges for fear of reprisals against them and their families. However, those girls who have either been released or managed to escape rebel captivity indicate that the overwhelming majority are sexually abused. The violence has affected thousands of girls and women of all ages - between 9 and 80 years.

While members of the Revolutionary United Front (RUF) and Armed Forces Revolutionary Council (AFRC; the renegade members of the Sierra Leonean Army who led the 1997 coup, now sometimes also known as the West Side Boys) have been the most common perpetrators of sexual violence, members of the civil defence force - the biggest and most powerful of which is the Kamajors - and the loyal Sierra Leonean Army have also been implicated.

Sexual violence within the Sierra Leone conflict is not only a war crime, but - given its widespread and systematic nature - is also a crime against humanity. Rape and other forms of sexual violence also constitute torture when they are intentionally inflicted on a victim by an official or with instigation, consent or tolerance, for purposes such as intimidation, punishment, or elicitng information. Grave breaches of the laws of war, torture, and crimes against humanity are crimes of universal jurisdiction: any nation may prosecute the perpetrators, regardless of their nationality, the nationality of victims or where the crimes took place. However, it is not necessary to find that rape and sexual violence take place systematically or on a wide

scale in order to prosecute the perpetrators under national law. Just as a single case of murder of a civilian can be prosecuted, so too can a single rape (Higonnet, 2001). The S.G.V.V. (however) are not willing to bring the perpetrators to justice because of the stigma attached to rape in the Sierra Leone society. Maybe cases are held in camera, albeit within the Truth & Reconciliation Commission, there might be more hope of justice being done.

In case one, age18 years, is presently doing Tailoring with FAWE, narrates her experience with the Rebels to us.

I was in Makeni when the rebels attacked us, my mother was killed and my sister was taken away. I have not set eyes on my sister since then I was taken away by a different rebel group from the one that killed my mother and took away my sister. While I was with them three men raped me brutally before the captain of that group took me as one of his wives. I was taught how to use the gun but never got to use it in battle. I was given drugs. Escaped from them after a month and 2 weeks back in town I had some STD problems and psychological breakdown but never got help. I would like to be helped financially so that I can continue with my tailoring when I finish with FAWE.

Case number two explained: I was with my husband and child when they attacked us. We ran to the bush to hide it was here that they killed my husband. I managed to escape with my child and we came down to town meet my brother-in-law for about seven months then we returned to Kono. After six days in Kono we were attached again by the rebels, we ran to the bush and we were there for three months during that time my child was feeling sick, the rebels caught up with us but due to my sick child they let me go. From the bush we went back to Kono but my parents had been killed and our house burnt down, I returned to town and found FAWE. I got no medical assistance because I could not afford it, but got counselling from FAWE.

In case three, she was 27 years old, now explains: I was staying in Joe Town when the rebels attacked and took me away, by then I was two months pregnant. I was taken to the bush with them. First day with them I was raped by three men, the other days varied from one to three. I was with them for a week. I lost my pregnancy. I escaped when they sent me to buy food for them from a nearby village. I had STD but got treatment and counselling from FAWE. I would like to be help financially so that I will do business to support myself.

In case four, this lady who was 16 years old explained: I was held in the village and my parents were kill. I was taken away in the bush and raped. I was with them for 1 year 3 months. During which I was used sexually, given drugs and taught how to use the gun, I was also used as a beast of burden. I managed to escape back in town I suffered from stomach ache and vaginal discharge but manage to get medical treatment. I usually get counselling from friends and relatives who sometimes talk to me to encourage me.

In case five the lady was 22 years old explained: On January 6 at about 1 p.m. I heard gun shorts all around me and saw house going up in flames. I could not run fast enough because of my children, my husband had gone to work. My house was set on fire and the process of trying to run out my eldest child was left back in the house. I escape with only my 3 months old baby into the bush, where I was later captured by the rebels

under gunpoint. I was with them for about five days during which I was taught to use gun, served as cook and was sexually abused by two, three, four men a day, regardless the fact that I had a baby with me. I was offered drugs but refused to take it because of that I was beaten and threaten. I escaped from them when I was sent to the market to buy food with my baby. I suffered from some STD and psychological trauma. I got some assistance from my aunty who is a nurse. I get no counselling.

In the light of the above the following recommendations are put forward.

RECOMMENDATIONS

It is recommended that GRADOC in collaboration with her partners, speedily put the necessary mechanisms in place to implement the programme meant to make interventions that would enhance the coping strategies which victims have already put in place for their well being and that of their children.

THE EX COMBATANTS

1. Ex-combatant should be made to understand the consequences of committing such spate of violence against women.
2. Immediately refrain from sexually abusing girls.
3. Provide sensitisation and education campaign for all ex-combatants and commandos on the rules of the war and standards of Humanitarian Law.
4. Avail themselves for unhindered investigation of widespread sexual abuses by coming forward for reconciliation.

TO THE GOVERNMENT

1.2 Formulate strategic alliance and networking with NGO's on meeting the needs of abused women and girls with a view of promoting social, medical and legal response.

2. Government to ensure effective education and information campaign on rape and sexual abuses.

TO THE INTERNATIONAL COMMUNITY

1. All International Convention and Charters on Sexual abuse and war crimes be fully exploited to prevent re-occurrence.
2. The mandate of UNAMSIL and TRC be tailored to create a forum for addressing such crimes committed during war and come up with recommendations for necessary support base.

TO THE NON-GOVERNMENTAL ORGANISATION

1. NGO's to intervene on strengthening the provision of existing capabilities for:

1. FAWE to meet the educational and childcare needs of victims.

2. Other NGO's to involve in similar moves to bridges the gaps

3.Skills training to be provided in other relevant areas.

4.. Development of strategies for training and education of victims

5. Human rights education to be fully pursued.

6. Other areas of benefit.

7. Medical assistance and support on STDs/HIV and reproductive health.

8. More support to be provided for trauma healing.

–More intervention to be targeted at returnees whether in private homes or camp, or in the resettlement area.

TRUTH & RECONCILLATION COMMISSION

PRESENTATION AT THEMATIC EVENTSPECIFIC AND INSTITUTIONAL HEARINGS

BY ABATOR THOMAS

PRESIDENT

THE 50/50 GROUP

OF SIERRA LEONE

SATURDAY 24TH MAY 2003

Presentation at Thematic, Event-Specific and Institutional Hearings - Abator Thomas, President of the 50/50 Group of Sierra Leone,

Saturday 24th May 2003.

TOPIC: The Political and Legal Status of Women and Girls in post conflict Sierra Leone.

Introduction

Mr/Madame Chairperson, on behalf of the 50/50 Group of Sierra Leone, I wish to express our sincere thanks to the Chairman and Commissioners of the Truth and Reconciliation Commission for the invitation to the 50/50 Group to make this presentation on this platform to you and the nation.

Background

Although women are always the best campaigners, they are marginalised after the election. They are not in the decision-making bodies in political parties and only a few are found in the executive of such parties. Only a few are in positions of power.

What is the 50/5O Group?

Sierra Leoneans formed this group in November 2000 to empower women to participate effectively in politics and other leadership and decision making positions. It is an all-party campaign for more women in Parliament, local government and public life.
The group has various activities including the training of women and men in campaigning, lobbying and public speaking skills.

To date, with help from The British Council, many women and supportive men have benefited from various training sessions. As a result of this, and more recently with help from the National democratic Institute

(NDI) and the Westminster Foundation for Democracy, over 165 women contested in the last general election. We currently have 14% representation in Parliament.

We have seen:

(mvii)the first woman deputy speaker

(mviii)the first woman presidential candidate

(mix)the first women presidential candidates

(mx)an increase in the number of women M Ps and ministers

Mission Statement

To increase the level of female participation in good governance both central and local and to ensure gender parity in all works of life

Membership

Membership of the 5O/5O Group is open to all concerned women and supportive men from all backgrounds and ethnic groups

Membership benefits include:

- *training in campaign, presentation and other relevant skills including the internet*
- *information*
- *civic education on the electoral process.*

Objectives

- To increase women's participation in democratic politics and other decision making bodies.
- To lobby for the Zipper system of representation in politics. i.e one man one woman on party lists.
- To make women candidature attractive to political parties.
- To sensitise women about the importance of standing for parliament and local council and make a difference in the lives of Sierra Leoneans.

• To positively change Sierra Leoneans' perception of women in politics.

• To reduce the marginalisation of women by giving them training in skills that would enable them to enter the political arena and other decision-making position with confidence.

• To provide advice and encouragement that will enable women to participate in politics.

• To advocate that barriers against women going into politics be removed.

ACTIVITIES

• Training of aspirants for general and local election and other leadership positions;

• Research, documentation and information on all political parties, arms of government and institutions;

• Lobbying civil society on the rights of women through vigorous media campaigning;

• Civic education on the electoral process and good governance;

• Ensuring gender balance in current legislature and other aspects of governance;

• Establishing 50/50 Group branches in all districts and educational institutions;

• Production and regular review of our training manual;

Developing an institution for training women in leadership, personal development and other empowering skills

• Developing and maintaining a talent database for women.

ACHIEVEMENTS

• Since its inception in 2000, with the help of the British Council, over 600 women and supportive men have benefited from approximately 50 training sessions

• British Council sponsored 2 women to travel to the UK to shadow 2 British MPs in the June 2001 Elections

• Production of a training manual

• Production of a participants handbook

• Production of Sierra Leone women's manifesto - this manifesto addresses the needs of all women in this country - what they need to make their lives tolerable

Worked with National Democratic Institute for International Affairs (NDI), to recruit and train 60 female aspirants for the May 2002 General Elections

Worked with Westminster Foundation For Democracy to conduct 20 sensitisation workshops through out the country

The setting up of a Website http://fifty-fifty.gq.nu./

• As a result of this, m May 2002, 165 women contested m the May 2002 Presidential and Parliamentary elections. Today, we can boast of 16 female parliamentarians compared to 8 in the last parliament, 3 full women Ministers and 3 Deputy Ministers compared to 2 women Ministers and 2 Deputy women Ministers in the last cabinet.

Our contact

The Secretariat

C/o The British Council

Tower Hill
Freetown
Sierra Leone
West Africa
Tel: cell: 232 22 76 662
Office: 232 22 221104
Email: fifty fiftygrp@yahoo.com
Business Hours
Monday-Friday

9.OOa.m. -4.OOp.m.

It is against this background, and in accordance with our mandate, we make the following recommendations on the Political and Legal Status of women in the post war period. We hope these recommendations if adopted will bring about the changes needed to make the lives of women a lot better than what it has been in the past**.**

Sierra Leone signed the Convention on the Elimination of Discrimination Against Women (CEDAW) on the 21St September 1988 and ratified the same on the 11 th November of the same year. A good number of legislation in force in Sierra Leone are pre 1988, therefore the objectives of the convention were not considered when these legislation were being enacted. Sadly, this means that the practical realization of the

convention will not have any effect except positive steps are taken by the legislature to provide the legal framework.

The constitution of Sierra Leone 1991, Act no 6 of 1991 embodied the broad principal of equality between the sexes and non-discrimination as required by act 2(a) of the convention.

The constitution also gives all, opportunities and benefits before the law based on merits. This general principle of equality though enshrined in the constitution falls short of what is expected in the convention.

There should be enacted a sex discrimination act prohibiting discrimination in employment, approval of sureties, acquisition and disposal of property, administering of estate etc. Specific provisions should be enacted giving equality to women in the areas of succession, entry into contracts especially in leases and receiving loans.

With the enactment of these legislation to ensure that the provision of CEDAW are observed and maintained it is imperative that there is in existence tribunals of courts dealing with cases where sex discrimination is alleged and there should also be right of access to these tribunals.

The introduction of these tribunals will necessitate the setting up of centers where advice will be provided and also the establishment of Legal Aid funding system. There will also be the need for speedy procedures to be put in place in processing the allegations or setting the claims.

The Convention requires state parties to take appropriate measures to abolish practices, which constitute discrimination against women act 2(f). One such practice that must be abolished by legislation is that of maternity related dismissal, particularly in organisations and companies. There must be protection of pregnant women at work, entitlement to a reasonable period of maturity leave and automatic payment of employees salary and normal benefits during maturity leave. In effect there must be statutory leave pay.

It has now been realized that sexual harassment and violence against women can amount to sexual discrimination. A substantial amount of work has to be done in that area. One light at the end of the tunnel in this area is the new specialized branch in the police force with officers being trained in counselling, handling and advising victims. These officers must appreciate that cases involving husband and wife, boy and girl fried should not be disposed of as domestic matter but must be treated under the correct head of violence and harassment. There is a need for special legislation in this area to take violence against women out of the general law involving offences against the person. Steps should be taken to raise awareness among the general public about the destructive and degrading effects these wrongful practices can have in society, especially on children.

Apart from legislations, which should involve sanctions, it is important that Government makes it a policy to ensure sex equality and non-discrimination is all aspect of life.

It is also necessary to put in place systems to monitor policy and activities in government Ministries and departments.

Attitude towards women's involvement in politics in Sierra Leone is changing gradually especially since the establishment of the 50/50 Group two and a half years ago. This group has trained a number of women all over the country and encouraged them to stand for political positions with the support of the British Council, the NDI and the West minister Foundation. As a result women in Parliament has increased from 8 to 16 women as well as 3 full women Ministers and 3 deputy women ministers.

In spite of this increase the political arena is still male dominated. It is recommended that there should be a statutory provision stating the minimum percentage reserved for women in these bodies - this will ensure that the views of women are considered in all issues.

The 50/50 Group will soon be launching a massive campaign as well as training for women in all the districts to promote women's participation in the coming Local Government Elections.

Some discriminatory practices which must be abolished especially in the North of Sierra Leone, is the practice of not allowing women to become Paramount Chiefs or given the right to acquire and own property in their own names.

Finally, the problem of teenage pregnancy as it adversely affects the girl involved. She inevitably drops out of school with a stigma and is unable to complete her education. This means she will not be in a position to secure a good job, which makes her capacity to function in society generally limited. It is clearly discriminatory for the boy to be allowed to further his education while the girl is not. This problem needs to be addressed urgently if we want to empower women to attain equality.

What is the way forward? We need to identify all laws, customs and practices that are discriminatory, abolish them and set up an effective machinery to monitor the implementation of CEDAW.

We hope the Truth and Reconciliation Commission (TRC) would help in this direction by including Law Reform of these discriminatory laws in their recommendations. These laws affect women adversely.

"Sierra Leonean women are not only asking for a slice of the pie, they are saying that they have learnt the lessons of the past and now want to make a difference to how the pie is shaped"

MINISTRY OF SOCIAL WELFARE, GENDER AND CHILDREN'S AFFARIS

SUBMISSION MADE TO:

THE TRUTH AND RECONCILIATION COMMISSION

ON THE THEME:

"THE SITUATION OF WOMEN AND GIRLS IN THE PRE-CONFLICT, CONFLICT AND POST CONFLICT SIERRA LEONE

A

T

THE Y.W.C.A. NEW HALL, BISMACK JOHNSON STREET FREETOWN

ON THURSDAY 22nd MAY, 2003

SUBMISSION MADE BY:

THE MINISTER

MINSTRY OF SOCIAL WELFARE

GENDER AND CHILDREN'S AFFAIRS

FREETOWN,

SIERRA LEONE.

THE SITUATION OF WOMEN AND GIRLS IN THE PRE-CONFLICT, CONFLICT AND POST CONFLICT SIERRA LEONE AS SEEN AND PRESENTED BY THE MINISTRY OF SOCIAL WELFARE, GENDER AND CHILDREN'S AFFAIRS

INTRODUCTION

His Excellency the President Alhaji Dr. Ahmad Tejan Kabba in his address on the occasion of the state opening of the first session of the First Parliament of the second Republic of Sierra Leone on Friday the 7th June 1996 informed the nation of the creation of the Ministry of Gender and Children's Affairs.

According to him, the President realized that “Women and Children make up the bulk of our population, yet they continue to play an insignificant role in decision-making. To address this anomaly, a new creation of the government is the Ministry of Gender and Children's Affairs. Its role will be to advocate and ensure a more equitable allocation and national ease of financial and organizational resources at all levels of society particularly women and children”.

To demonstrate the government's commitment to the enhancement of women and children, it pleased His Excellency the President to appoint Mrs. Amy Smythe as Minister of this new creation.

Prior to the creation of this Ministry, issues relating to women and children in Sierra Leone were being addressed by various government sectors like the Women's Bureau and National Council for Children

(NCC). The then Ministries of health and Social Services, Education and Agriculture also played their own part in addressing related issues. This became a source of concern to our international donor agencies like UNDP, UNICEF and UNFPA because there was no established and effective coordinating mechanism for the mobilization and optimal utilization of their assistance.

The creation of the Ministry of Gender and Children's Affairs was therefore very timely because it has become the central point through which development programmes for women and children could be channeled. The mandate of the Ministry of Gender and Children's Affairs is quite explicit.

Among other r3esponsibilities, Ministry of Gender and Children's Affairs is the principal government's machinery for monitoring and coordinating all activities including existing structures relating to women and children. It is supposed to coordinate efforts of NGOs, UNICEF and other donor agencies in addressing the needs of children and women.

The Ministry also raises awareness and recognition of the gender gap and takes positive steps to narrow gender disparities, child abuse, violence against women and marginalization in the country.

After the Armed forces Revolutionary Council's (AFRC) interregnum and with the return of the democratically elected government of His Excellency Alhaji Dr. Ahmed Tejan Kabba in 1998, the Ministry of Gender and Children's Affairs was merged to the Ministry of Social Welfare. It is presently known as the Ministry of Social Welfare, Gender and Children's Affairs. This Ministry is made up of two divisions: the Social Welfare division and the gender and children's division.

MISSION OF THE MINISTRY

The mission of this ministry is to ensure the provision of services to socially marginalized, disadvantaged groups, less privileged particularly children and women, the disabled, *whether* groups or as individuals, family units and the needy in our communities.

In this regard, the ministry's mission is to promote and advocate for the needs and rights of these vulnerable groups mainly in the area of resource mobilization and allocation and to ascertain any necessary law reforms.

The mandate of this ministry is to provide services for the socially marginalized and disadvantaged groups in society. Its programmes therefore are geared towards creating a conducive atmosphere for these categories of persons. Its activities embrace families, communities, women, children, the aged, mentally and physically disabled and street children.

Realizing however, that the Truth and Reconciliation Commission is determined to carry out its mandate particularly with regards to capturing the experiences of women and children, my Ministry will now attempt to

make a presentation on the situation of women and of women and girls in the pre-conflict, conflict and post conflict Sierra Leone.

PRE-CONFLICT SIERRA LEONE

By pre-conflict Sierra Leone, I mean the stage before the outbreak of the full-scale rebel war. Here I will attempt to look at the situation of women and girls during this period. As we all know, women make up about 52 per cent of Sierra Leone's population and play a key role in production, reproduction and community management in the country.

In the rural areas where 62 percent of the Sierra Leone population lived, women's importance is first and foremost associated with their reproductive value.

Domestic work and reproduction - related activities take most of the time of women. They rear and take care of the children as well. Although these duties are vital at all levels in the society, they are hardly noticed on attributed any value. As a result, women are given very little support to reduce their work load. Indeed the contribution of women is not included in national accounts and cannot even be accurately measured for lack of appropriate classification.

Nevertheless, the Sierra Leone women during this period continued to toil for the good and welfare of the home and for the society in general. The socialization process in the family and in the community at large rested squarely on her shoulders. In both the rural and urban settings, she was responsible for the upbringing of her children on to adulthood. When the girl child who will then be of a marriageable age enters marriage she must be found a virgin. Credit then goes to the mother, if not, the mother will be blamed and shamed for the defaulting child.

The issue of good manners, discipline, self-restraint, respect for elders and fear of God, etiquette and good education and vocational training, was the order of the day and norm in society.

I am talking of the good old days before independence and even after independence. The women were held in high esteem; and the mother was founded by traditions and the norms in society to bring up her girl child well. Then the phrase "little girls are to be seen and not heard" was a household cliche. There was peace and tranquility in the land. Everybody was one another's keeper. A child misbehavouring on the street was the sole responsibility of the neighbour or ordinary passer-by to discipline such a child; and he or she got the concurrence of the mother.

It was a taboo to hear pf pregnant school girls on even girl mothers. This phenomena was unheard of. Mothers educated their girls as to the stigma attached to such behaviour. Those girls who fell victims to early pregnancies found it difficult to forge ahead, only an insignificant number of women were in policy and decision-making levels both at traditional an central governance. "A woman's place was in the home" was an adage subtly adhered to culturally,' lack of access to own land, customary laws governing inheritance rights, child bearing -practices contributed largely to the many inequalities suffered by women.

Access to and control of resources were based in gender relations. In Agriculture, where land is collectively owned and inherited through the traditional system, the opportunity for women to gain access to this resource depended on their status in the family. Generally, women had the right to posses land but not to

own it. Consequently, they were reluctant to invest in land a it could be withdrawn from them at anytime. The incidence of rape or incest with young girls was very infinitesimal.

Then came the 1967 and 1973 general elections in Sierra Leone and things started going down hill. Thuggery was introduced into our once peaceful society. Girls as well as boys who were now youth were trained to be thugs and many became drug addicts; women were molested, young girls tampered with. The element of "Sugar Daddism" reared its ugly head.

The students uprising in 1977 signaled to this nation and those that governed that all was not well. For the first time in history of Sierra Leone, "thugs went up to Fourah Bay College beat up students and some female students raped. By this time, a good number of women have lost their moral values for money and ill-gotten wealth- corruption was now firmly entrenched. With hosting of the OAU in 1980, Sierra Leone was generally characterized by deteriorating economic and social circumstance which led to civil disturbances and growing instability. Then came the structural adjustment policies and 1.M.F conditionalities which helped to dismantle the traditional systems of protection and social security established by governments or by the family,

Budgetary cuts, the removal of subsidies on basic commodities, currency devaluation, high-interest loans reviews of pricing policies, privatization and market liberalization have all had a negative impact on the situation of women and girls in pre-conflict Sierra Leone, and these women have largely borne the brunt of these difficulties.

Cost recovery policies and increase in direct Service. Cost diminished women's and girls access to basic social services. With regard to health, the reduction in hospital beds increased the work load of women who consequently had to take care of patients at home.

The life of our women and girls at this time was reduced to a mere druggery. Most women who were conscientious, had to engage themselves in all kinds of petty trading in order to support and help sustain their families. Families were disunited, corruption and bribery were rife and a lot of square pegs were put in round holes.

By the late eighties to early nineties, the seed of discord was already sown in Sierra Leone, women could no longer feed themselves properly let alone their children. Values dropped and the weak populace especially our women and girls get enticed and swallowed by ill gotten wealth. Visibly one could see a simmering and threatening volcano of pent up emotions and problems which could erupt at any time.

THE SITUATION OF WOMEN AND GIRLS IN CONFLICT SIERRA LEONE

One of the greatest obstacles to the development of a country is the little recognition that is given to the role and work of a woman in her community and in her country as a whole. Her traditional role is seen to be inferior to that of the man and she is still type cast as mother and home maker. In times of conflict and crisis, however, her role undergoes a dramatic and significant change. Often she is forced to become the sole bread winner and the person who has to make all the major decisions in order to protect her family.

Sadly however when normalcy and peace return, that selfsame woman is again relegated to her inferior position behind the man and the kitchen or pump, despite the active role she may have played during the conflict.

So it was with the women of Sierra Leone. When the ten year rebel war occurred they rose to the occasion by their myriad coping strategies and the ministry of Social Welfare, Gender and Children's Affairs was always ready to pander to the whims and calls of women and girls who came to them for help.

It gives me greatest sadness when I reminisce on the situation of women and girls during the conflict in Sierra Leone. Violence against the civilian population and acts of gender based and sexual violence against women and girls including rape and gang rape and abductions, beatings, killings, torture, forced labour, gun shot wounds, serious injuries, amputations and forceful recruitment of children were increasingly common features of the Sierra Leonean rebel war. Physical and psychological consequences for the women's right who had been raped, for their families and for future generations especially taking cognizance of the fact that not only was the core of our social fabric shattered but also the immense of rampant spread and prevalence of HIV/AIDS.

The overwhelming sense of loss (of home and family) and stigmatization, contraction of the deadly disease, HIV lack of hope for the future affected the mental and physical health of a lot of women and girls which today leads to an increase in risk taking behaviours by these victims/ survivors. During the conflict period, the women's and girls physical and social vulnerability increased. Our ministry saw how stress and malnutrition endangered the health of pregnant and lactating women and their children.

The conflict brought about the breakdown of family and *social networks which left many* households headed by women, who were forced to offer sex in exchange for food, shelter or protection. This breakdown of social network mentioned earlier in particularly damaging to the girl-child because these networks provided the emotional and psychological support to guide their sexual development.

The girls behaved a if they were older than their age. Most of them drank alcohol and smoked at an early age. During the rebel war many of these girls saw their relatives and neighbours die and even on the way to refuge, they lived through the ordeal of hunger, exhaustion, cold and more violence. Most of them ran the highest risk of sexual violation, some turned to prostitution in order to survive. When we visited the Jembe Camp on Bo/Kenema highway as a ministry, during the war, we found out that the boredom, hopelessness, uncertainty, insecurity and frustration of refugee life resulted in risk-taking behaviour such as unsafe sexual activities, tobacco, drug and alcohol abuse. It is estimated that 50,000 - 64,000 women/girls may have been sexually abused during the war by combatants-many of these were gang raped; most of these never received medical care. The incidence of women *as heads of household* during the conflict is either phenomenon of empowerment or an indication of their precarious situation. Whatever the case it is reality that is overturning the conventional definitions of gender relations and social roles.

In many villages during this conflict period, the exodus of men and the brutal death of men, has made women head farmers) although the family structures do not consider them as heads -and women do not enjoy the legal and fiscal rights attached to these positions. The gap between the reality of their status as recognized within the family can no longer be ignored.

For women, the loss of a husband in the conflict has a very significant impact on her status in her community widowhood meant the loss of status. A lot of ills happened to women and girls and all kinds of atrocities were practiced on their persons. Nevertheless the resilience and iron will of our women and girls were strongly exhibited, and these were made manifest by *their* sheer desires and drive to survive in the midst of all these terrible conflict.

The conflict however did not pass the women and girls without some positive touch. A *sizeable* amount of the women who were illiterate were craving to be taught saleable skills for their survival and that of their family. There was the ardent urge in them to go back and rebuild after the war. The ministry was involved in the provision. A lot of psychological trauma counseling, gender based violence interventions, medical and educational and humanitarian assistance to women and girls to keep them healthy and mentally sound for the task of *reconstruction after the* end of the war.

In collaboration with its development partners the ministry also established a family tracing and reunification network for separated children and their families at national level. Life for our women and girls during this conflict period was very sad and deflating for a greater majority, whilst some of the experiences were invigorating and challenging for other women and girls.

Notwithstanding, the women of Sierra Leone proved themselves a force to be reckoned with when they exhibited their resilience in ensuring the promotion of the peace process. They demonstrated their capability in unity when they facilitated an action that set the pace for the subsequent fall of a tyrant in an era of this country's history. The historical march of women on May 6th 2001 at the residence of the former RUF Foday Sankoh, in protest against continued bloodshed and violations of human rights was unprecedented. This action was followed by a protest demonstration by the civil society which resulted into the cold-blooded deaths of civilians and the eventual fall of Foday Sankoh on 8th May, 2001.

THE SITUATION OF WOMEN AND GIRLS IN POST CONFLICT SIERRA LEONE

Surviving after a horrendous rebel war like ours was not an easy task. Therefore our women and girls who survived are winners and victors. In post conflict Sierra Leone, the issue of restructuring**,** rehabilitating and rebuilding are very strong. Every faction both perpetrator and survivor must be involved in the process of reconstruction and peace building. It was with this in mind that a national consultation was organized by the Ministry of Social Welfare, Gender and Children's Affairs, in collaboration with the Commonwealth Secretariat, UNDP, the British Council and UNICEF in May 2001.

The consultation focused attention on the fact that a decade of armed conflict and political unrest in Sierra Leone has affected women and girls; men and boys in different ways. The devastating human cost, in terms of suffering and death, loss of livelihoods, rape, torture and mutilation, the use of child soldiers, the spread of HIV/AIDS and other sexually transmitted infections and refugees and displaced persons has been borne in different ways by women, men and children.

In the same view, the destruction of basic infrastructure such as housing, water and sanitation, health services and schools has affected women and girls, men and boys in different ways. In Sierra Leone it is clear that the conflict has caused extensive damage to the entire social, economic, legal an political fabric of the country.

Our women and girls of Sierra Leone will never be the same again. The post conflict era has come with a lot of enlightenment and challenge for our womenfolk. The conflict which made them face dreadful moments have strengthened their resolve to live and to contribute positively in the development of Sierra Leone.

A lot of sensitization and awareness raising workshops on human rights and peace building is proving to be beneficial to our womenfolk. Vocational and skills training centres teaching saleable skills are springing up all over the country. The culture of silence is being broken as women can now speak in foras like political meetings, reconciliation commission meetings. They are now actively engaged in politics and are beginning to enter the same domain of decision-making in the country.

The education of the girl-child has gathered more momentum and significance, and in this vein, the Ministry of Social Welfare, Gender and Children's Affairs is helping a limited number of youths with some funding for their schooling. Our women and girls are now very anxious to be educated. The country is moving, and we hope, in the right direction.

Conclusion

From observation, Sierra Leone will never be the same again as our women's opinions of themselves has greatly improved. What the government of Sierra Leone needs to do is to put modalities in place that will improve the lot of women and girls for good; and what better place for such tools than the Truth and Reconciliation Commission. It is with this is mind that the Ministry of Social Welfare, Gender and Children's Affairs will make recommendations on behalf of the women and girls of Sierra Leone.

Recommendations through the Truth and Reconciliation Commission

1. The Government of Sierra Leone should take concrete steps to build and strengthen the capacity of the Ministry of Social Welfare, Gender and Children's Affairs to play the lead role in integrating gender into post-conflict reconstruction.

2. The government of Sierra Leone should take action NOW through the Law Reform Commission to review and reform the laws which are weighted to against women, such as laws relating to inheritance, violence against women divorce, rape etc.

3.i. Investment opportunities, particularly for women and girls, should be enhanced by: facilitating the acquisition of capital in the form of low-interest credit from reputable financial institutions;

(ii) Providing agricultural and other related inputs including processing, transportation and marketing facilities for rural residents particularly women;

(iii) Providing access to training to enable women to operate businesses an other income-generating activities with more expertise.

4. The government of Sierra Leone should create women centres in the four regions of the country under the purview of the ministry to facilitate saleable skills training for women.

5. The government should empower the Ministry of Social Welfare, Gender and Children's Affairs to open community-based rehabilitation programmes to address the needs of war-wounded

survivors with disabilities. This community-based initiative should provide training for the making/manufacturing of rehabilitation aids e.g. crutches and wheel chairs.

6. Programmes should be launched at community level throughout the country to address special educational and training needs of school dropouts, especially girls

AMNESTY INTERNATIONAL SIERRA LEONE SECTION

16 Pademba Road, P.M.B 1021, Freetown

Tel; 227354, Fax: 222073

Email: aislfCAierrateLsl

PRESENTATION BY AMNESTY INTERNATIONAL, SIERRA LEONE ON WOMEN AND GIRLS

Mr. CHAIRMAN, Commissioners, other workers of the TRC, distinguished

guests, colleagues and all present for this Thematic Hearing, I want to bid you

all Good Morning.

I am here on behalf of Amnesty International Sierra Leone Section, to make a presentation on issues relating to Women and Girls because we also agree that this category of the population have been particularly disadvantaged in many ways thus making them susceptible to many human rights violations.

This presentation is therefore a response to the invitation made by the TRC to our organisation for a Thematic Presentation on issues that have affected and are affecting the rights and well being of Women and Girls before and during the war.

In this presentations I will also attempt to the best of my ability to highlight the work done by my organisation and make recommendations towards upholding the rights of Women and Girls.

In view of what i have just mentioned, I will like to start by giving an overview of what Amnesty International as a movement stands for.

Amnesty international Sierra Leone, belongs to a worldwide voluntary movement which fights to promote and protect the rights of individuals and groups as stated in the Universal Declaration of Human Rights and other human rights standards.

In view of what Amnesty as an organisation stands for our main focus of Campaign has been to work for the freedom of all prisoners of conscience - which are people detained for their beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status who have not used or advocated violence.

• The Organisation also seeks to ensure fair and prompt trials for political prisoner.

• Abolish the death penalty, torture and other cruel treatment of prisoners.

• We also work against or seek to prevent exh¯ajudical executions and disappearances.

• Our movement also opposes abuses by opposition groups, hostage taking, torture and killing of prisoner and other deliberate and arbitrary killings.

4.Amnesty International also recognising that Human Rights (HR) are indivisible and interdependent works to promote all the HRs enshrined in the Universal Declaration of Human Right (UDHR) and other international standards through HR education.

In view of the fact that issues of Human Rights transcends, sex, our effort both globally and locally have also been targeted at helping women and girls to live in respect and dignity as we believe this also is an essential ingredient of peace, stability and development in our country.

Amnesty International therefore noting the importance and prevalence of human rights abuses against the women and girls of Sierra Leone during the period under review, took up the case of rape and other forms of sexual violence against girls and women in the year 2000. The effort culminated in the production of an Amnesty International document on 29th June 2000 in which it was highlighted that abduction, rape and sexual slavery of girls and women had been amongst the most abhorrent and distressing features of the nine-year internal armed conflict in Sierra Leone. Several testimonies were collected and documented and then submitting to other organisations for their attention and action. These recommendations which were submitted to the parties involved in the war, the United Nations Mission in Sierra Leone and other members of the international community helped to galvanise action for an end to the ten - year rebel war. It is our opinion that the cases of rape and abduction of women and girls were widespread during the war period because successive governments had neglected Human Rights Education in schools, communities and the forces before during and after the war. It would therefore be judicious if this commission will strongly recommend to the Sierra Leone Government that the teaching of basic human rights standards should be a must for the forces, and schools.

The local Section of AI in Sierra Leone also established a womens group and an International Women Network to advocate and campaign on issues that fall within our mandate. Women in this group have therefore formed the requisite structures to help in campaigning on issues affecting the rights of women. It is my recommendation at this stage that human rights issues be mainstreamed into the activities of women

organization and groups so that they too would be empowered enough to advocate for their rights in Sierra Leone.

During the 10 year war, organizations such as Amnesty international discovered that the majority of those who fled the borders of Sierra Leone were women and girls. Many of these women and girls who fled the war were found to be sexually exploited by NGO workers. As a result, the International council Meeting which is the highest decision making body in Amnesty international focused its attention on increased Human Rights violations against displaced people.

AI therefore from the start of the war, researched on the flow of refugees and IDPs to obtain concrete information on the circumstance in which they live. AIs research delegation visited Sierra Leone refugees in camps in Liberia and Guinea and specifically took up reports of ill treatment of women and children in the camps. AI as a follow-up to this report urged the UN to investigate the allegations of AID workers making sexual request for aid favours in the camp. The circulation of these findings on this HR violation of S/Leonean women and girls also moved the International Community for action against such Human Rights violations. It is therefore our recommendation that NGO workers be given clear codes of conduct based on human rights principles. This should be the case especially for those NGOs working with women.

It is also worth noting at this stage in the history of Sierra Leone that successive governments in the country have neglected the sacred responsibility of domesticating international standards that protect women and girls into the laws of the land. International standards such as the Convention on The Elimination on All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC) with specific emphasis on the rights of the girl child should be properly reviewed for the purposes of domestication into our National Laws. Such efforts will not only provide a solid basis for the protection of the rights of women and girls, but it will provide a basis for human rights activism by the women themselves and many other organizations interested in advocating for the rights of women and girls.

As our nation strides towards sustainable peace and development, it is my humble submission that promoting and protecting the rights of women and girls will undoubtedly increase the contribution of this category of the population to National Development.

Faithfully Submitted,

Momoh A Jimmy

Campaign and Development Officer

Amnesty international

Sierra Leone Section

DRAFT UNIFEM SUBMISSION

TO THE

SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION

I.0. BACKGROUND INFORMATION ON UNIFEM

The United Nations Development Fund for Women, UNIFEM, was established in 1976 by General Assembly Resolution 13/125 in response to a specific request by some delegates to the first United Nations World Conference for Advancement of Women, held in Mexico in 1975, for the establishment of a UN women's fund.

UNIFEM works for the promotion of women's human rights and its

- o Support innovative and experimental activities benefiting women in line with national and regional priorities.
- o Serve as a catalyst, with the goal of ensuring the appropriate involvement of women in mainstream development activities, as often as possible at the pre-investment stage.

O Play an innovative and catalytic role in relation to the United Nations overall system of development cooperation. 'GA Resolution 13/125).

In pursuit of the above, UNIFEM works with governments and nongovernmental organizations (NGOs), providing financial and technical assistance to innovative and strategic programs that promote women's human rights, political participation and economic security. Within the UN system, UNIFEM fosters collaboration and provides technical expertise on gender mainstreaming and women's empowerment within the framework of the United Nations Development Assistance Framework, linking women's issues and concerns to national, regional and global agendas.

UNIFEM works in collaboration with the United Nations Development Programme, and also in partnership with other UN agencies..

UNIFEM's operational activities are through 14 regional offices in various parts of the world led by Regional Program Directors. Sierra Leone is under the Regional Office for Anglophone West Africa, based in Lagos. Nigeria. In January 2002, a Program Specialist was recruited for Sierra Leone in partnership with the United Nations Population Fund (UNFPA) to support programme implementation around gender mainstreaming within HIV/AIDS, post conflict and reconstruction and transformational leadership and governance. In addition to the Programme Specialist, a Regional Adviser for Gender, Peace and Security was recently appointed for the West African sub-region, covering Sierra Leone and based in Dakar.

Globally, UNIFEM focuses on the following three areas: -

- o Strengthening women's economic security and rights and empowering women to enjoy secure livelihoods.

o Engendering governance and peace building to increase women's participation in the decision-making processes that shape their lives.

Promoting women's human rights and eliminating all farms of violence against women to transform development into a more equitable and sustainable process)

Five core strategies guide UNIFEM's work:

o Strengthening the capacity and leadership of women's organizations and networks.
o Leveraging political and financial support for women from a wide range of stakeholders.
o Forging new partnerships among women's organizations, governments, the UN system and the private sector.
o Undertaking pilot projects to test innovative approaches to women's empowerment and gender mainstreaming
o Building a knowledge base on effective strategies for engendering mainstream development.

UNIFEM is also guided by the Beijing Platform for Action (BPA) agreed by governments at the 1995 Fourth World Conference on Women and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), internationally recognized as the "women's bill of rights" and ratified by 165 countries. UNIFEM works within the rights framework, in support of women's empowerment, and particularly within conflict and post conflict reconstruction.

In Sierra Leone, UNIFEM has been working for the promotion and protection of women's human rights, especially in the areas of HIV/AIDS prevention and transformational leadership. UNIFEM has provided technical assistance to the Ministry of Social Welfare, gender and Children's Affairs to assist In the establishment of a functioning Gender Department that will take the lead in making gender a crosscutting issue in all government ministries and departments, to ensure that all government policies, programmes and budgeting reflect gender, sensitivity.

We have also at UNIFEM, signed a Cooperation Agreement with the National HIV/AIDS Secretariat to bring expertise to include gender sensitivity in SHARP, and continue to make available our technical expertise in gender and human right mainstreaming for policy and decision makers to contribute to making HIV/AIDS a priority in post conflict reconstruction plans.

UNIFEM is also presenting collaborating with the United Nations Population Fund (UNFPA) to bring gender and human rights perspectives to HIV/AIDS prevention activities within peacekeeping, both for United Nations Peacekeepers and their host communities.

2.0. UNIFEM'S WORK ON PEACE AND SECURITY

UNIFEM's work on peace and security has been centred around the protection of women and their rights in time of conflicts, and ensuring that their participation, experiences and coping strategies during wars and conflicts are an integral part of peace building and reconstruction efforts. For nearly a decade, UN1FEM, in co-operation with governments, other United Nations bodies, international and national organizations and non-governmental partners, has assisted women in conflict situations and supported their participation in peace processes.

This work is guided by international humanitarian and human rights standards. UNIFEM provides strategic and catalytic support to mainstream gender and to support women's participation in all efforts to build peace and resolve conflicts. The extent and number of advocacy activities carried out by UNIFEM and partners on promoting peace and security viewed from a gender 'Lens, led to the groundbreaking security Council Resolution 1325 on Women, Peace and Security. Mitigating the impact of armed conflict on women requires an understanding of how conflict affects women and girls differently from men and boys. UNIFEM's support for peace building is a central aspect of its governance work.

UNIFEM has been working on the peace front in Somalia since 1993, and with Somali women and other partners, celebrated a major victory when they included women's place at the negotiating table in 2000. The Transitional National Assembly met in Arta, Djibouti in August 2000 to elect Somalia's first president since 1991. With most warlords agreeing to restore formal government structures, women acquired 27 seats in parliament.

In post genocide Rwanda, UNIFEM supported Rwanda women parliamentarians to work closely with the Rwandan Constitutional and Legislative Commission charged with the drafting of the new Constitution. Modalities were established for detailing women's key concerns for incorporation into the Constitution, and support for an ongoing consultative process to ensure an engendered Constitution as a first step in a long process of protecting women's human rights in a post conflict situation.

In Burundi, UNIFEM in collaboration with the Mwalimu Nverere Foundation supported a Burundi Women's Peace Conference to make recommendations for the establishment of mechanisms that will guarantee women's security and rights. In a historic move, 19 of those recommendations were adopted and incorporated into the Arusha Peace Process.

The Democratic Republic of Congo continues to be in turmoil, with a lot of humanitarian crises, with women still being brutalized. However the Inter-Congolese Dialogue set in motion a consultative process to find a way out of the quagmire. Unfortunately at the beginning of the process, women were not represented. The current peace facilitator of the ICD process, Sir Masire however invited UNIFEM to be part of the

negotiations in follow up to the UN Security Council Resolution 1325. As a result of this collaboration, all the signatories to the Lusaka Ceasefire Agreement were required to include women in their delegations to the negotiation tables.

UNIFEM has also been involved in facilitating dialogue across regions as a key strategy for peace building. In 2000, UNIFEM brought women's experience from peace processes in Guatemala, Uganda, South Africa, and Eritrea to the peace negotiations in Burundi.

Recently in Afghanistan, UNIFEM has worked to ensure women's participation in the rebuilding of the country. In December of 2001, the Afghan Women's Summit for Democracy and UNIFEM convened a Round table on Women's Leadership in Rebuilding Afghanistan in Brussels, the outcome of which included strategic action plans for gender mainstreaming in the Yeconstimctiori of Afghanistan and the appointment of a women's minister in the interim Afghan Government.

UNIFEM has been working using 4 strategies. The first is the Early Warning and Prevention strategy to carry out situational assessments of the impact of conflict on women in a number of countries as a preliminary step in formulating larger programmes and to raise the awareness about the gender dimensions that programmes must address. These assessments have been carried out in Sierra Leone, Casamance, Senegal, the occupied Palestinian Territories, and East Timor. UNIFEM has continued to provide relevant information to the Security Council and facilitated the Council's direct interaction with women affected by conflict both during the Council's field missions and at the Arria Formula meeting on Women, Peace and Security.

The second strategy is the Protection and Assistance, which focuses on women and girls, who quite often neglected in the delivery of protection and assistance during conflict. UNIFEM helps mobilize protection, humanitarian, psychosocial and economic assistance for women. Special focus is given to preventing gender-based violence and sexual exploitation.

The third strategy is ensuring that Peace Processes and engendered and include the participation of women. UNIFEM supports women's participation in peace-building and helps to leverage the political, financial and technical support needed for these efforts to have an impact on peace processes nationally, regionally and internationally.

The fourth is Gender Justice and Post-Conflict Peace-Building, During the transition to peace, UNIFEM takes advantage of the opportunities that exist to put in place a gender-responsive framework for a country's reconstruction. As a central element of peace-building, UNIFEM has begun to develop a body of principles, policies and guidelines addressing constitutional, legislative, judicial and electoral processes and reform in societies emerging from conflict that will take promote and protect the rights of women and girls.

3.0. UNIFEM AND POST CONFLICT SIERRA LEONE

The TRC as established by the Parliament of Sierra Leone provided an important opportunity for UNIFEM to engage in consultative processes in not only documenting abuses and gross violations of women's human rights during the conflict, but more importantly to provide women's faces, and their needs for post conflict reconstruction and peace building to the reconciliation processes.

The TRC was established with a wide mandate 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 Lome Peace ˛Agreement. More importantly, it is tasked 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.

The TRC is also tasked to `investigate and report on the causes, nature and extent of the violations and abuses, to the fullest degree possible, including their antecedents, the context in which the violations and abuses occurred, the question of, whether those violations and abuses were the result of deliberate planning, policy or authorisation by any government, group or individual, and the role of both internal and external factors in the conflict.

The TRC also has as part of its mandate, the restoration of the `human dignity of victims and promote reconciliation by providing an opportunity for victims to give an account of the violations and abuses suffered and for perpetrators to relate their experiences, and by creating a climate which fosters constructive interchange between victims and perpetrators, giving special attention to the subject of sexual abuses and to the experiences of children within the armed conflict.

As we are all aware, women, girls and children bore the brunt of the brutality during the decade long conflict. The gross abuses perpetuated against women and girls during the conflict have been well documented, and already presented by survivors and organizations working with women to the Commission.

While the outside scars are beginning to heal, women still continue to bear the brunt of trying to survive the aftermath of the conflict in their every day lives. The war provoked a great deal of migration from the rural to the urban areas. Women are forced to live in camps with little economic activity on which to sustain their family. As a result of the war, many women have become ¯heads of households with little access to resources, occasioned by ˛patriarchal traditional structures and weak government structural support for them to perform these roles. This has contributed to the increase in prostitution between refugee and displaced populations with the antecedent risks for STDs and HIV/AIDS infection.

Sierra Leone before the war was one of the poorest countries in the world, and the aftermath of the war has created further breakdown of social services like health and education, with increased burden on women who have to provide unpaid care services to their immediate families, war orphans, and people living with HIV/AIDS. The lack of access to health to basic health facilities also increased infant and maternal mortality rates, with the reproductive health and rights of adolescent women particularly becoming vulnerable.

As a result of the systematic rapes, brutalisation, and other forms of violence perpetuated against women, a number on women in Sierra Leone now suffer different forms of health-related diseases. deteriorating mental health. and battered reproductive systems. While physical health diseases are easier to deal with, the psychological effects of the war on women and girls remain a more difficult terrain. This is especially so in a country and region that views mental health as an

aberration of some sorts.

The war has meant a destruction of agriculture in Sierra Leone, but more importantly, an important source of livelihoods for women since women in Sierra Leone constitute over 80% of farm labour.

The presence of peacekeepers also has implications for the situation of women and girls. In a country of extreme poverty and limited options for girls, the demand to engage in commercial sex work is great especially with the presence of a large number of young and unaccompanied men with access to money.

The possibility of involvement of some of these sex workers in international sex trade cannot be overlooked. A significant number of Sierra Leonean and Liberian girls who accompanied ex peacekeepers home can be found in various cities in Nigeria without the necessary financial means to r--tut home.

Women ex-combatants continue to face difficulties in being accepted and re-absorbed in their communities. They are treated with hostility and suspicion for breaching both gender and sex roles.

The impact of conflict has however exacerbated gender role changes in the economic situations in Sierra Leone. The fact that women had to take on non-traditional socio-economic roles and obligations; including as breadwinners and combatants has opened up spaces for them to be engage in the economic transformation of the country.

Working with women in Sierra Leone and other countries where women were systematically abused during periods of conflicts, the overwhelming witness of women have not been that of revenge or hatred, but a deep concern to be treated as persons with their own rights, and to be involved in peace processes to ensure that such violations against women, girls and children do not occur again in their communities.

The amazing strengths and resilience of women were also well documented in the UNIFEM commissioned Experts' Assessment on the Impact of Armed Conflict on Women and Women's Role in Peace-Building. The assessment was carried out in selected countries, including Sierra Leone, to mark the second anniversary of the UN Security Council Resolution 1325 and examine the international community's progress in implementing the Resolution.

The two independent experts, Ms. Ellen Johnson Sirleaf and Ms. Elisabeth Rehn appointed by UNIFEM found compelling new evidence that while women are effective agents of peace, they still have little access to power and peace negotiations. At the same time, the shift in the nature of warfare causes massive suffering; women and girls are singled out for atrocities with few consequences for perpetrators. In the Independent Experts' report, women from conflict zones speak out, insisting that military security has done little to protect them. Rather, the presence of arms as well as the psychological impact of war has caused conflicts to escalate, resulting in massive suffering and shattered states and communities.

"Women's bodies have become a battleground over which opposing forces struggle," the Experts write. "Women are raped as a way to humiliate male relatives; who, are often forced to' watch the assault. In societies where ethnicity is inherited, through -the male line, 'enemy, women are raped and forced to bear children. Women who are already pregnant are forced to miscarry through violent attacks. Women, are kidnapped and used as sexual slaves to service troops, as well as to cook for them and carry their loads from camp to camp. They are purposefully infected with HIV/AIDS, a slow, painful murder. The assessment however concludes that it is the women who are keeping the ideals of justice and peace alive.

The Executive Director of UNIFEM has also spoken out on the need to redefine global security focusing on the human dimensions. Previously security has been almost exclusively defined in military terms. Women are now insisting on a broader vision, one that puts human life and human rights at the forefront. One that includes lives free of violence, including violence against women and HIV/AIDS. And one that fully recognizes women's participation and leadership in peace processes and reconstruction.

Women interviewed for the assessment wanted, post conflict, education for themselves and their children, opportunities to participate in and influence peace building and post conflict reconstruction of their countries, legal reforms and constitutions that established codes of conduct that protected and promoted their rights in times of peace and war, the need to ban the proliferation of small arms, opportunities and access to resources, and, to be productive, freedom from violence and HIV/AIDS and an opportunity to raise a future generation based on the transformative ideals of justice, equality and participation. The opportunity presented by the TRC for UNIFEM to make this presentation, is an opportunity for not only the women of Sierra Leone, but for all women whose lives were nearly shattered by wars and conflicts, but have somehow found incredible strengths and force of will to want to broker peace that will heal their communities and their families. The TRC further presents an opportunity for Sierra Leone to address the root causes of gender inequality that are manifested through inequitable access to resources, inequitable and discriminatory laws and practices, be it based on traditional culture or religion, government structures and policies that make women inferior, lack of access to decision making; inequitable budgetary allocation and impact, and non

recognition of the lived experiences and potentials that women can bring to peace building and nation building.

4.0. UNIFEM RECOMMENDATIONS ON BEHALF OF WOMEN OF ,SIERRA LEONE

What are the major concerns that the TRC needs to consider and address in its deliberations, conclusions and recommendations? The Commission, in accordance with its mandate and deriving from the testimonies of the people, especially women, of Sierra Leone, has to address concerns that may be grouped into three (3) broad categories.

A. Concerns relating to the immediate needs of women as survivors of the conflict

1. General Basic Needs

There are significant difficulties for the people of Sierra Leone in trying to satisfy basic needs, including food, shelter, and medical care. Testimonies from men and women will have highlighted this difficulty.

There are specific gender dimensions of this problem that the Commission should take into consideration. Women generally have the social role to feed their families, care for children, the elderly and the sick. Although no systematic studies have been done, the number of female-headed households has increased significantly since the war. There is an urgent need for programmes that support the enhancement of women and men's capacity to provide for themselves and their families. Such programmes need to go beyond provision of very small credits that, as the Ministry of Social Welfare, Gender and Children Affairs has observed end up being used to meet urgent daily needs (food, medicine etc) rather than support an income generating activity. The programmes, designed with women's participation, will also need to address the issue of survival sex, in which young girls and some boys are currently involved.

Recommendation: Government working together with development pa: tner s (UN system, bilateral agencies, INGOs and local NGOs) to urgently collect, on a sex and gender -disaggregated basis, data on the situation of the people of Sierra Leone. This is imperative to support equitable programming and allocation of resources in meeting the short-term needs of the people, and for proper planning for reconstruction and development.

Recommendation: Government working together with development partners (UN system, bilateral agencies, INGOs and local NGOs) should develop, support and strengthen programmes that combine relief-oriented services with initiatives for sustainable livelihoods for women and youths.

2. Immediate Needs Arising from Gender-based Violence

As the UNIFEM-commissioned Independent Experts Assessment *Women, War and Peace* concludes, "the magnitude of violence suffered by women before, during and after conflict is overwhelming". 'Women survivors of rape, gang rape, sexual slavery and other forms of sexual abuse have specific health requirements. The needs will include surgery to repair torn tissues, treatment for sexually transmitted diseases, screening for HIV/AIDS (supported with pre- and post-testing counseling), to long-term psychosocial support. Survivors of sexual violence need safe spaces to go to for help and mutual support, protection from further violence and some degree of hope that justice will be done. Cultural and social stigma, towards survivors of sexual violations, needs to be countered at the highest level of government. Women who bore children from rape and sexual slavery may require other support including resources or the establishment of mechanisms for caring for such children if the mother is psychologically not able to cope. The children themselves born out of sexual exploitation need social services, medical, educational and psychosocial attention:[2]

Recommendation: :psychosocial support and reproduction health services for women affected by conflict to be an integral part of emergency assistance and post-conflict reconstruction. Special attention should be provided to those who have experienced physical trauma, torture and sexual violence. All agencies providing health support and social services should include psychosocial counseling and referrals. The Ministry of Social Welfare, Gender, and Children

' E. Rchn & E. Johnson Sirleaf, *Women, War and Peace,* United Nations Development Fund tor Women (UNIFEM), 6.

Affairs, which has social welfare officers throughout the country should be strengthened and resourced" The officers will require refresher training so that they can provide appropriate services. NGOs offering similar services should be supported with funding and training.

Recommendation: Gender-sensitive training should be organized for law enforcement officers including judicial officers; and the police. This forms part of the recommendations from the National Consultations on women and men in partnership far post-conflict reconstruction in 2001. 3 This will contribute towards fostering a sense and atmosphere of security from further gender-based violence for those survivors who are already traumatized by sexual violations during the war.

Concerns relating to the strategic needs of women in Sierra Leone

It has been said that a mere cessation of hostilities does not bring an end to today's intra-state conflict.

> "To end conflict, the creation of sustainable peace by fostering fundamental societal changes is required. These include democracy, good governance, human rights,'and rule of law and gender equality. If half of the population - women - are excluded, these fundamental changes will just not occur. The study shows that in many conflict areas such as East Timor, Guatemala, Kosovo, Mano River, Somalia, South Africa and others, women sometimes working with men, are beginning to transform societies by changing social: institutions, traditional gender roles and influencing warring parties".¯'

For the TRC to comply with its mandate it must take into account the more strategic interests of women arid girls, as well as those of men and boys in Sierra Leone. Strategic interests are more long-term concerns that move women and the country towards gender equality, empowerment and development. The challenge for the Commission is to took beyond the immediate consequences of the conflict, and to identify those aspects of socio-economic life in Sierra Leone that perpetuate inequality. It is that inequality and exclusion, on whatever basis including gender, that need to be addressed to form the foundation for reconciliation, reconstruction, peace and development. This analysis must be from a gender perspective. The following must be highlighted:

l. Women's participation in decision- making processes

Women are excluded from political and other decision-making processes at the national, provincial; community and even at family level. The exclusion is in time of way, conflict resolution, mediation and negotiation, peacekeeping, demobilization and post-conflict reconstruction. The roles that women play in conflict resolution and holding communities together

during and after conflict are either ignored or minimized. It is *often not* documented. The exclusion of women is also in time peace.

4 Statement by Ms. Angela E:V'. Kirg,Speciai Adviser on Gender Issues and Advancement of Women at che Open Meeting of the Security Counca: on Conflict, Peacekeeping and Gender, New York, 25 .tulv 2002.She was referring to the Study *VVofitem Peace and* Security commissioned by the UN Security Council and published in October 2002. T he study draws on the collective experience of the UN system. It analyzes ,he impact of armed conflict on worren anc: girus; jescrabes the relevant international legal framework and assesses its implementation; and reviews the~gender perspectives in peace processes as well as in peace operations; humanitarian opera::ons, recanismuc?icn-arid re~abilit4:ion, including DDR processes. The study includes recommendations for con>-eie action ic e¯asure greater attention to veader perspectives in all these areas of work.

Statistics from the Commonwealth Secretariat are indicative. In 1996, no Commonwealth country had reached the critical mass of 30 per cent women in national parliaments. The closest were Seychelles (27.3 per cent), Grenada (26.7 per cent) and South Africa (26.5 per cent). By January 2000, 7 Commonwealth

countries had achieved 20-30 per cent of women in Parliament with one country, South Africa, reaching the 30% critical mass benchmark. Even in local governments women's participation remains low. In 1995, 7 Commonwealth countries reported as having women in 30 per cent or more of local government seats. By January 2000, though only 6 Commonwealth countries - Seychelles (54%); Uganda (40.8%); India (33.5%) and Canada (30%) - recorded well over 30 per cent of women in Local Government seats, the majority (62%) of countries with a Local government system had over 10 percent of women representation.

Women's participation in decision making is not just a fundamental human right which Sierra Leone has committed to respect, promote and protect, it is also key to a culture of peace, good governance and development. Women have a lot to contribute to the peace, reconstruction and development of the country. Sierra Leone is a party to CEDAW which, provides thus:

"States shall take a11 appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular shall ensure to women, on equal terms with men, the right:

b. To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government."[5]

Recommendations:

a; increase representation of women in decision-making for the prevention, management and resolution of conflict and peace processes. Sierra Leone is at a crossroads requiring broad involvement in the resettlement, reconstruction and peace building processes. Government and international agencies, including the UN System and humanitarian organizations, involved in these' processes should make conscious decisions and plans for effective participation by women at all levels. Government must promote public debate in post-conflict regions concerning *gender-based abuses,* ensuring that men and women benefit from external reconstruction initiatives in the process

b) Government should take urgent steps to enable women to participate in governance structures. Local government structures present an immediate viable opportunity for women to contribute to the governance of the country. Measures to be taken may include special measures under Article 4 of CEDAW. There is empirical data that such measures have enhanced the numbers of women in politics globally, but also that they have impacted on the issues, nature and quality of decision-making. NGos working

towards this goal should be supported and strengthened by Government and the donor community.

2. Women's Human rights and Access to Justice

Sierra Leone is party to a number of regional and international human rights instruments, including CEDAW, and the African Charter - on Human and Peoples' Rights. Sierra Leone has also ratified the Rome Statute that establishes the International Criminal' Court. Central to all human rights treaties is the right to equality and to be free :from discrimination on any basis, including one's sex.[1] Women are entitled to furl and equal enjoyment of the right to life, education, personal integrity, association, health, and work, among others. Freedom from gender-based violence is integral to the enjoyment of these rights.

While ratification is a step to be commended accountability requires the state to take active steps to respect, promote and protect the rights. Respect for human rights is part of the foundation for peace and development.

In Sierra Leone, there is legislation that is discriminatory against women. Women have difficulty in accessing real justice due to application of discriminatory traditional- norms and lack of gender sensitivity-, of -law enforcement agencies, 'including courts. While the conflict. exacerbated the' problem by destroying the Judicial system, it -presents a real opportunity of' transformational reforms that can protect women's` human rights. '

Recommendations:

a) The Government of Sierra Leone should within a specified period of time (2 years?) review and reform the laws that are weighted against women. These include laws governing inheritance, ownership of land, violence' against women, and marriage and_

divorce. Given the literacy levels among women and the lack of information about applicable laws, the government and its development partners must invest in creating public awareness, targeting men, women and children, about the rights of women.

b. The government should take specific measures for securing for women a right to access justice, in a timely and inexpensive manner. Such measures should include conducting training programmes for judges, police and, traditional rulers, on gender and human **rights** in **the context of their work.** Donor agencies are urged to support this process. UNIFEM and other organizations with significant technical expertise in this regard should assist the government. Government and its partners should support and strengthen the Family & Child Protection Unit of the Sierra Leone **Police eventually** integrating the development of special skills for handling gender-based violence in the Police basic curriculum.

Similar strategies should be, adopted to integrate gender and women's human rights training in the judicial and bar curriculum.

3. Economic security

Women are generally poor before war and the war makes them even poorer. This 7s true of Sierra Leone. The country is ranked last of 173 countries featured in the 2002 Human Development Report. Poverty and the allocation of public resources coupled with perceived corruption contributed to the outbreak and sustenance of the conflict. It is

important that urgent poverty reduction strategies be developed. Within this framework it is imperative that gender perspectives be taken into consideration. The feminization of poverty is a recognized phenomenon in many African countries. **Poverty is more than income poverty and** includes all those aspects that contribute to make it impossible for a person to live in dignity (quality life). Women have no control over land and other resources. **Employment opportunities are minimal. But women are resourceful and are involved in small income generating activities in market places. Unfortunately the** capital base **is negligible and there is little future in** these **initiatives.**

Recommendations:

a) Government and its partners should adopt responsive policies that recognize gender equality as a crucial factor in addressing poverty and economic decline, combined with significant resource allocation can help redress the described imbalances. Women's greater, participation in decision-making processes and bodies can allow them to take a powerful stand against the feminiization of poverty. Key possible areas of action include:

The engendering national budgets through gender sensitive resource mobilization and allocation mechanisms. This will allow women to receive a fairer share of national resources;

The mainstreaming of gender into national development plans and trade policies and agreements and the promotion of women entrepreneurs and traders' access to affordable finance and national. regional and international markets

b) Government and its partners should establish a national Women's Development Fund to be administered by the Ministry of Social Welfare Gender and Children Affairs to assist women entrepreneurs to grow in their businesses. The fund could support advocacy with financial institutions, business skills development, market identification and development, and direction to women entrepreneurs.

4. Gender and HIV/AIDS

There is compelling evidence that gender inequality is a contributory , factor to HIV/AID vulnerability. Inequality precludes access to information, ability to negotiate safer sex and initiatives to protect' women 's sexual and reproductive health. The widespread rape and sexual abuse of women during the conflict has implications for the escalation' of the pandemic in **Sierra** Leone. The large number of unaccompanied peacekeepers and humanitarian workers with money to spend has increased the demand for casual sex and consequently the commodisation of girls and women.

Recommendation: The Government of Sierra Leone and humanitarian medical agencies to provide reproductive health services for displaced persons and returning refugee populations.

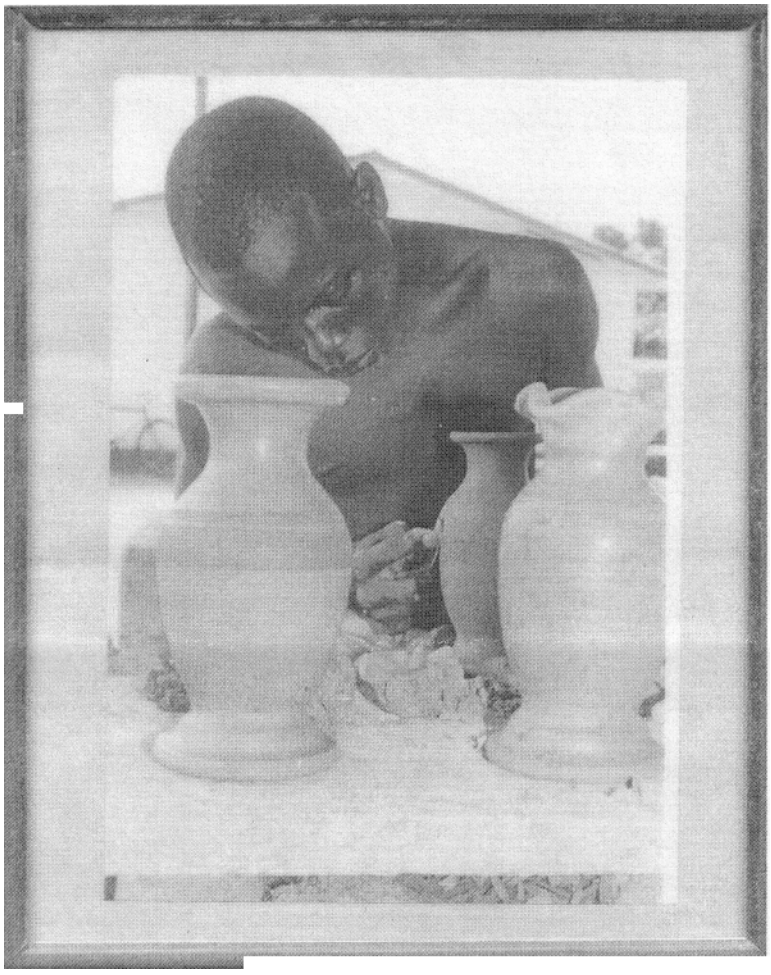
Recommendation: The Sierra Leone HIV/AIDS Response Programme (SHARP) should address the disproportionate disease burden carried by women. Mandatory gender analysis and specific strategies to meet the needs of women and girls should seek to prevent infection and increase access to treatment, care and support.

Recommendation: Prevention strategies being developed by Line Ministries under the SHARP should address the vulnerability of men and women to HIV within the mandate of the respective ministries. Additionally, the Ministry of Social Welfare, Gender and Children's Affairs should make recommendations for policy and legal reforms that will reduce the vulnerability of girls and women.

Recommendation: Clear guidance for HIV/AIDS prevention in peacekeeping operations and compliance with the UN Code of Conduct for peacekeeper˜s. Troop contributing countries to make available voluntary and confidential H1V/AIDS testing for their troops before and during deployment. The current sensitization of troops should be continued.

Conclusion:

The Truth and Reconciliation Commission can never undo the events of the past. The Commission can however sow the seeds of healing, sustainable peace and genuine reconciliation if in its report and recommendations, it addresses the root causes of the war and makes the necessary recommendations t˜o address the endemic causes of conflict - the lack of justice and accountability, including gender justice.



a

Project Name: Youth Empowerment Programme

Project No. :SIE 0047 1

Location

Country : Sierra Leone - Northern province

Duration : Six (6) Months

Recipient Organisation Caritas Makeni

Diocesan Development and Relief Office

22 Wilkinson Road

Freetown

Sierra Leone

Tell: 232-22-233760

Fax: 232-22-233919

Date of Reporting: 7th July 2003

Reporting Period: January- June 2003

Project cost 93,862,600

1. GENERAL OVERVIEW

The security situation in Sierra Leone has remained generally stable since the May 14, 2002 Presidential and Parliamentary elections; since then, there is an increasing number of unemployed youths mainly in urban centers with little or no job opportunities. This situation poses a long term social and economic problems.

The conflict in the sub-region notably Liberia, still constitute a threat to the consolidation of peace in Sierra Leone.

The United Nations (UN) is planning a national recovery strategy for Sierra Leone focusing on coordination for recovery, facilitating the reintegration of **returning populations, encouraging community reconciliation and promoting the protection of human rights.**

The humanitarian situation of returnees and returning refugees remain a major challenge in the peace building process. Also, the influx of Liberian refugees remains a source of concern.

Reconciliation and peace building activities appear to be an uphill task since it has been difficult reconciling perpetrators and their victims.

Nevertheless, barely 18 months after the official declaration of the end of Sierra Leone's decade old war, considerable progress has been made in several areas including youth development and skills training support.

With an increasingly improving national security, agencies fighting to reverse the appalling job and economic opportunities have made a positive mark.

As an implementing partner, Caritas Makeni exhibits a comprehensive record of accomplishment under its child protection programme (CPP) covering among others, reintegration, psychosocial and recreational activities, HIV/AIDS awareness campaign, micro credit and skills training, peace building and reconciliation and human right, youth exchange visits, newsletter contribution and publication etc.

At the beginning of the year 2003, goals and objectives were designed by Caritas Makeni for the Youth Empowerment Programme with nearly 60% of set objectives met.

Eleven thousand youths in the Northern Province of Sierra Leone covered by Caritas Makeni have benefited in diverse ways namely:micro credit, HIV/AIDS awareness raising campaigns, skills training support, peer counseling etc..

On a national scale, the government of Sierra Leone is beginning to address the issue of youths as of July 2003. A strategic PLANNING meeting was organized by the Ministry of Youth and Sports in collaboration with organizations involved in youth empowerment programs. The aim of the meeting was to launch a National Youth Policy. Issues affecting youths in post conflict Sierra Leone were outlined and debated upon. Challenges and obstacles facing agencies in their work with and for youths were highlighted, and the need for harmonization and reduction of duplication of activities among others were discussed.

Visits of partners from TROCAIRE and CAFOD during the project implementation were a source of inspiration for both beneficiaries and the agency.

HIV/AIDS RELATED WORK

The image of the epidemic in Sierra Leone which is now 5%, is assuming a terrifying dimension. Recent surveys conducted by Centre for Disease Control (CDC, Georgia) and the Ministry of Health and Sanitation has revealed the crisis nature of HIV/AIDS.

	National	Freetown	**Outside Freetown**
HIV +ve (%)	4.9	6.1	4.0
Women	5.5	6.9	4.1
Men	4.3	4.7	4.0
12-14yrs	3.5	-	-
15-49 yrs	5.2	6.5	4.0

80% of Sierra Leoneans (12-49) have ever heard of HIV and AIDS
67% knows that a healthy looking person can have AIDS
88% know that AIDS is spread through sex.

MICS Survey - 2002

54% of women (15-49) have never heard of HIV/AIDS
21% know the three main ways to prevent HIV transmission (ABC)
19% could correctly identify 3 misconceptions about HIV transmission

Adolescent's KAP - April 2002

~ **72.3% of adolescents have heard about HIV and AIDS (90% in W/Area)**
~ **7.7% of adolescents** have **knowledge** and **understanding about HIV and AIDS**
~ 55.1 % do not know that healthy carriers exist

~ 37.3% have never heard about condom while only 13.5% use condoms

~ 10.5% know condom as a means to prevent HIV transmission.

60.2% have negative attitudes towards PLWHAs

As a country that has experienced a decade long civil war, Sierra Leone have had series of factors to account for the epidemic

- **An exceedingly large number of Internally Displaced People (IDPs)**
  - **A huge refugee population in neighboring countries**
  - **A very high rate of STIs**
- **A health care system crippled by the prolonged civil war with destroyed infrastructure and shortages of doctors, drugs and support staff**
- **A high proportion of its population within the sexually active ages of 15-49**
- **A brutal rebel movement that has used rape extensively as a terror tactic**
- **Widespread abductions of women used as "sex slaves" by rebel armies**

Caritas Makeni acknowledges the nature of HIV transmission with its accompanying prejudices, ignorance and misconceptions among youths. In view of this, it has recognised the need for coordinating and networking with organizations, on HIV/AIDS response strategies that can be adopted by agencies for effective implementation, with the view of curbing the spread of the epidemic.

OBJECTIVE: - To help about 55 %(5,550) of young **people in our operational area** (Tonkolili, Port **Loko, Bombali, Kambia and Koinadugu Districts) know about the existence and prevention of HIV/AIDS by** 2006.

SUMMARY ACTIVITIES

-Recruiting volunteers in **HIV/AIDS prevention** and **Care campaign**

-Training of youths on HIV/AIDS/STIs prevention and care

-Development and dissemination of IEC materials about HIV/AIDS/STIs. (IEC to include drama, songs, folklore, stories, health messages, poems and posters)

-Conducting community out-reach on HIV/AIDS education and campaigns

-Campaign against violence on women, prejudices against people living with AIDS and advocate gender equality and support for HIV infected and affected persons.

-Mobilize community support towards the HIV/AIDS infected and affected persons

-Initiate school AIDS Clubs that target primary and secondary schools with abstinence and faithfulness messages as ways of preventing sexual transmission of HIV.

-Provide counseling to **vulnerable groups (commercial sex workers, drug users and drivers) about safer sex.**

ACTIVITIES Accomplished

Training of community volunteers (i.e. Youth leaders, Health workers, Teachers, Religious Leaders.) on the mode of transmission and prevention of HIV/ AIDS. As a result of this intervention HIV/AIDS awareness is growing among young people.

Peer educators were trained in schools for the easy and free flow of HIV/AIDS communication message among peers and organizing HIV/AIDS quiz competition among out of school youths to test the beneficiaries' awareness level on **HIV/AIDS** and **clarify any misconceptions and identify gap for future trainings.**

Establishment of District HIV/AIDS Committees in collaboration with the Ministry of Health and other concern NGOs to oversee and monitor the campaign for the awareness of HIV/AIDS.

The printing and dissemination of HIV/AIDS information, education and communication (IEC) materials like posters, T-shirts and leaflets to speed up information flow.

Organized HIV/AIDS support clubs with youths in schools and vocational centers, to help disseminate messages, as part of the youths to youth peer approach. These support clubs are involved in formulating jingles, dramas, role plays, developing and dissemination of HIV/AIDS materials using local resources such as local song, poems jingles etc..

Launching of HIV/AIDS awareness mass campaigns, targeting the wider communities in highly vulnerable places like slums, ghettos, motor parks, boarding homes, hotels, barracks, UNAMSIL residences and environs, etc. in order to increase knowledge on the dangers of the disease and influence behavior change among youths.

Promote voluntary counseling and testing (VCT) services to encourage young people especially groups at high risk like commercial sex workers, rape victims, girl mothers, intravenous drug users to present themselves for counseling and testing.

Skills training support/micro credit offered to young people in the form of quick impact skills training and micro credit in order to help disadvantaged and vulnerable young people,(I.E. girl mothers, rape victims, commercial sex workers) that may be vulnerable to STIs, HIV/AIDS the disease.

Participation in the Stepping Stones Workshop organized by CAFOD, TROCAIRE and Christian Aid Sierra Leone facilitated by Action Aid which is a valuable tool at community level in the fight against HIV/AIDS.

IMPACTS

As a result of the programme there is now the existence of HIV/AIDS committees at district level charged with the responsibility of monitoring and supervising HIV/AIDS activities.

There are ongoing quiz competitions at school level on HIV/AIDS.

Availability of printed information, education and communication materials on HIV/AIDS at community level.

There are widespread popular slogans and jingles among young people in various communities.

Young people are now conscious about sex related issues as a result of HIV/AIDS campaigns.

There are now regular HIV/AIDS programs in various media outlets.

LESSONS LEARNED

Young people's participation in the planning and implementation of project activities was very vital for timely accomplishment of project activities.

The level of poverty among young people is greatly contributing to the spread of HIV/AIDS. Commercial sex workers will tell you the price for unprotected sex exceeds that of protected sex.

Most vocabulary in HIV/AIDS sensitization offends local cultures and taboos, e.g. the mentioning about sex openly and the naming of private parts is shunned upon

Myths and misconceptions about the risk of STD/STIs or even HIV/AIDS among people of the ages 13-20 is appalling, e.g. at a workshop for young people in higher primary school, a young girl of about 13, who was bold enough to confess she is having sex with even adult, was asked how she can prevent herself from getting pregnant or risk infection.

SKILLS DEVELOPMENT/TRAINING SUPPORT

The Sierra Leone armed conflict was rooted in unemployment and lack of economic opportunities for young people. Caritas Makeni has sought to address this, giving special attention to the youths through the Youth Empowerment Programme.

OBJECTIVE: - To provide life long employment opportunities for 60 youths through skills training supports at community by level January 2003.

Activities Accomplished

1. **Identification and subsequent placement of 60 young people in four skills training centers as shown below:**

Centre	TYPE OF SKILL							
	Carpentry	Tailoring	Cloth Weaving	Pottery	Garatied in	Metal Wor	Cane Work	Total
Lungi	3	3	3	1	3	-	2	15
– Port	**2**	**6**	**2**	**1**	**3**	**1**	**-**	15 !
Mile 91	-	7	-	-	8	-	-	15
Makeni	-	-	7	-	8	-	-	**15**
, Total	**5**	**16**	**12**	**2**	**22**	**1**	**~**	**60**

Procurement and distribution of training materials and tools to all training centers to enhance effective training activities.

Conducted numeracy and literacy lessons to help trainees with relevant skills, Trainees were divided into groups, as some are school dropouts while others have never been to school.

Provided meals for Trainees in skills training during lunch hours.

Monitoring and **supervision** of project **activities** for **timely implementation of project objectives.**

IMPACT

Restoration of self esteem.

Young people (especially drop-outs) now have the opportunity to engage themselves in skills training for self reliance.

Some trainees (cloth weaving, gara-tie dying and plastic weaving) are now capable of making items on their own that enables them earn some form of income.

PEER COUNSELLING/ RECREATIONAL ACTIVITIES

It is widely estimated that about 70% of the youths in Sierra Leone may have been victims or perpetrators and many are living with the scars of the decade old brutal civil war. The experienced shared from Rwanda by Antoine Girelli (a trauma healing consultant) shows that if these psychosomatic experiences are not immediately address it would have the propensity to worsen the situation dramatically in the future. Therefore in order to salvage the situation and upon the request of the community especially the youths, Caritas Makeni became involved in order to salvage the worsening youth situation, and as an initiative for long term development.

OBJECTIVE: - To heal the minds of traumatize youths to enable them grow free of stress.

Activities Accomplished

Facilitate the formation of youth groups.

Procure and distribute recreational materials to youth groups and training centers.

Facilitate sport and drama activities youth club in schools.

In and out door games like football, volley ball, Ludo, card, draught and painting were organized in all the skills training centers, for recreational purposes and relaxation.

4. Hired coaches, instructors and school counselors to offer their services to young people.

IMPACT

Many traumatized youths are now fully involved in recreational activities.

Former ex-combatants and youths who suffered during the war do have a common meeting place at recreational grounds.

Reconciliation is gradually gaining momentum.

PEACE BUILDING AND RECONCILIATION

OBJECTIVE: - To prepare the minds of young people for peaceful coexistence and respect for the rule of law in their communities.

Activities Accomplished

1. A student peace council has been formed in the Northern District town of Makeni, membership comprising of students from all schools in Makeni town, its call "Bombali Student Peace Association" (BOSPA) is formed and organized by Caritas Makeni to mend fences and to help attain lasting peace in and among communities. Violence has been almost a normal routine during sport and festivals amongst youths.

2. Caritas Makeni had successfully mediated a crisis that involved the beating up of the Principal of Binkolo Secondary School (7-km. from Makeni) by students of the school. The three students were taken to court and sentenced for six months imprisonment, through the intervention of Caritas Makeni youth programme each have been acquitted and the principal asked to forgive. The students are now attending their normal schooling and the Principal playing his normal role as the principal of the school.
Workshops on this subject have been organized in Makeni, Bumbuna and Port Loko, in order to address the curbing violence in schools and facilitate forgiveness and reconciliation that are essential to peace.

3. **Community animators** have been trained to mediate and reconcile community conflicts among youths, groups and peoples. Field staffs have been monitoring the activities of trained peace animators at community level.

4. **Focus group discussions are organized for young people on resolving conflict using traditional methods of reconciliation and conflict management.**

IMPACT

Young people have become peace agents between individuals, groups and communities.

There is relative calm and joy in communities in contrast to the miasma that once marked certain occasions like dances, traditional and societal gatherings, discos, soccer competitions or during festivals.

MICRO CREDIT SUPPORT

The multiple displacement, horror and terror witnessed during the ten years of civil armed conflict known globally for its viciousness and brutality have subjected the people of this country, particularly young people, into acute poverty that demands immediate action. What is needed is a kick-start income that will supplement economic activities of these vulnerable people.

A valuable and attractive alternative to household income is the Micro credit support scheme geared towards promoting their coping strategies, which will eventually improve their standards of living with a corresponding cultural adaptation to their "new" society. Reintegrating war-ravaged youths of this country into their communities is a **challenge to all of us hence the need for micro-credit support.**

OBJECTIVE: - To restore the socio-economic situation of disadvantaged young people through micro credit enterprise development support.

Activities Accomplished

Within the period under review, the following activities were accomplished:

- Sensitization of beneficiaries (110) on the mode of operation and handling of micro finance at community level in collaboration with hired /trained advisors.

  Conducted regular home and market visits to beneficiaries for regular inspection of accounting records to ascertain progress made.

- Facilitate loan recovery and saving at community level.

- Facilitate the formation of co-orperative societies in various community

IMPACT

- Target group, i.e. young people have ACQUIRED small scale business management/ entrepreneurship.

- Beneficiaries are almost always engaged in micro business.

- Beneficiaries can now take care of some basic domestic obligations as a result of profit of profit accrued from the business.

- The tendency for beneficiaries (TEENAGE mothers) to involve in commercial sex is minimal.

NEWSLETTER PRODUCTION

Objective: - To inform young people about activities and issues affecting their lives in various communities and to exchange ideas, skills and experience among partners.

Activities Accomplished

- Within the period under review four news letter articles were contributed to Don Bosco Homes in Monrovia Liberia to be published in the Youth Voice news letter for and by youth in the sub region.
- Collecting, censorship, editing and posting of news articles from young people and by young people in various communities.
- Conducting training and orientations for youth leaders in the art of writing and editing.

IMPACT

There is now information sharing among young people and partners both within and outside Sierra Leone.

Young people have learnt basic skills in writing and editing.

Young people are becoming aware of activities and issues affecting their lives and others in various communities through reading articles produced in news letters.

CONCLUSION:

During the last report in December 2002 the Youth Empowerment Programme was still to take root. By June 2003 and at moment of this report, considerable progress has been made in all the sectors listed above.

Considerable impacts have been made since the intervention of the youth empowerment programme.

Youths in school and out of school in Mile 91, Port Loko, Makeni, Lungi and Magburaka have benefited diversely.

+ If young people are actively involved in issues that affect their lives, then they can contribute and participate fully.

+ When one objective is realized, it is either necessary to extend activities to other disadvantaged youths or review project objectives.

+ The non availability of voluntary counseling and testing equipment (VCT) for young people who think an HIV/AIDS test is necessary is a limitation to activities on HIV/AIDS education.

+ Anti retroviral drugs also should be made readily available to administer to people living with HIV/AIDS (P/WHA) at all times.

+ Many young people, who are not benefiting from the skills training micro- credit support, are worried that they may acquire their skills but end up with out START-UP KITS. Therefore there is need to increase support in the form of start up kits and micro credit.

+ The opportunities young people are gaining in the form of skills, knowledge and economic empowerment is greatly enhancing peace in communities, reduces vulnerability and brings development in societies.

YOUTH, CHILDREN AND THE CONFLICT IN SIERRA LEONE: ASSESSMENT OF IMPACT AND THE WAY FORWARD.

A **PRESENTATION MADE BY CARITAS MAKENI DURING THE THEMATIC HEARING ON ISSUES RELATING TO CHILDREN VIZ-A-VIZ THE WAR** IN SIERRA LEONE.

Caritas Makeni is the Relief and Development Agency of the Catholic Diocese of Makeni, established in 1979 and headed by the Bishop of Makeni. The operational areas of Caritas Makeni cover the entire Northern Province of Sierra Leone. Caritas Makeni is recognised by the government of Sierra Leone as it is registered with the Ministry of Development and Economic Planning and the Sierra Leone Association of Nongovernmental Organisations (SLANGO).

Before the war, Caritas Makeni supported emergency and development projects in agriculture, Micro-credit and small scale enterprises, primary health care. Presently, it has included into its programmes- peace building and reconciliation, child protection, reconstruction and resettlement, community capacity building, and rural infrastructure development.

On Child protection, one of it's projects is tracing and reunifying separated children and child ex-combatants with their families. Caritas Makeni has been fully involve in all inter-agency efforts to fulfil this aspect over the past seven (7) years.

Caritas Makeni started its family tracing and reunification programmes for separated children in 1996 covering (2/3) of the North but has now covered the entire Northern Province. The Organisation works with local community structures, as community involvement is very vital in carrying out this aspect of the project for community reintegration, mediation and acceptance especially to foster sustainable peace and reconciliation. This perhaps explains why community support structures such as the formation of chiefdom child welfare committees was carried out. During this period, 99% of all documented cases were successfully traced and reunified with their families.

As the war intensified in the countryside, more and more children were abducted and recruited into the fighting forces giving rise to a set of children known as child combatants. Caritas Makeni in its avowed policy to care for and protect children took up the issue again as a priority to demobilise, reunify and reintegrate child ex-combatants into their communities through the established community support structures.

Caritas Makeni's trained staff and community members, provided services to these exchild combatants in all of its psychosocial centres, that is, demobilisation

centres, interim care centres, schools and out of school etc. These services include skills training, community education investment programme, access to medical facilities, counselling, recreational activities, cultural shows and drama. Caritas Makeni takes a rights based approach to its work in child protection, believing that care for children is undertaken in order to uphold their rights as described under the UN convention on the rights of the child (CRC) as stipulated in Article 9.

Caritas Makeni has demonstrated its ability to move quickly and scale up operations in response to rapidly changing circumstances in the field. Over the past years, Caritas Makeni has demonstrated an ability to move children to safety at very short notice when security deteriorated.

VIOLATIONS AGAINST CHILDREN

The decade long civil conflict in Sierra Leone was characterized by immense destruction of property, disregard and disrespect of human dignity and loss of human life, perpetration of violence to fill the vacuum left by a diminished state security, massive displacement of the population and added poverty. Sierra Leone has seen some of the worse violations of human rights and humanitarian law in the world during our terrible ten - year war. One of the most alarming feature in the armed conflict was the participation of children as soldiers.

Children have fought with the various factions involved in Sierra Leone's armed conflict which began in 1991. These factions included the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the Sierra Leone Army and the Civil Defence Forces (CDF). More than 5,000 children under the age of 18, both boys and girls and some as young as five, have fought as combatants in Sierra Leone's armed conflict. Children have been specifically singled out for recruitment by both the armed oppositions and forces fighting in support of the government. Most of the children fighting with these forces have been abducted from their homes and families and forced to fight. Many were separated from their families at a very young age. Victims themselves, they have also been perpetrators of human rights abuses, sometimes against members of their own families and communities. Many have been forced to kill and mutilate under the influence of drugs, alcohol or simply because of fear.

The involvement of children in conflict has devastating effects on their physical and mental integrity. There have been higher casualty rates among children because of their inexperience, fearlessness, lack of training, and as human shield. Children are considered as particularly useful because of their size and agility. They can be sent on particularly hazardous assignments. They are frequently ill-treated or even killed by their commanders when they retreat or failed to follow orders.

In addition to the obvious risks of death or serious injury in combat, children suffer disproportionately from the general rigors of military life, especially in the bush, and are particularly vulnerable to disease and malnutrition.

As for the severe psychological consequences of active participation in hostilities, with children witnessing and committing atrocities, the full extent of the impact on these young veterans as well as the society as a whole may only become apparent over a long period.

Another disturbing feature in the Sierra Leone armed conflict was the use of girls as sex slaves. It is a sad fact that throughout the conflict in Sierra Leone, Girls have suffered serious abuses. Girls as young as eight (8) years have been raped. The RUF/AFRC rebels perpetrated systematic, organized and widespread sexual violence against girls including individual and gang - rape, sexual assault and sexual slavery. These crimes were often characterized by extraordinary brutality.

While some of these abuse were committed by all armed factions, most of the abuses were committed by the RUF/AFRC rebels. These young girls were rounded up at gunpoint during rebel attacks in towns and villages. Once captive they are taken to rebel command centers where they are shared and divided among commanders (combatants). These unfortunate girls most often become attached to one rebel who then refers to her as his "rebel wife". Many became pregnant and remained within the rebel movement for years. Some of these girls were mistresses of the various units of rebels controlled by their "bush husbands". Others are at times active fighters taking par recognizance missions.

However, despite their attachment to their "rebel husbands", these rebel husbands maltreat most of these girls as soon as they become pregnant. They are often driven or released, leaving the poor girls helpless. Some even lost their lives during labour, as there was no proper medical attention. Others who were too shy to return home for fear of family rejection/neglect often ended up dumping their children in dustbin or commit abortion that is sometimes fatal - resulting in the loss of lives.

The Rehabilitation of these girls who have been with military forces as either "wives", helpers and/ or part of the fighting forces poses special challenges relating to issues such as attitudes to sexually abused girls and babies born out of wedlock and as a result of rape. The other frightening aspect is the real tragic danger of many of these girls being HIV infected and thus carrying infection to their next male partner and possibly to their children.

Even though a lot has been done, there is still a daunting task ahead. Many children who fought along side the fighting forces were left out of the disarmament process One reason which account for this is the group disarmament, which gave powers to commanders to decide who is to be disarmed.

Therefore, if you are not favored by the commander, then you are left out. From field level, we saw how rebel commanders bring in their relatives and family members who were not fighting to undergo disarmament and demobilization. This militated against the actual child combatants. Many are now roaming about their

villages and towns with virtually nothing to do because they cannot access the reintegration programme. Another reason is that many girls were deliberately left out of the DDR (Disarmament and Demobilization) process because of their attachments to their "bush husbands" Also those who were driven or neglected by their commanders were never given the opportunity to undergo the DDR programmes.

Apart from the re - establishment of security and the consolidation of peace, the most daunting challenge that faces Sierra Leone in the transition of war to peace is the desperate conditions of former child soldiers. The prospects for full recovery will depend very much on rehabilitating their scarred lives and restoring a sense of renewed hope.

The widespread use of child soldiers is both a moral dilemma and tragedy. It is time to focus on the solution to improve the long-term protection of war-affected children, particularly former child soldiers. What is now urgent is to give substance to the repeated commitments to end the recruitment and use of children as combatants and long-term support be given to those unfortunate young veterans who have lost their childhood in action.

A major focus should be put on a prevention of the use of children as weapons of war rather than waiting for and planning a massive rehabiltation and reintegration investment programmes. It is time to put pressure on governments and failed states to establish, uphold and strengthen good governance and democratic structures, respect human rights and the rule of law

Caritas Makeni therefore urges the following:

Ratification and full implementation of international and regional agreements pertaining to the involvement of children in armed conflict.

Those responsible for the violation of international humanitarian laws, including the recruitment of children into fighting forces should be brought to an International Criminal Court.

Those children who were left out of the DDR programme and children that have taken to the streets should be given urgent attention.

Disadvantaged children who have been indirect victims of the war thus rendering them vulnerable to the society's ills should be given keen and urgent attention.

The TRC should incorporate traditional cleansing ceremonies and alternative truth seeking processes as means of reconciliation.

Government should provide basic school facilities such as Toilets, Water supply system, Learning and Teaching Materials and the rehabilitation of schools destroyed during the war.

Effective provision needs to be made for those girls and women, many of whom are pregnant or have young children, to leave former combatants, if they wish. This would require: firstly, the opportunity to indicate privately to UN personnel their desire to leave the men that abducted and sexualJy abused them; secondly, support through quick impact skills training and income generating activities.

Girls who have also been sexually abused and exploited during and after the war should be urgently catered for.

COOPERAZIONE INTERNAZIONALE

1965•2000

The Executive Secretary

Truth and Reconciliation Commission (TRC)

Jomo Kenyatta Road
Freetown

21 S` May 2003.

Dear Sir,

Re: INVITATION TO THEMATIC EVENT-SPECIFIC AND INSTITUTIONAL HEARING ON YOUTH AND CHILDREN.

Reference to your letter dated I st May 2003 on the above subject; I am pleased to submit COOPI's submission to the commission.

I hope the submission and its contents will be useful to the commission, in its aim to capture some of the experiences of children and youth during the conflict in Sierra Leone.

Please find attached a copy of our submission.
Yours faithfully,

Massimo Giovanola

COOPI - Cooperazione Internazionale
20, Wilberforce Loop, Freetown - SIERRA LEONE Tel. 00232
022 233509 - 511 email freetown@coopi.org

YOUTH CHILDREN AND THE CONFLICT IN SIERRA LEONE, ASSESSMENT OF IMPACT AND THE WAY FORWARD

Cooperazione Internazionale (COOPI) is the leading Italian Development and Humanitarian Non-Governmental Organisation working in 37 countries with the World's poorest. COOPI had been operating here since the 1970's till 1999 its operational area had been in the North where its presence was not much felt due to the prevailing circumstances in those days. As a result these operations were scaled down until when the gruesome war encompassed the country especially so, when the rebels invaded Freetown. This invasion increased the suffering of children as they were recruited, abducted, raped, sexually abused, conscripted, amputated and a range of atrocities were committed on them. This spurred COOPI into Child Protection activities such as the provision of humanitarian assistance for them.

In collaboration with UNICEF, ECHO and the MSWGCA, COOPI started working with sexually abused girls released by the fighting forces as its beneficiaries. Subsequently the focus extended to de-traumatised Internally Displaced Persons (IDPs) in their various camps and communities. As the warring factions continued to release children, the issue of separated children and child ex-combatants came in the limelight, and they were incorporated as another set of beneficiaries of COOPI Social Reintegration programmes.

This programme had family tracing and reunification (FTR) as the first stage. This is then followed by follow-up visits to families, communities, schools and institutions where these children were reunified. The follow-up through counselling and mediation ensures that these children are once again accepted in the society. Services like psychosocial care, counselling, schooling, skills training, medical and family support had benefited over 3000 children either in their communities or in COOPI Interim care centres. Today COOPI had moved at least a step further by working with community children through the community-based reintegration programme and as well as undertaking water and sanitation in Kono and closely working with Progressive Women's Association (PROWA) in aiding women's groups. With the cooperation of the Sierra Leone Government and donor agencies, COOPI will continue to provide these services and many more.

2.1. VIOLATIONS AGAINST CHILDREN

- **ABDUCTION**

- **Children Protection agency deals with the following category of children as its beneficiaries.**
  - **SEXUALLY ABUSED GIRLS-These are girls who have suffered sexual abuse in the hands of the fighting forces. Majority of these are either expecting or carrying babies or pregnancies whose Fathers hardly surfaced.**
  - **CHILD EX-COMBATANTS- These are children that were disarmed by DDR and went through the DDR programme.**
  - **SEPARATED CHILDREN- This set of children lost sight of their parents/family members during the war. These children are later traced and reunified with their family like the second category of beneficiaries, they carry personal identification codes.**

  - **COMMUNITY CHILDREN-These are either abandoned in the street where they are picked up by COOPI or vulnerable community children who are identified by Child Welfare Committees set up under the CBR programme.**

Not until 2002 when COOPI activities were extended to Kono, COOPI all this while covers Children Protection in the Western Area only.

COOPI had the following as its experienced before and during the conflict and even during this transitional period in Sierra Leone.

Details & Topic	Before the War	During the War	Transitional Period
Abduction, recruitment, children as combatants	These activities were rarely of	They become the order of the day and means of survival and exercise of	Now incorporated into our diction but not practised so need serious attention.
Murders, Massacres and torture	They were not in existence.	Certain common practices and sources of	Not practised yet.
Amputation, Torture and ill-treatment of children.	Children were amputated but certain practices, some families communities executes to two a small scale.	It was one of the commonest practices and source of	Unlike amputation, the remaining had become a routine child rearing.
Rape, Sexual slavery, and forms of sexual abuse.	They were common mainly family level and few outside	These were the commonest of the fighting forces.	They are still and even prominent in some

	at national level, during national election they always on the increase.		
Arbitrary and	Unlike arbitrary detention, disappearances were common especially during general and chieftaincy elections. It was more so for ritual killing.	Arbitrary detentions were carried. Disappearances were transferred into abductions.	Disappearance became part and parcel in some children but detention is
Suspension and displacement.	Displacement occurred during political or land crisis and sometimes- mishaps like flood separation was rare.	Both concepts common and practised on basis.	Unlike certain areas both are out.

RAPE, SEXUAL SLAVERY AND OTHER FORMS OF ABUSE

Throughout the armed conflict in Sierra Leone, from 1991-2001 thousands of Women, Children and Girls of all ages found themselves being subjected to various forms of sexual violence. COOPI as an organisation started working with victims especially girls whose ages range from 9-17 years. In collaboration with UNICEF and other international non-governmental organisations, COOPI created Interim Care Centres (ICC's) in LAKKA and Calaba Town respectively to house and care for boys and girls that were associated with the war. During this period our Social Workers documented stories of sexual violence of extra-ordinary brutality perpetrated against women of all ages. In the interest of brevity, we shall attempt to give only few of these violations.

RAPE: A.B. told our Social Workers that when she was captured, she was raped by six (6) rebels and that she collapsed when the sixth rebel finished with her. She further went on to reveal to us that, after that ordeal she had a swollen virgina and continuous bleeding for a week. Later, one of the captured women who was a nurse examined her and told her that she has contacted Gonorrea, and started giving her treatment. AB's story of being gang rape was common to nearly all the girls at our ICC's. A.B. even told us of P.A her cousin that died in a similar ordeal of gang rape. Al the girl-mothers at the Comforti Centre underwent both individual and gang rape

ordeals of horrific proportions. Psychosocial workers at our centres learnt stories of young and adult women being raped, so violently that they suffered tearing in their genital areas and in some cases died in the process.

ABUSE: The extreme brutality suffered by women cannot be over-emphasised.

Cases of torture were widespread. One story that will be of interest to the commission was that of M.F. who told us that one day, she was falsely accused of stealing a commando's $ 200 dollars. She was beaten for two consecutive days, and finally her virgina was cut in several parts with pieces of bottles. When she was brought to the Comforti Centre her condition was so bad that she received intensive treatment at the Holy Mary Clinic for two (2) months. M.F's story is one among the many cases of brutality and torture suffered by girls at the hands of their captors documented at our ICC's. These acts were at all times perpetrated with impunity.

SEXUAL SLAVERY: Almost all the stories documented at our centres revealed incidents of Forced Conscription, Military Training and Marriage, other forms of abuse include Forced Labour, Cooking, Washing, Farm Labour, Carrying of Ammunition and looted items. Few of the girls at the centre were involved in the fighting F. T. told us that she was forced to kill a household of fifty (50) people including women and children by her husband in Kailahun.

EXISTING SHORTCOMINGS IN THE LEGAL SYSTEM REGARDING CHILD PROTECTION LAW.

As a Child Protection Agency COOPI has released few existing shortcoming in the legal system for children especially, the systems attitude in prosecuting rape cases. Our Social Workers have documented cases of delay in rape cases. Although the collaboration with the Family Support Unit (FSU) of the Police has been good with COOPI and other agencies, Social Workers are always frustrated with the slow process of the legal system. Survivors from poor parental background continue to be frustrated not only with the humiliation associated with public hearing of rape cases, which always expose Survivors to ridicule from both defence lawyers for perpetrators and the public during hearing, but also to the cost of getting the services of Lawyers.

2.2. The laws of Sierra Leone covers very few aspects on Child Protection and even those covered are hardly enforced. For instance the laws that provided for the existence of approved schools and Remand Homes for children are only a facade. The physical structures are there but these are dysfunctional. Another shortcoming is that some International conventions on Child Protection like the African Charter and Convention on the right of the child to which Sierra Leone

is a signatory are hardly ratified. Not until recently has Parliament had made very little moves to pass laws that protect children's rights.

2. 3. The following has diverse impacts on children in Sierra Leone.

CONSIDERATION	PRACTICE	IMPACT
Political	Elections	Before the war, it exposed children to violence. Now it encourages interaction through rapport it establishes revolution.
Economic	Street selling/trading by children	Transforms children into street children, drugs abusers and the
	Street begging	Inculcates ill habits like theft in children.
Traditional	Secret Society	Trains children for better lives. Breeds' future politicians. Introduces children to adulthood.
Cultural	Marriage (Polygamy)	Inadequate attention is paid to a number of the children. Early marriage also deters children's progress.

2. 4. The Truth and Reconciliation Commission should maintain justice through allowing perpetrators to accept their fault on children show remorse to these victims (children). To appease the children and allow them to be active in the reconciliation process, those who are adversely affected by their perpetrators acts or words should be provided with certain basic services and activities. These children should be encouraged on board TRC programmes and be given opportunity to participate in the reconciliation process.

The Special Court should be used to advance the cause of children by defending children's right through making their perpetrators answerable for all their acts against those innocent souls.

2. **5. The reintegration process is affected by the culture, tradition and social mores of the people. Taking the urban area the culture of nuclear family is gradually gaining grounds and this is pushing away some reunified children in the street and allowing them to become street beggars since they are rejected by those families, school going is becoming quite popular nowadays and this is capturing many children's attention. Though government provides free education for primary pupils, some authorities are still in the habit of extorting monies from those children. The children that cannot**

afford to meet these demands are either asked out of school or they quit themselves. With these we may be plunging back into the old pit.

In the rural areas they have the culture or practice of discrimination between members of certain secret societies and non-members. This provides a very tight place for excombatants who find themselves in the opposing faction.

Certain communities still see combatants as the greatest destroyers during the war this makes the reintegration process very difficult if not impossible for these war victims.

6. **In the name of reformation and reconciliation I wish to recommend:**
   i. **International Conventions protecting children's right be given consideration in Parliament if not ratified.**
   ii. **Legal aspects of child protection should be strengthening and enforced.**
   iii. **Child protection structures should be functional.**
   iv. **Social mores and traditional practices inhabiting the reintegration process of war child victims should be reviewed and improved.**
   v.Stringent measures should be put in place for child right violations.
   vi.. Extortion of monies from schoolchildren in the name of School Fees, PTA/CTA, voluntary contributions and the like should stop.

ON THE 16 TI OF JUNE 2003 (DAY OF THE AFRICAN' **CHILD)**

PRESENTED BY WORLD VISION SIERRA LEONE

BACKGROUND

World Vision is an international Non-Governmental Organization that is operational on six continents, in over 110 countries in the world. It works for the overall well being of all people especially children. It does that through emergency relief, education, health care, economic development and the promotion of justice.

It was originally established in 1950 to care for the orphans in Asia. World Vision functions as a partnership of interdependent national offices overseen by their own board or Advisory Councils. Each partner agrees to abide by the core values of the organization.

Almost 80% of World Vision's funding comes from private sources including individuals, co-operations, foundations, and the other 20% from government grants. Approximately half of World Vision's programmes are funded through child sponsorship where individuals, families, churches, and groups are linked with specific children or projects in their own country abroad.

The World Vision Sierra Leone programme started operation in March 1996. The focus of the organization at that time was to meet the emergency needs of the displaced people. The organization was mainly engaged in the supply of food and non-food items to the displaced people through its commodities programme.

When the peace accord was signed in1996 WVSL played a key role in the repatriation of the IDPs into their communities. World Vision did not only facilitate the repatriation of the IDPs but also facilitated the resettlement of the IDPs into the communities. It introduced the Agriculture Recovery Programme in selected communities in the Bo, Bonthe, Pujehun and Kono districts. The programme supplied seeds and tools to the beneficiary farm families and followed that up with extension messages. They also introduced the Primary Health Care Programme in the Bonthe district. The primary Health Care Programme rehabilitated all the clinics that were destroyed during the ten years civil conflict in that district. It stocked the clinics with essential drugs that were going on a cost recovery basis.

Over the years, the programme has grown to address various needs. At the signing of the Peace accord the programme implemented a Support for Permanent Peace (SPP) programme; with funds from USAID-OTI The objective of that programme was to consolidate the gains made by the peace

accord. After, the coup in1997 these activities of the project were disrupted and the programme came to a stand still. However at the return of the democratically elected government in 1998. the programme commenced again but with a different focus. That time round the Youth In Development (YID) and Civil Society Support (CSS) Programmes were introduced. Those two projects focused the empowerment of civil society so that they can positively input into their governance. Youths were particularly targeted to tap their excessive energy, which otherwise they would direct to mischievous activities. Later, to complement the activities of the NCDDR, the Skills Training and Employment Promotion (STEP) project was started. The objective of the STEP programme was to ensure that the trainees of the NCDDR programme were employed.

After the coup in 1997 and the subsequent alliance between the AFRC and the RUF many children who were with the RUF came out of the bush and were roving the streets of the towns without any care. They were engaged in many antisocial activities like drug taking, pushing, etc. That was what led to the start of the World Vision Sierra Leone Child Protection Programme (CPP). At the inception of the CPP it engaged mainly in the family Tracing and Reunification of those separated children. The reunification was followed up by the reintegration of those children in their original communities. The approach that was taken for the reintegration of those children was community focused. The programme also undertook advocacy and mediation on behalf of former child combatants for their forgiveness and acceptance within their communities and families. Sensitization of parents, authorities and the communities at large on the rights of children, to ensure that children get what they are due in their families, and communities. The aim has been to prevent their alienation in the society and the repetition of another war. Promotion of sustainable reintegration of reunified child ex-combatants, and other war-affected children into their families, and communities through basic education and skills training support. It also includes income generation support to representatives of foster parents associations and child welfare committees so as to build the capacities of the parents to adequately meet the needs of their reunified children.

To date a total of 450 children have been traced, registered and reunified with their parents and are now living with their families in their communities. A total of twenty one schools have been rehabilitated and seven are under reconstruction. At present the total enrollment of these schools is about 8000 children. Of that total, 558 are child ex-combatants. This number comprises of RUF child ex-combatants, who had to be reunified, and Civil Defense Force child ex-combatants who were already living within their communities. A total of 18 community based skills training centers have been supported and these are currently providing marketable skills to a total of 340 children. Skills provided include carpentry, tailoring, soap making, gara tie-dyeing,

blacksmithery, weaving; bread baking, auto mechanic, welding, and needlework. A total of 87 Child Welfare Associations and Foster Parents Associations have been supported to undertake income-generating activities. The objective is to strengthen the capacities of these parents to meet the basic welfare needs of their children including adequate food, prompt medical attention in times of sickness. educational support, proper clothing etc. Capacity building training has been provided for 270 representatives of partner Child Welfare Associations. The objective is to provide them with basic financial and resource management. planning and leadership skills. They are also being trained to become advocates for children in their communities, so that the issues of children will continue to be focused even when World Vision pulls out.

World Vision continues to intervene in the three districts of Bonthe, Bo; and Pujehun in the South, and Kono, in the East of the country. The present focus of the organization is Capacity Building for Child Rights Promotion and Support. Over the years, the Child Protection Programme has been partnering with various community-based child focused groups to address the problems of child rights violations in the target communities. Partners include Child Welfare Committees (CWC), Foster Parents Associations, and other child sensitive Community Based Organization (CBOs). Appropriate animation and empowerment trainings will continue to be provided for these partners with the view to institutionalizing their operations for the sustainable provision of services in their communities after World Vision project support phase out in those communities.

As well, through the group approach, the capacities of families with children in especially difficult circumstances will be strengthened to enable them adequately cater for the rights of their children. This will be done through relevant skills transfer for managing small-scale businesses, and the strategic provision of seed money for economically viable community initiatives. Such support will be focused on vulnerable families that have children associated with the war. Well organized group of women will be mostly targeted with these support, as research indicates that money in the hands of the woman are much more likely to be spent on the children than money in the hands of the man. Women, especially young mothers, will be trained on how to bring up their children.

Recently, the programme turned attention to the plight of children in mining activities and undertook an in-depth study to look at the problems of children engaged in the mines. Even before the war children were used as a source of labour for various aspects of diamond mining activities, though these were not in large numbers. As the economic situation worsened nationwide, more and more people, including children were attracted to the diamond mines. Children usually got involved in mining at an early age; initially on a part time

basis, but they eventually became fully engrossed into it thereby interfering with their education or any other viable option that promises a better future. There were those who were doing well at school but had to abandon their educational pursuit to follow their peers who transiently became rich and admirable. This quest for quick gentry among children and youth is part of the explanation for the high school dropout ratPs in the diamond areas.

VIOLATIONS AGAINST CHILDREN

The war aggravated the involvement of children in mining activities. In Kono district and elsewhere, many children were captured and conscripted into the RUF and AFRC fighting forces. Those children captured, especially in Kono district were forced to engage in mining activities, where they were used to provide slave labour. These child combatants and other abducted children were ultimately seeking fortune for their commandos. Many of the children and youth who escaped capture by the RUF were later recruited by the CDF, Kamajors. The children that were with the Kamajors too were later to become miners.

They are clearly not in the mines on their own volition. This is clearly an act of child abuse bordering on exploitation. Many of these children have abandoned a11 educational pursuits including acquiring vocational skills. There are children who are being used by their parents, other relatives. and greedy crew bosses purely for their own selfish gains. These children have limited access to health care and educational facilities. There are others who have become dreamers: looking forward to the day they will become millionaires. But conventional wisdom dictates that these children will not realize these dreams, as most of the benefits from their mining activities will only benefit the financiers, who are in far away places from the mine pits. Ultimately these children will be abandoned at a time when it will be too late to acquire any skill or return to any formal educational institution thereby making them social burdens putting much demands on society.

That is not good for a country that has such very high illiteracy rate. Besides, allowing these children to grow up as illiterates and without any other vocational skill to fall back on in later years means consenting as a nation to their becoming social misfits in the not too distant future. Also, many of the children involved in diamond mining activities are doing so unwillingly. Their parents or other relatives or greedy miner owners who have sway over the children are using them for their own selfish gains. All of these are gross violations of the rights of the child. As a signatory to the Convention on the Rights of the Child, such violations cannot be allowed to continue unchecked.

In order to make relevant and concrete interventions. there was need to investigate and document the extent of the problem, in terms of the number of children involved; the types of mining activities children are engaged in;

where the children are located, the reasons why they are in the mines, the benefits they get, the problems they face, the type of support they need. The survey has helped to throw light on the realities children are exposed to in the mines, not only in Kono, but also in other mining areas. That requires an organized, integrated and properly focused action by Government, Agencies and NGOs for a secured future of the children of this country.

Table l: Age distribution patterns of children in study population.

	Frequency	Percent
Valid i 7	5	~ 1.0
C8	7 ~	1.4
' 9	13 ~	2.6
ı 10	15 ı	3.0
i 11	25 I	5.0
' 12	49 i	9.9
', 13	28 I,	5.6
14	44 ;	8.9
1 5	70 '	14.1
16	5.1 I	10.9
'	96	19.3
iS	91	18.3
To~a:	.197	100.0

To date the Child Protection programme of 'World Vision Sierra Leone has registered a total of 1 300 children that are in the mines. In a recent study undertaken, 479 children were interviewed on various aspects and below are some of the findings. It was found out from the number interviewed majority of them are between the ages of 11 to 18 years. It was observed that about 8% of the children interviewed were ten years old and below. This age bracket is the period when the children should be engaged in productive activities that will take their long-term development into consideration. Unfortunately it looks like the priorities of these children have been misplaced and their future is bleak. As an organization we have been trying to sensitize the parents and carers of these children to give them opportunity to engage in productive activities. The sensitization is holding and some of these children are now leaving the mines.

Unfortunately these same children that are leaving the mines find themselves in the streets. Provision has not been made for their engagement into useful activities. Most agencies working in child protection don't seem to have the necessary arrangements in place for the reintegration of those children. Recently WVSL in collaboration with UNICEF placed 50 children in formal

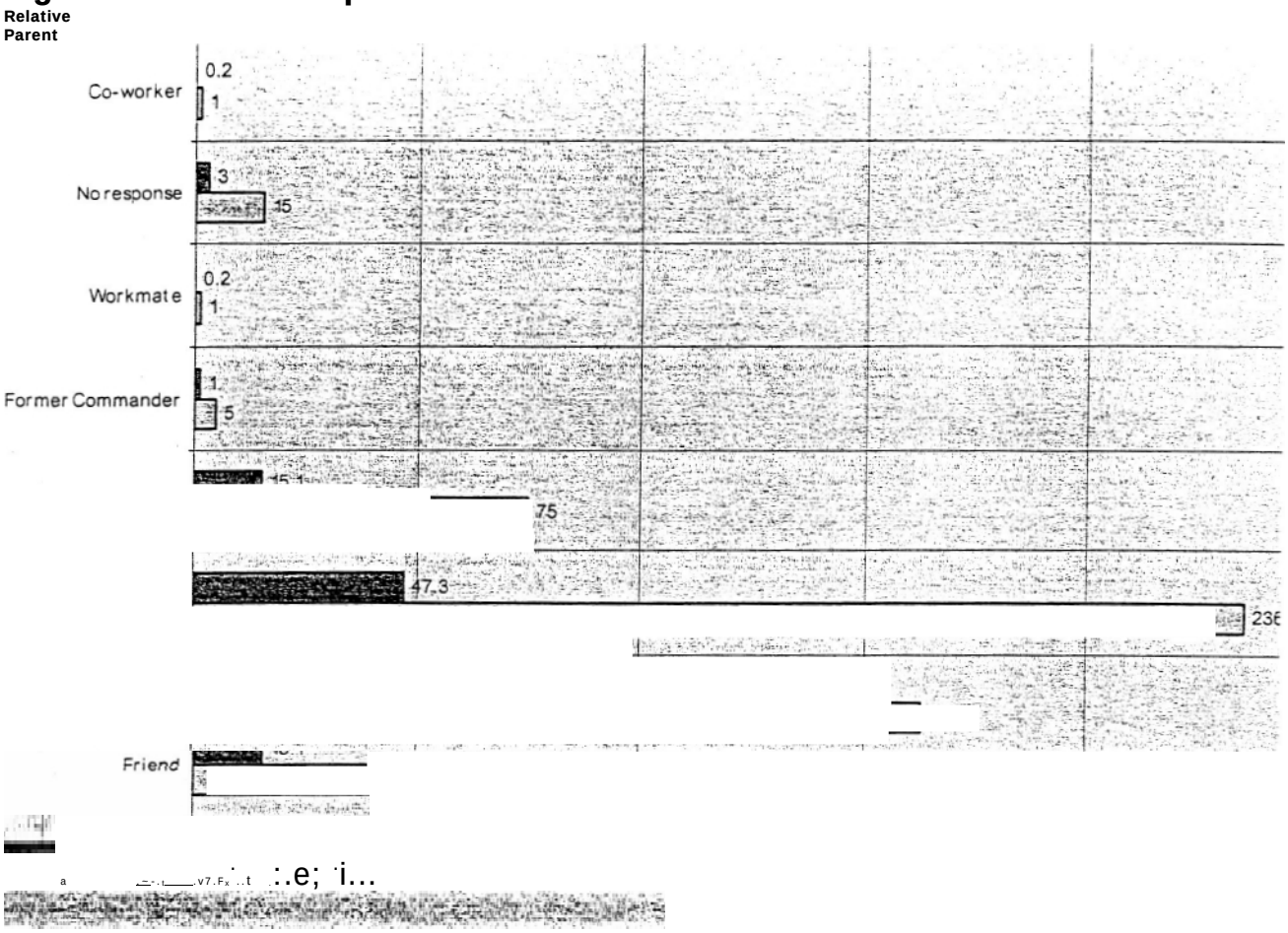
school and skills training programmes. That is the focus of the programme at present; to take the children from the mines and place them in activities that takes their future development into consideration.

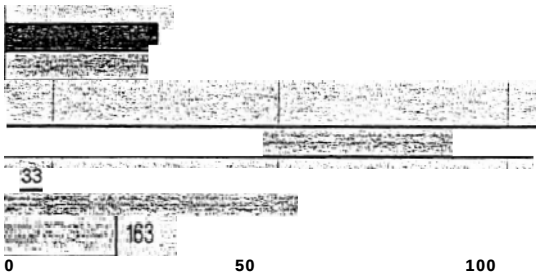
Table 2: Sex distribution patterns of children involved in mining activities studied

	Frequency	Percent
Valid i Male	448	~ 90.1
Female	49	1.9.9
Total	497 1	100.0

As expected the majority of the children associated with mining activities as identified by this survey were males. It was however interesting to note that about 10% were a female. The females in the mines do the cooking and other chores whilst the boys do the digging and washing of the gravel.

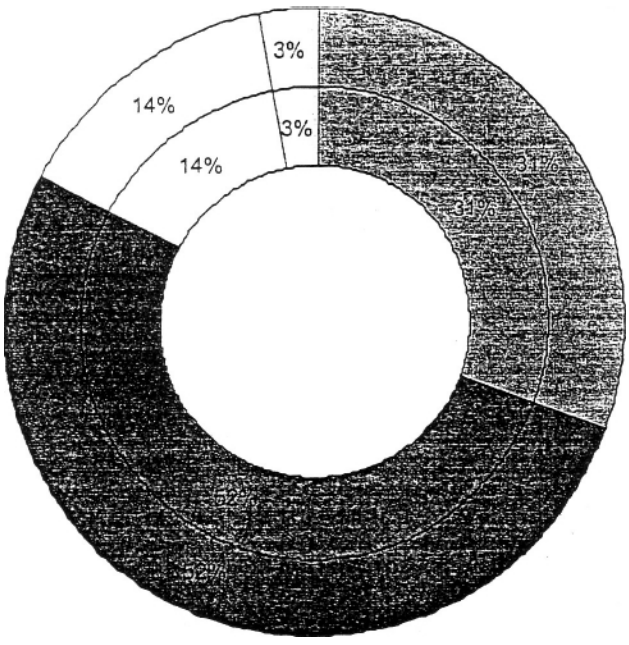
Figure 1: Relationship of Child ˙Miner to Crew Boss





The Crew Boss is the overseer of the mining activities at the mining pit. He could be either the owner of the mines or a representative of the mine owner. The Crew Boss was targeted because in many instances it may not be possible to know or locate the owner of the mining operations especially if he is a foreigner or somebody that is working for the aovernment or agencies that are very alive to the violation of the rights of children. It is disturbing to note that up to 80% of the Crew Bosses were either relatives or parents of the children they were using to mine for them. Those parents or relatives are poor and use what ever the children get from the mines for their selfish ends. At the time of the study it was also noted that some former RUF or AFRC Commanders were still holding unto the children that were with them before the disarmament. It was very difficult to get information from those children to facilitate their reunification with their biological parent. It was noted that those former commandos were still exploiting the children. Albeit the difficulty in getting information from the children the CPAs have worked very hard in the area of sensitization and mediation and advocacy and the former fighters are now allowing the CPAs to document and facilitate the reunification of those children especially those that are from the Kono district.

Figure 2: Where children involved in the mine were during the war years?



~, **p Refugee carrp**

,

! ® Displaced camp **, i p In my home tow n**
~I p Staying with corrbartants

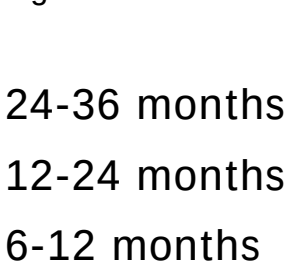
During the time of the study over half (52%) of children interviewed claimed they were in displaced camps. Another 31% said they were in refugee camps. About 14% said they were in their hometowns whatever that meant. Only 3% said they were with the combatants. In recent meetings, it is reported by the CPAs that most of the children who were in camps have now returned to their homes. However their homes are not attractive nor are they adequate to accommodate them. It is reported that a good number of the children have gone to the streets. They move from the streets to the mines and some move from the homes of their parents and usual carers to the mines.

Table 3: Who child miners were resident with?

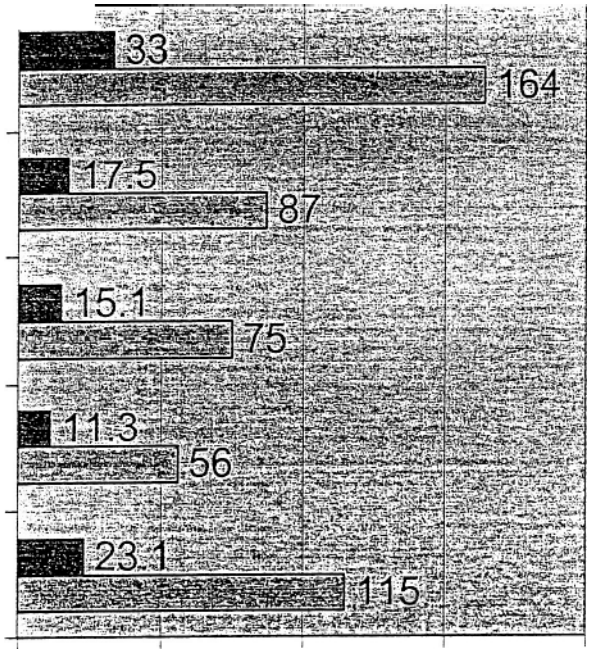
Who	Frequency	Percent
Valid '	47	~ 9.5
~ Mother onlv	5 4	; 10.9
j Other Relative	156	! 31.4
Father and mother	153	30.7
Care al ver	82	~ 16.5
*Other		
! Arabic Scholar	2	.4
; Crew boss	3	.6
' Total	497	100.0

Over 80% of the children involved in mining activities were actually living with their parents at the time of the study. About 170 were staying with caregivers. These children are separated from their parents. Only a small percentage were staying with their Crew Bosses. This means that they meet at the mining sites and everybody goes their way.

Figure 3: Duration of stay of child miner in place of residence.



Less than 6 months



percent frequency j

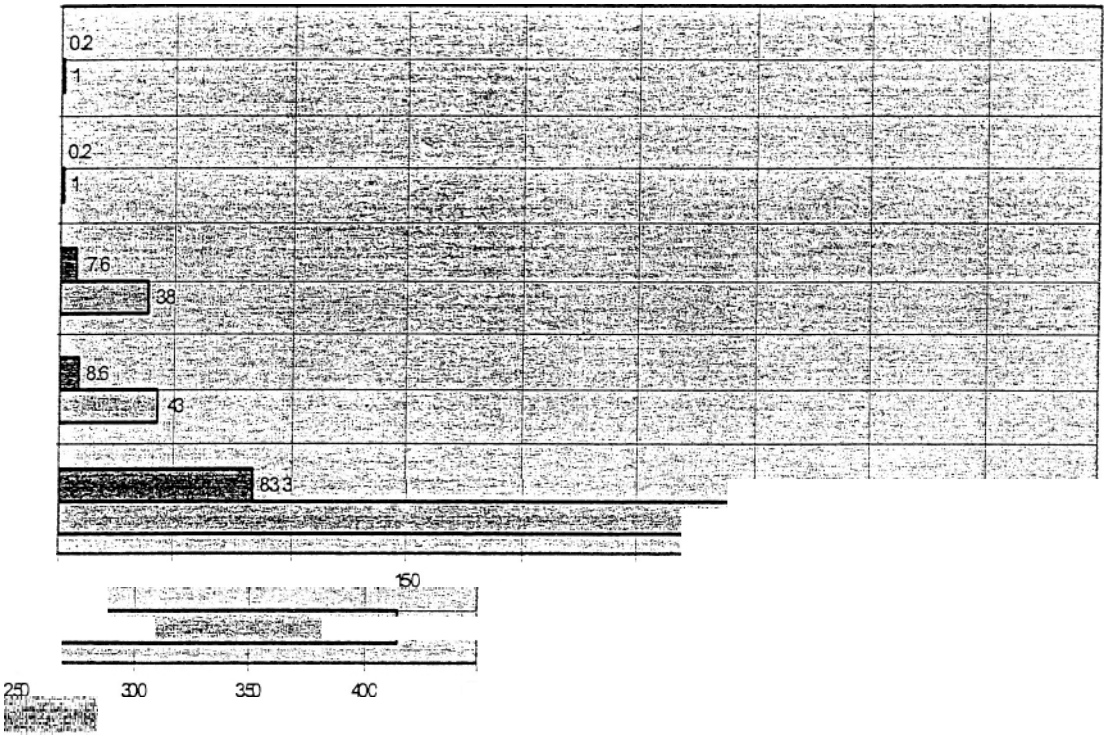
0 50 100 150 200

From the above data about 34.4% of the children had joined the people they were staying with less than a year ago. This indicates that they probably joined the people after their repatriation to Kono. The others had stayed with their current parents/guardians for more than a year (76.9%)

Figure 4: **Reasons why children were at the mining site at the time of the interview**

what have you come do at airing site

s.iae,imr
Tracer
MningEra'rc5
To mdc for mrc;s
Tom re
2m



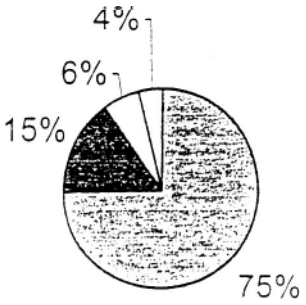
4~D

To rrine	;	Tom for rrirE-s	I	wSring Erraivs	I	Trala	I	9iparvisx
83.3	;	88	I	7.6	i	02	;	02
Ia~r®Le.nc.y								
4"14	I	43	;	38	I	1	I	1

Of all the children found at the mining site and interviewed 83% said they were actually involved in the mining activities, 8.6% went to the mining sites to prepare food for the miners but they spent all the day at the mining sites. They were mostly girls. About 8% . were there to run errands for the miners. It will be interesting to find out what their ages were. A very small number (0.2%) went to the mining site to sell items or to supervise the mining activity.

Figure 5:Reasons why children were involved in mining activities.

Frequency



; O To get money

No alternative engagement

' El Was sent by parents

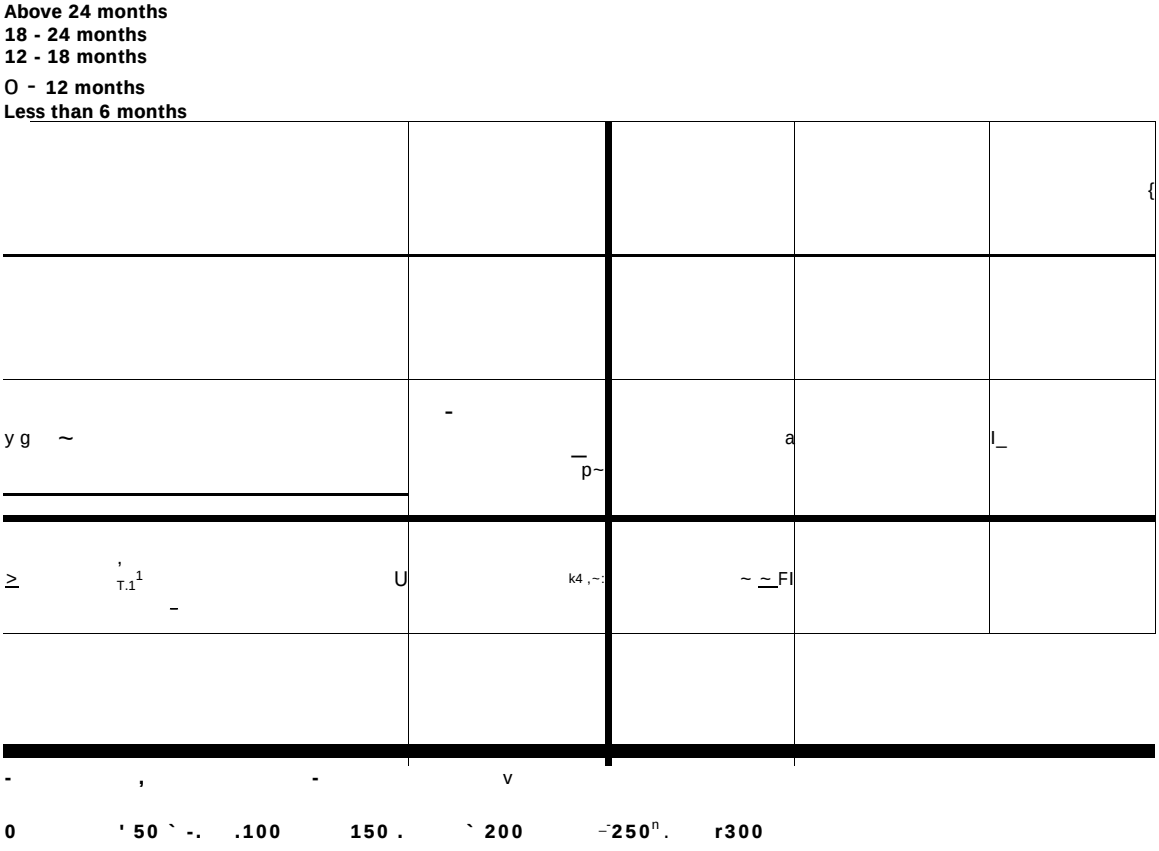
O All my friends are doing it

~I, y ' H',t

According to the survey findings, an overwhelming majority, (75°%) of the children were mining to get money. These are the dreamers and usually the most difficult to deal with in tryng to persuade them to see other alternatives.

15.2% were only engaged in this activity because they did not have an alternative engagement; 6.2% were sent by parents and 3.8% were influenced by friends.

Figure 6: Length of period children has been engaged in mining activities.



Most of the children have been involved in mining for less than six months (53%). This may be due to the fact that most people returned to this area not too long ago. It is however worth noting that some children (10.6°'°) have been involved in this activity for about two years. This indicates that they stayed behind and mined during the war when the areas that they occupied were in rebel hands. These could either be former child soldiers or abdicted children.

IO

I! ® **Percent**

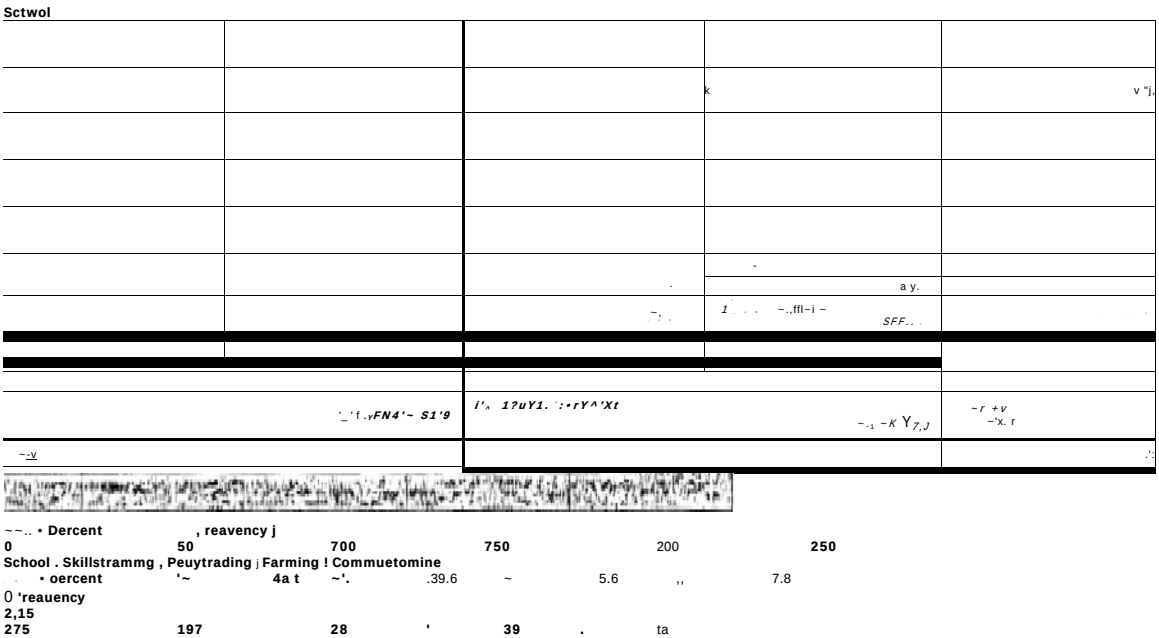
I ~ p **Frequency,'**

Table 4: Period of time child miners plan to continue in mining activities.

		Frequency	~ Percent
v'"alid I	Until I get enough money	7 3	~ 14.7
	Don't know/-Not sure	6 7	I 13.5
	! lintil I find something else to do	330	66.4
	Until my parent ask me to do ~ so	27	1 5.4
	Total	497	100.0

From the above data 66% of the children surveyed responded that they would continue Miming until they find something else to do. 15% would continue until thev get enough money, and 14% were not sure. About 5% would like to continue until their parents ask them to do so.

Figure 7: What else children in the mines prefer to do if given opportunity.



Most of the children identified something else they would be interested in other than mining or in addition to mining.

About 4-'°/G were interested in going to school: while 40% were interested in skills training. About 8°% were interested in. farming whilst about ~°,'o wanted to continue mining.

Table 5: Types of problems children encounter in the as child miners.

		Frequency	Percent
Valid	ot much benefit from the proceeds	~ 215	~ 43.3
	~ Inadequate food	62	12.5
	Too much work	137	% 27.5
	No proper care	~ 39	7.8
	Frequent Illness	~ 44	8.9
	Total	497	~ 100.0

Children in mining encounter a host of problems. Over 40% of them said they do not benefit much from the proceeds of the diamonds from their labour. About 13% claimed that they did not get adequate food, while 28% said they were overworked. Another 7% felt that they were not beina properly cared for and 9% suffered frequent illnesses.

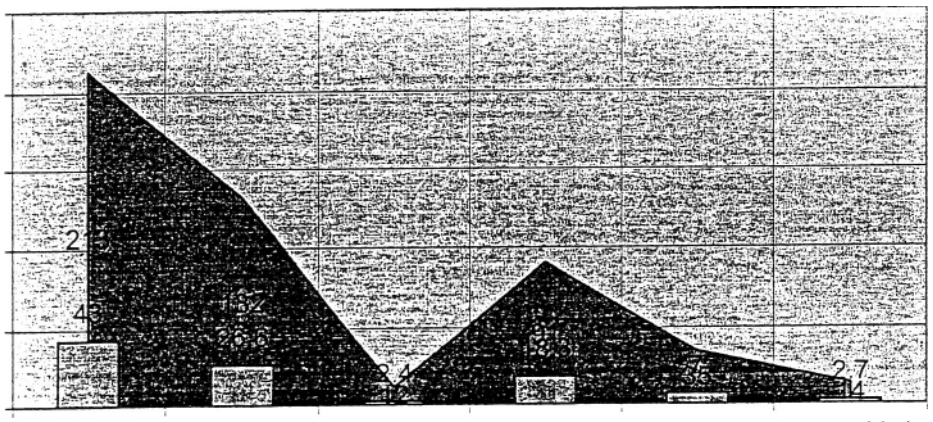
Table 6: Types of benefits child miners get from mining activities.

200

150

100

50



c a)
~ ® frequency

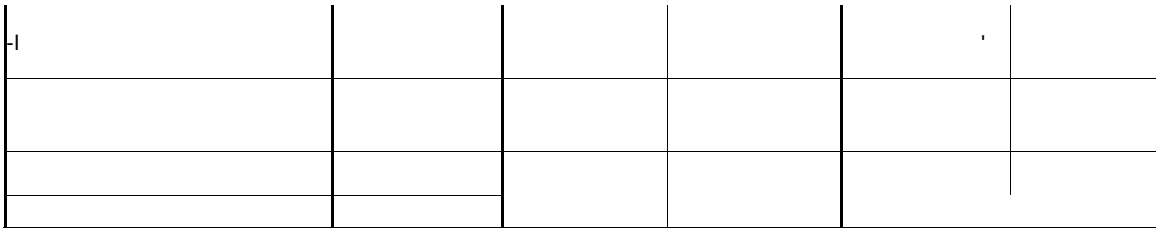
I 0 percent ~,

Most of the children were not realizing much benefit from the mining activity (43%). About 45% said they got something to meet their basic needs. For up to 2% of them, their major benefit is peer acceptance. There were some (;%) who said they used the money thev cot to take care of other family members.

Figure 7: Patterns of maximum one-time earnings by child miners.

Above Le.500,000

Le. 200,000 - Le. 500,000
Le.150,000 - Le. 200,000
Le. 100,000 - 150,000
Less than Le. 100,000



0 50 100 150 200 250 300 350

	~ Less than Le. 100,000	= ~ Le.150,000 - Le. 200,000 - ; Above
~ia percent	29.6	3.4 j 1.6 1.8 63.6 i
Ip frequency ',	147	17 8 9 ~ 316

The survey findings indicate that over 60% of the children assessed had earned over Le 500.000 once before. About 7°,% of the children involved in mining activities had earned between Le 100.000 to below Le 500,000.00. Almost 30% had never earned more than Le 100,000 at any one instance from the mining activities.

Table 6: Frequency of earning by children in the mining activities.

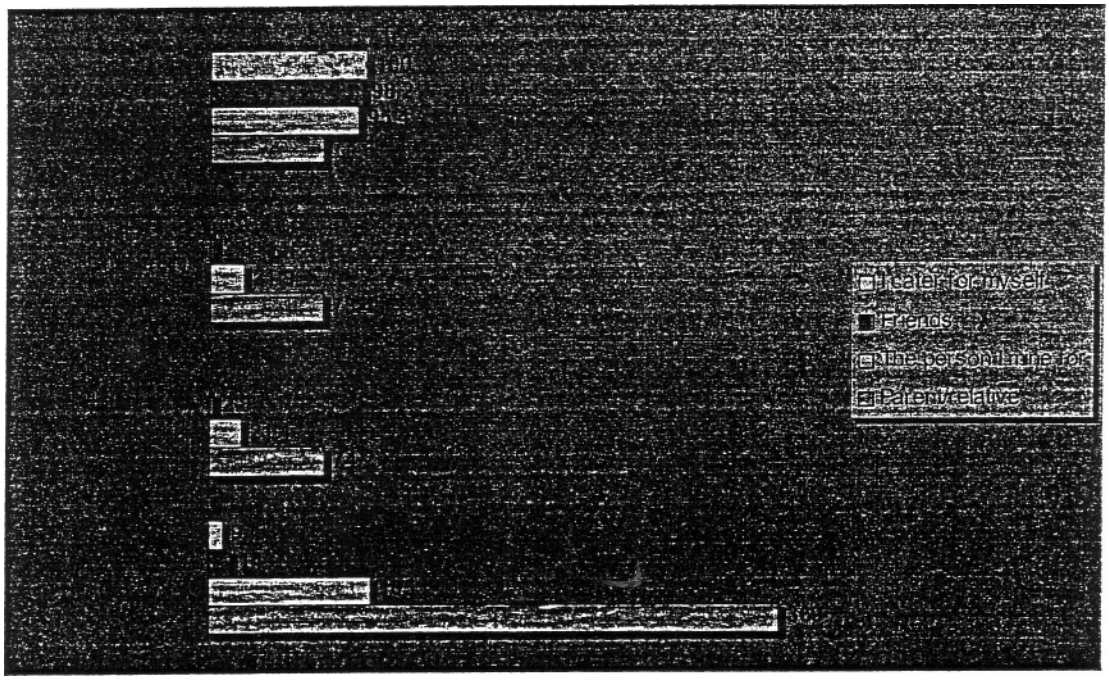
	Frequency	Percent
Valid I Once in a while	23	! 4.6
~ On a weeklv basis		
~ At the end of everv month	34	j 6.8
I After the sale of everv diamond	296	: J9.5
i NothinQ _vet	119	1 2s.9
~ TOTAL	49[7]	' 100.0

! ® percent

'! p frequency

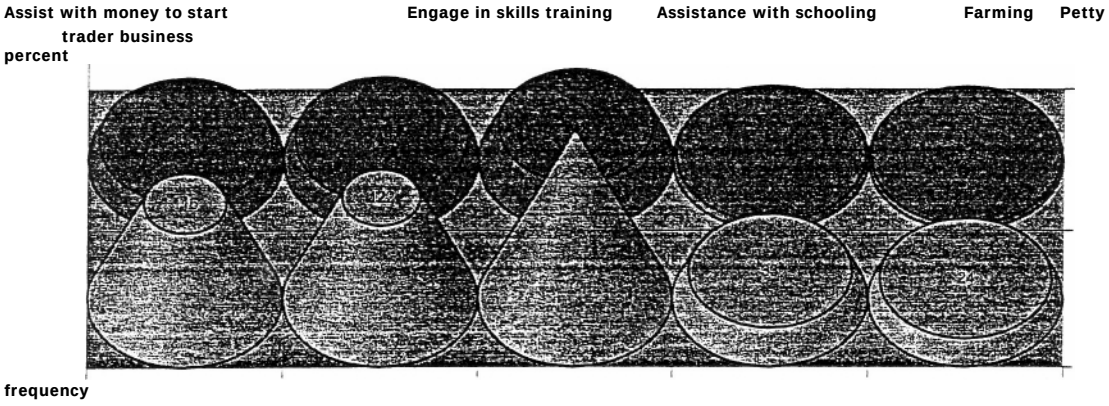
From the data, many children (46%) usually got money when a diamond is sold. Nearly 30°ro had not earned any money from their mining activities. Some 2°'o said they received wages of some sort from their crew bosses on a monthly or weekly basis.

Figure 8: Persons responsible for treating children in the mines when sick.



About 73% of the child miners said their parents/relatives treated them when they were sick. The mine owners they were mining for treated another 22%. A small percentage (3%) were treated by friends, and about 2% were takin2 care of themselves

Figure 9: Types of assistance required by children in the mines to improve their situation.



From the survey data, about 41% of the child miners needed assistance to be in school; 25% requested assistance for engagement into skills training, 24%

wanted assistance to start business. About 7% wanted assistance to facilitate farming and 5% wanted assistance for petty trading.

CONCLUSIONS AND RECOMMENDATIONS

From the findings of the study, it is clear that the involvement of children in mining was prevalent even before the war. However the problem became exacerbated by the eleven years civil conflict.

As a way of addressing this problem; it is recommended that government either puts policies in place or strengthen existing ones that will deter parents, crew bosses and other stakeholders to involve children in mining activities. As a signatory to the CRC it should be noted that there is an age limit for children before their engagement in excessive labour activities to be involved in labour. As a signatory to the Convention the government would need to enforce the stipulations of that protocol and to give stiff penalties to defaulters. For example mining licenses to be withdrawn from people owning mines that allow or use children in their mining activities.

There should be a holistic approach in trying to address the issue of child miners in the communities. The issue of the poverty of the parents needs to be looked into. It is recommended that vulnerable parents with children in the mines be empowered through income generation support The parents should be empowered through various activities so as to enable them to take care of their children. This also means providing alternatives or choices for the children in the communities. So that if the child does not go to the mines what can he or she do that is available and productive. That would mean those children are to be catered for.

There is need to intensify the sensitization on the Convention on the Rights of the Child. The government and other stakeholders should work together to ensure that all the articles of that document are understood and are put into practice by the communities. Other relevant documents should be used in such sensitizations. One of the major focus of this sensitization is to help to transform the attitude of parents towards children.

Children's Forum Network, Sierra Leone.

Motto: Laying a solid foundation

C/O ministry of Social Welfare Gender and Children's Affairs, 9th Floor Youyi building,,

*Freetown. Email: c*fnsl@yoahoo.com

Submission to the Truth and Reconciliation Commission. Special Thematic Hearings on Children. June 16th 2003.

Before the advent of the sad chapter of war in this our beloved country, we the children had no say on whatever issues from the family unto at national quarters. Young people were a marginalized set in this country without a voice and whatever decent platform to hear out our views, opinions and suggestions on pertinent issues regarding our welfare. Our dominant cultural phenomenon or perceptions on us children were to a large extent not in conformity with the minimum of international standards. It was a common say that "children should be seen and not heard". This ugly trend for national development continued until it saw the birth of a decade long war in this country unfortunately targeted against the very young people. This unfortunate chapter in the history of this country exacerbated the marginalization of children in the national discourse, flagrant violations of the minimum norms of human decency and a dramatic increase in the number of suffering children. The saddest part of this all was that unimaginably little efforts were being made to incorporate the children in the national discourse and provide an accessible platform for us to article our views and chat a way forward for us and the nation at large.

What was even more humiliating was the fact that the war started just after our country had ratified the United Nations Convention on the Rights of a Child. The fact was that the Convention was literally thrown into the dustbin as little was done to practicalise any of its ideals to promote the welfare of children or even educate the general public about its content. This created a very ugly scenario as children saw adults as aliens and bullies whiles adults believed that children were tools to be used to attain their selfish ends.

This situation created a spirit of desperation and determination amongst a group of us youngsters. Desperation to articulate the problems and concerns of us children and a determination to see it done amidst all odds saw the birth of the Children's Forum Network in this country. This organization with the support of Government and other Child Protection Agencies has been since at the fore to articulate the concerns of children and also create an accessible platform for children. Our initial intention was to set up a Children's Parliament but because of obvious reasons we ended up having Children's forum Network.

Our activities have mainly been advocacy and sensitization. Our membership spans to up to 42 Branches in different schools and institutions around Freetown and regional branches in the North, South and Eastern regions of this country. Within

the schools we engage on series of sensitization and awareness rising on various issues such as

HIV/AIDS, Drug Abuse, Peer counseling, Peace Education (TRC and Special Court) and a number of issues pertaining to the welfare of children in Sierra Leone.

The Children's Forum Network is a member of the Child Protection Network in the country. We have also since our formation been on the committee responsible for organizing activities for the commemoration of the Day of the African Child. During the DDR initial stages; we visited a number of Interim Care Centers to sensitize our colleagues on living peaceful life in the new societies but also included basics on HIV/AIDS, the TRC and most importantly to portray to them that we love them and we are all brothers and sisters.

Notably also we participated in the workshop held here in Freetown to outline guidelines and recommendations of the participation of Children at the Truth and Reconciliation Commission.

The Children's Forum also is the crux of the Voice of Children Project at UNAMSIL geared towards giving children a voice through radio.

The Children's forum Network is a child to child advocacy organization committed to creating linkages and spreading in formation on the Convention On the Right of Child and basically. The organization is the leading voice of children in the country.

IMPACT OF THE WAR ON US THE **CHILDREN IN SIERRA LEONE.**

A consensus amongst us children in Sierra Leon is that the war was targeted at us. A brutal conflict which we did nothing to bring but suffered and lost everything in it. The adults who were disgruntled and decided to act through the senseless and indiscriminate atrocities were unable to reach what was supposed to be their real targets and decided to take advantage of our vulnerability to exploit and destroy the future base of this nation, which they claimed to have been fighting for. It is quite true that in all conflicts children are bound because of our very nature to bear the brunt of the sufferings. But what we witness was an unimaginable and catastrophic abuse not only because of our nature but because we were the primary targets.

Every child in this country has got a story to tell- a heartbreaking one. Unfortunately only a handful of these would be told and made known to the world. But the devastating impact hinges and endures the time. It continues to linger on the minds and hearts of young people. It goes without saying now that we the children bore the brunt of the conflict and witnessed the worst episode of man's ruthlessness probably ever in man's history.

During several of our sensitization trips to camps, centers and even schools we could read in the eyes of our colleagues despair and hate. Children of this country have been through an "unchildly" childhood. We have been forcefully conscripted to fight for a cause we could not understand, drugged and made to rampantly kill and destroy our brothers and sisters and our mothers and fathers, used as sex

slaves and it goes on and on. This was a wretched display of inhuman and unscrupulous attributes by those we were supposed to be protecting us. Our peaceful hands that were meant to be used to play and write were made to be used to burn, kill and destroy.

A general consensus amongst us children therefore is that we were the primary targets of the war. We suffered everything in a war that we did nothing to bring about. At this juncture I will now present under specific headings the traumatic experiences of children as was witnessed in the war.

ABDUCTION RECRUITMENT AND USE OF AS COMBATANTS.

A phenomenon amongst the fighting forces was that child combatants were the slyest and therefore best tools to be used in as fighters in the war. Secondly, a number of young people were readily available to be recruited as they were either out of school or they saw nothing worthwhile with continuing school. The result of this was that all of the fighting forces engaged in indiscriminate abduction and forceful conscription in to Para military and military regiments. A colleague at the Children's forum Network was abducted after his parents were executed in front of him. Afterwards, he was drugged and ordered to "wash" the remaining of his family members. He was then a fighter with the Revolutionary united front until he was later captured by the SLAs and again forcefully recruited into their ranks. He was eight years when he was first abducted. These abductions definitely went with deprivation of liberty in flagrant violations of international standards. Whilst with the forces another colleagues of ours say, "We were not on our own". We did whatever our commanders wanted. These are appalling stories. The trauma and psychological consequences of these abductions are adverse. The indications are obvious. In the RUF camps in Sierra Leone, the traumatized children were held and 'trained' usually for about two or three months. The children were told they would be killed if they disobeyed orders or tried to escape. Often they underwent a brutal initiation and had to kill or maim those who attempted to flee. The development of lighter weapons - such as the AK47 - meant that boys as young as eight could be armed.

The smallest boys were placed closest to the enemy. In war, they are said to be fearless. Children were often less demanding soldiers than adults. They were cheaper to keep as they ate less and were easier to manipulate. Both sides believed the unpredictability of small children made them better fighters. Some were sent into battle high on drugs to give them courage. The extensive use of child combatants has been another alarming feature of the conflict. More than 10,000 children under the age of 18 years, both boys and girls and some as young as six years, are estimated to have fought in the conflict, with either rebel forces or government-allied forces.

Victims themselves, child combatants have also committed atrocities: many were forced to kill and mutilate through drugs, alcohol and fear.

"When I was killing, I felt like it wasn't me doing these things. I had to because the rebels threatened to kill me. " A 12-year-old boy who had been abducted by rebel forces during the conflict said.

MURDERS AND MASSACRES

As already stated because of our vulnerability, children were bound to suffer more in conflict. Added to that, is the fact that it is no secret that in wars people die. But the extent of murders and massacres primarily targeted against us at different places was unbelievable. These acts were done very ruthlessly as there were instances when children were murdered and massacred in ways that defy explanation in English or otherwise. Rather unfortunately, parents and other relatives who attempted to save their children also suffered devastating consequences. At Wellington, for example in 1999, rebels had lined up five children from the same family when the father appeared begging for the rebels to spare his children. The rebels immediately got hold of him and murdered him in cold bold in front of his children. Later the children were also all executed one after the other.

At old wharf (Calabatown) in 1999, a house was burnt down with eight children within the house. In the morning, it was the area boys who came and picked up the reaming skeletons and they were buried in a mass grave. Young babies were also not spared at all in this indiscriminate madness. In Waima, in the Kenema district, in 1999 rebels got hold of a group of ladies. They got hold of a suckling baby from the back of the mother and placed it in a mortar and physically pounded until death. The baby was less than one year.

There are a number of such cases that were directed against children. Many of us were witnesses to these and regrettably were also drugged and forced into committing such heinous crimes. The images of these inhuman atrocities continue to linger in the hearts and minds of most of us children thus causing devastating psychological impact on young people.

AMPUTATION, TORTURE AND ILLTREATMENT OF CHILDREN

This particular aspect has been referred to as the hallmark of the conflict in the country. The evidences of this are so obvious and can be seen at every corner of our country. It has been reported that all of the fighting forces employed barbaric and inhuman treatments against children.

It was true that children were used as spies and usually sent to surveillance of the enemy territories. This awareness amongst the different forces most seriously endangered the lives of other innocent children. Those that were unfortunately victims of abduction were therefore easily physically molested, maimed and tortured. A student of the Albert Academy got both of his hands chopped off in 1999. Recently a major victim of abuse died after defying professional treatment abroad.

A 16-year-old got his private part cut off and he bled to death. Some of the instances unfortunately should not be mentioned. Children as young as 8 months old were not spared this madness. In Makeni district, the eight-month-old sibling of a colleague now in Freetown had his arms brutally chopped off. This baby was the center of media attention in 1998 and is now in residing in the United States. Another five year old in the same district who had his left arm brutally cut off could

not understand this madness. She once asked the adopted parents saying, " Mom, what did I do that they cut my hands off. When would it grow again?" Others were tortured basically because of their associations with other groups within the conflict curb any fears of them running away. What was also quite pathetic was the fact that a number of these children could not access medical attention after the mutilations and some bled to death.

To ensure the total exclusion of the children from normal society, children were branded with body marks of the different sets of bandits. These marks brought the scars from the mind unto the body. Scars that would not disappear soon. There was the case of colleague in one of the interim care centers who told us of the scars bearing the initials "RUF" He confided in us that this had increased his fears and that he believed he was in complete danger. He confessed that he was continually at risk with of being slaughtered by the other forces before they could be captured.

There were several of his colleagues with similar predicaments. They continue to live in fear and these marks if not their emotions continue to remind them of their violent past.

SEXUAL ABUSE

The era of the war saw the abuse of young people particularly children. Sexual violence appears to be the most indecent act to us the children. The people who control the means of suppressions during the war considered the girl child as their toy and a tool to attain their selfish sexual desire. These children were called `sweet sixteen." Commanders of the fighting forces used the girl child as their wives; in the process these children lost their childhood. And at the end a good number of them became pregnant. Thus some of them lost their lives whilst others lost their womanhood and their ability to give birth to children. An instance of this was the case of a fourteen year old that was forcefully ganged raped and in the process became pregnant. Unfortunately she could not identify a real father for the baby and was therefore left with the responsibility of protecting the baby alone as she had already lost both parents. A number of girls were also raped and used as sexual slaves for commanders of the various factions. Whilst in captivity, they were required to perform other tasks such as cooking, caring of babies and the young, etc. *"The combatants who abducted me told me: you don't understand. This is the reason we go and capture you people. If you don't sleep with me today, 1'll kill you".* This is the sad testimony of a thirteen-year-old girl who was raped.

Abduction and sexual violence against girls, often very young; have been among the most abhorrent and distressing features of the conflict. Rape, sexual slavery and other forms of sexual abuse of girls and women have been systematic, organized and widespread. Many of those abducted have been forced to become the "wives" of combatants. Currently in Sierra Leone we have obtained testimonies of the rape of girls by rebel forces in Northern Province since the beginning of the crisis. Rape by combatants in the conduct of armed conflict is a war crime and a crime against humanity. Those responsible for rape must be brought to justice.

These young girls later were neglected and thus they only thing they could do to earn their living was to involve into commercial sex, child labor etc in this country.

ARBITRAY DETENTION AND DISAPPEARANCES OF CHILDREN

Even before the advent of the war, children were subject to arbitrary detention and disappearances. This was more common during political campaign parents as there were repeated cases of children being used as ritual sacrifice. Our selfish and heartless politicians were ready to sacrifice the future generation of this country so attain political power. However, during the decade long brutal war in the history of our country, children suffered even more severely than ever before. More so on the areas of aspect of detention. Children had no fate of their belongings, as there was no tool to protect the children. Many were arbitrarily detained in the camp of fighting forces and some have since been unaccounted for. Thereby, children were used as slaves or child soldiers against there own will. As a result children could no longer realize their dreams. Children were forcefully arrested and were sent into prisons. Because of these detentions they were absolutely deprived of their rights. A boy at the age of 14yrs was detained at the Cockeril Military prison in a container for a week without legal grounds for arrest.

Also, there were repeated cases of child disappearance in the war. A number of children have still been unaccounted for after their encounters with fighting forces. In August of 1997 students were arbitrarily detained and some met their deaths without the notice of their parents.

LACK OR LIMITED ACCESS TO HEALTH CARE AND EDUCATIONAL FACILITIES

In the war in Sierra Leone education was in shamble as there was limited access to health care and education. During the war many children at very young age were forcefully recruited in the rebel invasion in which no health and educational assistance were never given to these recruited victims of the war. It was no secret that the child soldiers who were fighting were injected or severely fed with drugs which has severely impaired and psychologically damaged them. Even after the war, most of these child soldiers were mentally affected, and it would take time for most of them to be actually re-integrated into the society. The physical placement of children back into our society does not exhaust reintegration. It must stretch far beyond that. It involves reintegrating their minds and psyche into society. Added to this in the war they were never given the privilege to go to school. In 1997, we lost a whole academic year to instability in the political arena. Those of our colleagues with the fighting forces either as slaves, combatants etc were deprived of the basic right to education. This has meant that most of them past the school going age without any form of education thus adding to the illiteracy rate and posing more threats to the country as whole.

These drugs injected into these children made them more desperate to burn down many structures and commit more heinous atrocities all over the country. This destruction of health and educational centers made education very difficult, as there were not enough schools and health centers in Sierra Leone. No immunization health services were conducted for the newly born children. The problem was even worse for those in the numerous rebel held territories. A

colleague reported to whilst with the Revolutionary United Front, a twelve-year-old colleague abducted child was suffering from an acute sickness but could not get the requisite medical attention. When they were attacked at their base by opposing forces, the rebels claimed that the boy was a burden moving around, as he was not contributing to combat. They therefore decided to pass him off.
The children were sexually abused including rape; some were forced into unwanted marriages and so on. This seriously increased the risk of infection of sexually transmitted diseases especially HIV/AIDS, syphilis etc. Considering the peculiarities of especially HIV/AIDS, the extent of the prevalence of the disease is yet to be assessed.

FORCED LABOUR AND CHILD POVERTY

The war in Sierra Leone showed us the cruelty directed against children in flagrant violation of international standards. Children were forcefully taken away from their parents to carry heavy loads like ammunition and other looted properties for very long distances. Any child that refused was beaten and forced to carry these loads on their heads. As these rebels could settle in territories, they forced these little and innocent victim into activities they had already engaged in. For example in the Kono district the rebels forced children into the field for mining minerals. Added to this, in most of their activities including fighting the children were active participants. There was a naked display of child labor and exploitation as we were used, misused and abused. A number of children suffered greatly because of this. They were taught that they should pay themselves at every opportunity they had. This was to tell them to loot, kill and destroy. Usually when a child becomes very tired and attempts to put down the load for a while and rest the result could be fatal for that child no matter the age. The level of forced labor during those periods could not only be limited to instances where children were forced to work for the fighting forces but also as a means of survival. Many of our colleagues could not fend for themselves as a number of us either lost our parents or could not get a square meal a day as a result of the very conflict. This led to what could also be referred to as child poverty. Numerous children were the sources of their very livelihood.

A boy of nine years said that he was ashamed and embarrassed when he begged but he did not know what else to do: "I don't have anyone to turn to when I am hungry except God who provides for me through some kind- hearted people. Most people tell me to go to the camp forgetting it is nothing but a resting-place. If they were I, would they sit there the whole day with suffering and destitute people of all ages?" All those working for us children should proffer the answer to this heart-breaking question.

Unfortunately the unavailability of the means to enhance this survival led to the terrible situation of child beggars, dramatic increase in the number of street children etc. For example one of our colleagues in the streets shared with us in tears that his parents were murdered in cold blood in front of him. Since then he lost hope of living a decent life. All he ever wants now is to merely survive; as for him life is unjust and wicked. This is simply an isolated story. International standards provide that children should be provided with the basics to enhance survival. Many children in Sierra Leone unfortunately do not know what it means to

get their basics. We must add that to enhance their survival as a family, many parents decided to send their children to beg out in the streets. The nation during the period became extremely difficult and poor. But as the natural injustice continues against us we became even poorer.

SEPARATION AND DISPLACEMENT

"Everyone was running helter skelter. It was as if the world was coming to an end. I only heard my mom and dad shouting my name but could not see them neither cold they see me. We went on our different ways and that was the last time I ever heard the sweet voice of mama and papa" this is a twelve year old boy's testimony, a member of the Children's Forum Network who was nine years old at the time. After what he referred to as this great separation from his family, life became extremely difficult. He became a displaced in one of the camps and this experience he called humiliating.

He is not the only person that suffered separation from his families. Many of us at one time did. We believe that the best place for the child is the home and the best people to take care are the parents. Therefore the very deprivation of access to our parents during the war was a fundamental violation of our rights. This has seriously impeded on our resolve and determination to move ahead.

In the heat of battle many of us lost our parents and went with neighbors, other relatives, friends or just went alone. It was a jungle situation where only the strong survive. Many others could not survive the displacement and their stories were fatal. Particular reference of our colleague in Moyamba district who after two weeks of separation from parents was so dampened that she died. She was just five years in 1998 when this happened.

Being away from home as a displaced was always quite damaging. It was always difficult for us to adapt to a new environment with sometimes different cultures. With about 30 percent of the total population becoming refugees you could imagine the number that were children. Life in displaced camps was extremely difficult and most times miserable for children. Girls were forced to trade their womanhood for food just to survive in the camps. Similarly, the health situation at the camps was unacceptable to say the least. Children also died at the camps because of these factors and we must say that supplies meant for us were sold to us. That was the magnitude we suffered. Some of us never had the money to buy so we went hungry and were thus forced to go out and look for something mostly "unholy' to do just to survive. The unpleasant stories of our colleagues at a camp in Kisssdougou in Guinea are cases in point. Throughout their time in the camp our refugee sisters as young as five became victims of sexual assault and an astounding rate considering the ostensible civilian nature of the camp. Covered sexual exploitation in camps against women and girls was nearly institutionalized in the camps with reckless impunity.

LOSS OF IDENTITY

A number of children were unaccompanied by their parents as they were relocated into new locations. Most of us were already suffering for the devastating impact of the war on us and were already psychologically and mentally tortured. Some of us

were as young as six years old in these instances and could not identify either our places of origin or our parents to the Child protection Agencies. Even more heart rendering is the fact that a good number of children could not even identify themselves. We had been through too much to permit us to even think of whom we actually were. This made it extremely difficult to relocate any of the lost children without families. This means that for those who could not be relocated there was a big deprivation from a fundamental right- the right to identity. That is in fact one of the reasons why this year's commemoration of the day of the African Child focuses on the right to identity.

The long-term effect of this loss of identity would be devastating on the children of this nation. Everyone wants to have an identity and be proud of it. Unfortunately many of our colleagues do not have one and would have to sadly settle down with those given to them by social workers.

RECOMMENDATIONS

As already pointed out, children suffered disproportionately during the war. It is also fair that children must benefit the greatest proportion of the peace. These are our recommendations, which we hope would be taken very seriously in addressing the special needs of us the children. We are with the fervent conviction that these recommendations, if implemented, would promote our welfare in society and help prevent a repetition of the dark chapter of war in this country.

PEACE AND SECURITY

1. End the recruitment of anyone under the age of 18 into armed forces, as required by both the African Charter on the Rights and Welfare of Children and their commitment under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

2. As part of the peace building process the virtues of reconciliation, dialogue and tolerance should be actively promoted among all Sierra Leoneans.

3. At all levels in our society there should be fair treatment for everyone, and justice should be meted out without fair or favor.

4. Engaging young people in a number of economic and development activities must be a means to minimize crime and violence throughout the country.

5. Laws must be vigorously enforced to stop the illegal sale and the use dangerous drugs and weapons within our borders.
6. Duties on cigarette and alcohol should be increased in order to reduce the high percentage of children using such products.

7. Corrupt persons should be exposed and prosecuted and those found guilty being made to pay a high price for their crimes.

8. Cinema halls and video centers should be effectively monitored in order to protect children from films that promote violence and crime in society.

QUALITY BASIC EDUCATION

1. More schools building and other facilities should be provided for all the children to benefit from the current free primary education scheme.
2. Supply of school materials should be increased and their distribution effectively monitored.
3. Duties on all school uniforms should be abolished
4. Programs should be designed to sensitize parents through the country to send their boys and in particular girls to school; so that they acquire the skills they need for life.
5. Organized debate among children in school and other institution should be encouraged in order to give children the opportunity to express themselves.
6. More parks and other recreational centers should be created throughout the country in order for children to play and improve on their sporting and social skills.
7. There should free and compulsory education at all levels.
8. There should be provision for vocational training for those cannot go through the normal school program.

FAMILY HEALTH

1. Primary health care services including immunization should be made accessible to all parents in the country in order to reduce the current high rate of death of babies and pregnant women.
2. More health centers and hospitals should be built or rehabilitated and equipped to cater for the health of children and their families especially in the rural areas.
3. There should be programs to inform and empower parents to take active part in the family planning.
4. Young people should be provided with the information they need to prevent unwanted pregnancies and sexually transmitted diseases including HIV/AIDS. In addition there should be programmes involving parents that are aimed at encouraging children to delay sexual activity until they are physically and emotionally mature.
5. Traditional healers and herbalist should undergo training to ensure that they practice safe service delivery.
6. Traditional female society practices should be done with safe health standards. The consent of the child before such practices should also be paramount.

STREET CHILDREN

1. Local councils and community -based organizations should be involved in programmes for street children. They should support children, together with the Ministry of Social Welfare, Gender and Children's Affairs so that they help in resolving problems within families and assist with rehabilitation including counseling; schooling, housing and health care facilities for children.

2. The trauma healing and Counseling centers being constructed by NACWAC should be transformed in to shelters for the numerous children roaming the streets.

3. Regional homeless centers should be established and run by the ministry of Social Welfare gender and Children's affairs or a children's commission.

CHILD PROTECTION.

1. Parliament must pass the Child Right Bill to serve as the basis for an adequate way of protecting the rights of children in Sierra Leone.

2. There should be a child-friendly version of the convention on the Right of the Child [CRC]. This will be very important for the children of Sierra Leone to read and know their rights and their responsibilities.

3. Laws should be passed and enforced making it a criminal offence with severe penalties for those who indulge in sex without consent with children under-18 years of age.

4. The age of marriage should be increased to 18 years and traditional and religious leaders should be prevailed upon to implement this age in their communities.

5. There should be minimum rules and procedures for the so-called adoptions and transfer of children into other countries. Children should be protected against exploitation through exportation.

6. Government must legislate and provide the requisite facilities for a proper registration of all children in the country at birth.

7. Ministry of Social Welfare Gender and Children's Affairs a special monitoring unit on check on activities of so called child protection Non Governmental organizations to curtail the growing cases of child exploitation.

8. Special phone lines should be established to report the numerous occurrences of child abuse.

9. District authorities to be set up and made responsible for direct tackling problems of children and youth in these areas by providing innovative strategies for that region or area.

10. Child Protection officers should be employed and deployed to every district and report to the Ministry of Social Welfare Gender and Children's Affairs.

HIV/AIDS

I. There should be massive sensitization promotion HIV/AIDS awareness and discouraging those practice that lead to the spread of the diseases.

2. Appropriate medical and psychosocial care and advice should be made available to all victims; their caregivers and their families.

3. Government must declare the disease as a national emergency to take it more seriously.

4. Government should increase surveillance capacity to track the epidemic.

5. HIV/AIDS must be part of the national school curriculum.

6. Government must promote the use distribution and safe use of condoms to adults.

7. Voluntary testing centers should be established all over the country and they must be youth friendly.

CHILD POVERTY

1. Government should improve the availability of job opportunities in the country so that people would be able to earn a living and take better care of their children.

2. All workers should receive their salaries on time and conditions of service should be regularly reviewed to reflect their cost of living.

3. There should be more micro-credit facilities in order to give a greater number people access to income generating actives.

4. Food, housing and other basic needs should be affordable.

5. There should be programmes to inform and empower parent to have fewer children who they can love and care for.

CHILDREN 1N CONFLICT WITH THE LAW

1. Government must decentralize the remand and approved schools into every district in this country to ensure that children's cases are treated separately.

2. The family support unit of the Police should be strengthened to an extent that they adequately investigate and provide counseling services for delinquents.

3. There should be a child protection officer at each police station to ensure the special protection of children. Cases relating to children must be referred to them first before other actions are taken.

4. The Family Support Unit of the Police should be strengthened to an extent that they adequately investigate and provide counseling services for delinquents.

5. The Child Protection Network most especially the ministry of the Social Welfare must be more proactive and should be seen working together with police to protect children in conflict with the law.
6. There should be an extensive retraining of police personnel on child related crime and punishment.

OTHER RECOMMENDATIONS

1. There should be a special monument located centrally in every district in honor of the numerous children that were either killed or suffered during the conflict.
2. Private enterprises confirmed to be assisting children's improvement should be given tax incentives and relief.
3. There should be a child friendly version of the Truth and Reconciliation Commission report, which can be used by teachers, children including children's organization such as the Children's Forum Network to disseminate the findings and recommendations of the commission to the young and unborn generations of Sierra Leone as a measure to prevent recurrence of what happened.

SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION FOR THE THEMATIC HEARING ON THE THEME:"YOUTH, CHILDREN AND THE CONFLICT IN SIERRA LEONE, ASSESMENT OF IMPACT AND THE WAY FORWARD."

SUBMISSION MADE BY THE **Christian Brothers** FROM THE EXPERIENCES GAINED IN WORKING WITH CHILDREN IN THE SOUTHERN REGION: (BO, MOYAMBA, PUJEHUN AND BOTH DISTRICTS)

AGENCY BACKGROUND:

Christian Brothers is a religious organization working in the sub region, primarily with the underprivileged and disadvantaged youths and the socially and economically marginalized.

The Religious Group before 1995 focused on facilitating the social and economic reintegration and reinsertion of street children, disadvantaged youths and commercial sex workers including girl mothers in all four chiefdoms in the southern Region; in Small Bo Chiefdom in the Eastern Region and the Slums in the Western Region.

As a Sub- Regional Organization, the overall administrative set up is supervised by the Regional Leadership Team (RLT) comprising the Team Leader, Deputy Team leader and two counselors who are in turn responsible

to the Provincial Leadership Team (PLT) based in England. Christian Brothers in the Humanitarian World operates under the jurisdiction of the Catholic mission supervised by the Ministry Of Social Welfare Gender and Children's Affairs and the Ministry of Rural and Economic Development.

The Child Protection component of the Unaccompanied Street children's Programme was established in 1995 in response to the mass population movement of internally displaced persons within the Southern Region with a composition of about 75% women and children.

Considering the diversification of project implementation strategies and activities, a review of the organization's annual operational plan recommended that the Child protection Component be transformed into a whole programme.

Before the National Child Protection Network review, Christian Brothers served as the Focal Agency for Child Protection in the entire Southern Region. Presently, Christian Brothers is the District Tracing Agency (DTA) for Bo and Moyamba Districts with support from the Christian Brothers and UNICEF providing community based reintegration for six hundred separated and demobilized children in both districts.

The community based reintegration project is geared towards the involvement of the people in the protection of their children at all levels within the community (PRA system) The programme identifies individuals, CBOs, and NGO partners that operate within a particular community that have similar aims and objectives.

The identified partners or structures are given training on community-based reintegration for children. The programme signs a memorandum of understanding with the group that has been trained. These trainings help to build the capacity of the partners to operate on child protection issues and make periodic report to the programme. The programme also encourages the formation of youth groups and School Clubs as a means of creating an opportunity for youth and children to play (recreation), enabling them to forget about some of their traumatic events.

The programme focuses on placement of children into formal schooling system and skills training centers. Those placed in skills training will have the opportunity to acquire basic survival skills like carpentry, tailoring, weaving, soap making, gara-tie dying, and tin smiting.

Family Tracing and Reunification has been the heart of the programme's intervention. During the conflict, high records of population movement was maintained a situation that necessitated family tracing and reunification for separated children, as displacement was a common phenomenon at that time.

Developing campaigning materials for the protection of child rights during the conflict and setting up of a community sensitization system, monitoring and reporting of gross child rights violations, advocacy and mediation, counseling and trauma healing (Psychosocial support) form part of the programme's operational interventions in both districts.

The programme beneficiaries include separated reunified children, child ex-combatants, sexually abused girls, street children and other needy community children. Social Workers go into the community, identify the children, verify the information with the community-based groups before documentation can be effected. Community members who volunteer to provide care for separated children as foster parents are given support in the form of agricultural input, survival skills and income generation activities.

AGENCY'S WORK IN SIERRA LEONE:

During the pre conflict period, Christian Brothers as an organization facilitated the provision of skills training, psychosocial support, outreach programmes and post training support to disadvantaged and socially marginalized youths and children at various centers country wide.

Primarily, the programme activities included: tailoring, soap making, weaving, shoe making, carpentry, recreation, health care services and psychosocial services which helped to build the capacity of the middle level man power. With the emergence of the civil conflict, the number of beneficiaries increased with different needs thus changing the focus of the programme to the emergency phase; tracing families and reuniting them, providing wet feeding for displaced children , medical care with trauma counseling services.

As fighting intensified, from the Eastern Region towards the south, more man power was required by the government troops which resulted into mass recruitment into the national army which was then under military rule. Youths and children were the most vulnerable as they were forcefully grabbed and given crash military training.

The Revolutionary United Front (RUF) on entering the boarders of the southern region used the strategy of forceful recruitment into the rank and files of the revolutionalists. Youths and children were conscripted and as a way of stigmatizing them, they had tattoos indicating membership designed on various parts of their bodies. These inscriptions inhibited the children from escaping as they were now labeled thus making them enemies of their communities of origin.

Of the little over four thousand children documented during and after the war, some 75% of them testified their effective use of drugs such as marijuana, brown brown and cocaine to spur them unto action. Documented evidences

have shown that most of the amputations, lootings and burning of houses and destruction of property were carried out by children between the ages of 12 and 17 under the supervision of adult commanders failure to comply led to summary execution as a deterrent to cowardice behaviors.

Youth and children them saw the jungle principle as one that provides pleasure promoting the rule of jungle justice -survival of the fittest. The labeling of these youths and children with names of renowned heroes (Rambo, Doctor Blood, Mosquito Spray, Captain clear all, operator sweep, etc.) made room for children and youths to take more risks in the battlefield. There were instances when these youths, organized contests to determine how many people each of them kill in the battlefield.

Even though there is a clarion call for the non-use of child soldiers by every international standards, there is always an overriding tendency in the political world that heads of governments and politicians would go the extra mile in protecting their political interests hence the support for the recruitment of children in the Kamajor society.

Boys in the Southern Region who had reached the age of 12 had no option but to be initiated in the fighting forces as non-membership saw members of the adult population and other adolescents who were all for the risk discriminating against you. Initiates came out with visible scars and tattoos with evidences of having gone through a series of physical torture with law depriving them of eating what nutritionists would call a balanced diet. Closed door interviews conducted with some of these children made disclosures that in the hit of proving valiance, they were emotionally charged to the extent of drinking human blood.

As these boys abandoned their schools and other skills training centers to join the fighting forces either as active combatants or carries or fore runners they took advantage of the breakdown in the rule of law and developed a new culture. Some were given the responsibility of commanding groups, which made them fail to go through the ideal process of development. Traditional Rulers lost their authorities as these youth saw themselves as people with the maximum immunity.

Fighting alongside with AFRC, CDF, RUF, had a lot of psychosocial instability in these children. Some have found it difficult to accept the realities of life even after the war. The negative impact of the drugs taken still continues to serve as a deterrent to positive development in these youths. Police in the Southern Region continue to record recurring crime involving youths and children who find themselves in conflict with the law in contravention of state laws on the misuse of drugs and larceny.

The family support unity also records incidences of either canal knowledge or rape committed by youths who are in a way rehearsing the jungle style where gang rape and forceful marriages were common practices.

In post war Sierra Leone, juvenile justice is still a dream as crimes committed by children and youths are not given the concern it deserves. Children are tried in the open courts and detained with adults. We are still looking for the establishment of a Remand Home in the Southern Region.

RECOMMENDATIONS:

- That government should ensure that children are not recruited by any combat group
- A policy should be made on foster care and orphanages as members of the adult population take advantage of post war situation to use children in the guise of providing humanitarian support to access funds.
- Approved schools should be established in all regional headquarter towns.

- The school curriculum designers should review and may be consider the inclusion of civic and human rights education as a strategy of promoting civic responsibility among the youths.
- Public media houses should edit films, entertainment clips and publications as youths and children copy some of these artists, and heroes .

PRESENTATION BY REV. ETTA NICOL (MRS.) ON BEHALF OF THE NATIONAL COMMISSION FOR WAR AFFECTED CHILDREN AT THE THEMATIC HEARING OF THE TRUTH AND RECONCILIATION COMMISSION HELD ON 17TH JUNE 2003. AT THE Y.W.C.A. HALL IN FREETOWN

During the decade of civil war in Sierra Leone, thousands of children were forced into the crossroads of conflict thereby causing violation of their rights ranging from abduction, multiple rape, amputation. forced engagement in the battlefield and drug addiction.

Against this background, the government of Sierra Leone established the National Commission for War affected Children in short as an Ombudsman to redress the wrongs meted to children.

In this brief survey of the presentation paper of the National Commission for War affect ed Children to the thematic hearing on youth and children of the Truth and Reconciliation Commission on June 17th 2003, I am going to focus more on Advocacy and Recommendations on behalf of the War Affected Children and matters relating to the Convention on the Right of children.

ADVOCACY

The National Commission for War Affected children has been seriously engaged in enhancing implementing partners in the areas of Skills Training, formal and non- formal education and foster parenting to enhance demobilization and rehabilitation of war affected children. In this regard the Commission has supported a wide range of programmes nation wide.

> This involves programmes such as skills training, formal and non-formal education for war affected children of school going age and those above school going age.

Other programmes designed for the demobilization and reintegration of war affected children were operated by (CAW) and Kids in distress. Two Non-governmental Organizations.

(2) Specialized Ministry to children of the United Methodist Church is engaged in National Radio Sensitization programmes on problems affecting street children "you pikin komot na trit and also giving educational support to rescued street children in the Freetown area, Bo district, Moyamba district and Bonthe district.

(3) Campaign for Collective Development in Bo, Caters for Trauma Healing, Skills Training and shelter.

(4) About 300 Foster Parents and underprivileged families have been provided with both materials and financial support.

(5) Construction of five buildings which will serve us Trauma Healing and Recreational children's Centres in Bo. Kailahun, Pujehun, Makeni and Freetown.

(6) Printed Posters on CRC have been distributed and chiefdom sensitization on child protection issues with emphasis on rehabilitation and reintegration of War *Affected* Children have been carried out at district level.

(7) The Voice of Children Radio programes are aired with the assistance of UNAMSIL every weekend.

These are examples of some of the NaCWAC programmes implemented by partners.

Recently, with the support of UNICEF, NaCWAC organized a two days residential workshop including members of Child Protection Agencies to come up with appropriate recommendations for the implementation of programmes.

STRENGTHS AND WEAKNESSES

(1) NaCWAC can boast of the positive activities of majority of the implementing agencies and regrets, the slow implementation of projects by few others.

(2) NaCWAC also faces difficulties in reaching out to different places in the country with the speed necessary because of lack of vehicles. We relied mostly on UNAMSIL for vehicles to start with, but thankful that UNICEF has provided a brand News vehicle and together with one bought by NaCWAC recently, progress is made in reaching out with our mandate especially that of Advocacy.

(3) The beaurocratic procedures to access funds from the Finance Department is frustrating.

RECOMMENDATIONS

There are yet a lot to be done in order to detraumatise our war affected children. In this regards we are making the following recommendations:

1. Provide Trauma counseling and rehabilitation centers to help rehabilitate the traumatized children especially those who came in direct contact with the former fighting forces.

2. Promote formulation and implementation of child friendly policies and programmes.

3. There is need for government in collaboration with NGO's that are working with children to review and formulate national policy on

children. Steps should also be taken to harmonize laws of Sierra Leone with Provisions of the CRC. and African Charter on the Rights of the Child.

4. Establish child protection committees throughout the country to monitor and report on incidents of child abuse and other protection issues.

5. Communities and parents should be encouraged to participate actively in creating conducive social and economic climate in which children have better opportunities available to them.

6. Organise nation wide sensitization on the plight ofwaraffected children and provisions of child protection instruments such as the C.R.C. and African Charter on the Rights of the child.

7 Ensure adequate facilities are provided for the effective rehabilitation and reintegration of all war affected children especially sexually abused, child mothers, drug addicts, street children and child ex-combatants.

S. Provide trauma healing and Counselling services for street and returnee children.

9. Provide temporary shelter or foster parent placement and skills training for war affected children especially street children, child ex-combatants, sexually abused and child mothers.

10 More infrastructural facilities be made available by the Ministry of education to meet the demands of free education.

11. Government should institute effective cost recovery programmes in health sector to mitigate the problems of self medication.

12. Education should be made accessible to every child and skills training centers should be provided for children who are no longer interested in formal schooling.

13. Facilitate access to media and participation of children and adolescents in decision making on issues affecting them.

14 Special consideration be given to amputees particularly their children in terms of support.

15. Provide increased financial support to the National Commission for War Affected Children.

May I take this opportunity on behalf of the National Commission for War Affected children and on behalf of the children to express our full support to the Truth and Reconciliation Commission as a positive tool for peace building and Reconciliation. I take this opportunity to urge all Sierra Leoneans to give it

their unflinching support and to thank H.E. the President Alhaji Dr. Ahmad Tejan Kabbah, his government and the members of parliament for establishing the Commission. God bless.

PRESENTATION BY THE NATIONAL COMMISSION FOR WAR AFFECTED CHILDREN (NACWAC)
AT THE THEMATIC HEARING ON YOUTH AND CHILDREN OF THE TRUTH AND RECONCILIATION COMMISSION ON 17 th JUNE 2003.

Your Lordship, Bishop J.C. Humper. Chairman of the TRC
Commissioners of the TRC
Distinguished Ladies and Gentlemen
Our Beloved Children

1. **ACKNOWLEDGEMENT:**
In extending special greetings and recognitions to your eminent Commissioners let me express gratification on behalf of the National Commission for War Affected Children for your kind invitation extended to us to attend and participate in this all important forum. We feel profoundly humbled.

2. **THE STATUS OF CHILDREN AND IMPACT**:
During the decade old civil conflict, thousands of children of Sierra Leone were forced into the crossroads of conflict. Their reintegration is critical to heal scars, to bring stability and to meet the moral responsibilities of civil society.

Children bore the brunt of the decade long conflict started by adults. The rate and extent of violations of children's rights, ranging from abduction, multiple rape, amputation, slavery, exploitation and forced engagement in the battle field where they took up arms and were forced into drug addiction during this period, is alarming.

They were denied education, traumatized, psychologically injured and morally compromised.

Damage done to children during the civil conflict is paralled by injuries they committed to people once called neighbours. Harsh memories do not fade easily and it will take special effort to help communities embrace young perpetrators of violence.

3. THE BIRTH OF THE COMMISSION AND COMPOSITION:

Against this background and inspired by the Graca Machel Report (1996) which presented a disturbing and compelling account of the abominations being committed globally against children in theatres of conflict, His Excellency. Mr. Olara Otunu, United Nations Special Envoy to the Secretary General who was on an official visit to Sierra Leone to assess the impact of the war on children during the conflict met with our revered President H.E. Alhaji Dr. Ahmad Tejan Kabbah and reviewed matters of mutual interests affecting children caught up in the conflict. As a result, through their shared vision they both agreed to establish a Commission for children to redress the wrongs meted to children particularly those affected by war.

In response, the National Commission for War Affected Children was established as a statutory body by an Act of Parliament on the 26^{h} January 2001 constituting a board of Commissioners representative of different disciplines, expertise and regions whose nominees successfully went through the parliamentary screening and approval. In addition UNAMSIL and UNICEF agencies of the United Nations are ex-officio members of the commission whose membership and contributions have provided increased expertise and support. The Commission was formally inaugurated in February 2003, when it's members were Sworn in by President Alhaji Amad Tejan Kabbah.

4. THE CENTRAL FUNCTION:

The main thrust of the Commission is primarily to ensure that concerns of War Affected Children are translated into policy, priority setting and resource allocation at national level. The Voice of Children initiative radio programming for and by the children coordinated by UNAMSIL with the NCWAC as Secretary to the Advisory Board aims to enable children and youth to participate more systematically in national discourse. In addition, to ensure that children affected by the conflict will live and develop in a condusive climate responsive to the political, socio-economic and cultural development in the areas of Education, Health, Housing and other social facilities guaranteed by the CONVENTION ON THE RIGHTS OF THE CHILD (CRC).

5. ALL CHILDREN AFFECTED BY THE CONFLICT:

Mr. Chairman, Commission, Distinguished Ladies and Gentlemen, my beloved children. The truth of the matter is that every Sierra Leonean child is affected by the war directly or indirectly. The Commissioner's mandate is extensive to include concerns

and issues affecting children in totality but much more, children brutalized and traumatized by the war.

6. DATA BASE AS A TOOL FOR ACTION:

In order to establish a comprehensive database as an appropriate tool to guide our planning needs, the Commission contracted the services of STATISTICS Sierra Leone in partnership to conduct a nationwide survey on street and other war affected children in selected parts of the country. The report has been completed and submitted with positive outlook and recommendations now being studied by Commissioners for appropriate action. The survey covered about 98% Sierra Leone Children.

The main objectives of this survey was to rapidly assess the post war situation of street and other war affected children in Sierra Leone, with regard to the categories of such children and their numbers by gender and locality, family background, access to health care, educational status / or access to educational facilities, sexual behavior and awareness of HIV/AIDS and STI.

The Consequences of the war have been enormous and devastating. Women and children who constitute the vulnerable group bore the brunt of the atrocities committed by the rebels. The overall standard of living, especially the levels of health, and education, declined and a significant portion of national infrastructure was destroyed.

The war also precipitated the problems of orphaned, abandoned and separated children or children who lost their way when the rebels attacked their towns. The numbers of kids on the streets increased as a consequence of displacement from the war and the loss of parents/guardians.

The findings of the survey indicate that:

- About 69% of street children and 8% of other war affected children have at least one parent dead or missing and 48% of the war affected children are complete orphans, with both parents dead.
- A high percentage of the other war affected children have been resettled in communities, with 27% still displaced. However, 64% of the street children are displaced children, 33.7% are resettled in areas where their basic necessities are not well catered for, and so they are on the streets. About 10% are refugees.
- Various injuries were suffered by the children. Sores and scars from war wounds were found to be the commonest war related injury on the children. Some suffered amputations of limbs.
- The war caused psychological effects on the children the most traumatic effects of the war on the children were fear, stress, mental disorder and depression.

- Health facilities are expensive and therefore not easily accessible to the children. Malaria/Fever and Headache are common illnesses among the children. Treatments are mainly from dispensaries and pharmacies. Majority of the street children go to drug peddlers for treatment.

- Because of the long protracted war and the displacement of families coupled with disruption of normal social life, a lot of the children have past school-going age and would prefer to learn skills instead of going back to school.

- Choice of skills include Carpentry, Masonry, Tailoring Blacksmith, Hair dressing.

- Some of the children are taking hard drugs and the most common drugs used are marijuana and "Brown Brown" (Cocaine).

7. **ACTIVITIES:**

During the brief establishment of the Commission the following landmarks have been impacted on behalf of our children.

Support,. rehabilitation and re-integration programmes of 27 non-Governmental and Community Based Organization nation-wide. The programmes include Skills training, Sensitization, Leadership trainings for adolescent, formal and non-education and recreation.

About 300 Foster Parents and under privileged families have been provided with both material and financial support.

Over 100 disadvantaged children have been supported in Secondary Schools and Vocational Institutions (payment of school fees and other school charges).

7 temporary counseling and recreational centers are operative in Bo, Kenema, Makeni, Pujehun, Bonthe, Moyamba and Freetown.

Over 300 street and other war affected children have been catered for and provided with means to alleviate abject poverty concerns.

More than 200 street children have been exposed to sensitization meeting (these include child beggars, commercial sex workers, child labourers and separated / abandoned children.

ACTIVITIES IN LINE WITH MANDATE:

The objective of the sensitization meetings is primarily to identify the root Causes of

street life and to provide them with alternatives consistent with our mandate in terms of rehabilitation.

At Christmas and other religious festivals, we have organized appropriate parties for war affected children in specific regions and provide them with suitable gifts i.e. second hand clothing, footwear and toys.

The Commission participates in issues affecting children in collaboration with UNAMSIL, UNICEF and other agencies i.e. International Day of broadcasting, Day of the African Child (DAC) and others.

Construction of five buildings which will serve as Trauma Healing and Recreational Children's centers in Bo, Kailahun, Pujehun, Makeni and Freetown.

9. **ADVOCACY AT ALL LEVELS:**

In order to maximize greater efficiency to strengthen Advocacy, the Commission with the support of UNICEF organized a two days residential course for 40 participants including selected child centered and protection agencies (NGOs) in the country to discuss, study and make appropriate recommendations to assist the Commission in implementation of programmes appropriate to our mandate.

10. a. **MEETINGS:**

In addition to the monthly statutory meetings of the Commission to discuss matters affecting war affected children and their development, there are specialized Technical committees on Advocacy, capacity building and youth participation, Education and Health, Rehabilitation and Re-integration and Resource mobilization and Legal norms which meet, discuss and make appropriate recommendations for the Board. These committees are made up of representatives from UNAMSIL, UNICEF, NGOs and Sectoral Ministries.

b. **POLICY DRIVEN:**

The National Commission for War Affected Children is policy driven and according to our mandate, not an implementing agency working in collaboration with other government departmental and agencies and non-governmental organization, policies that will ensure the provision of Health, Educational and Social Welfare facilities to War Affected Children through advocacy at all levels.

11. **SOLUTION -THE CHILD PROTECTION BILL**:

In this regard, the negative social issues affecting War Affected Children such as Child Trafficking, Child Labour, Child Miners, Prostitution and a Host of others inimical to their enhancement are the subject of the Child protection Bill actively in progress initiated by the Ministry of Social Welfare Gender and Children's Affairs under the strong Leadership of the Minister Hon. (Mrs.) Shirley Yeama Gbujama awaiting parliamentary study and ratification in the not too distant future. The urgency of legislation to guarantee the continued survival, promotion and development of children in all issues affecting their status are reflected in the proposed Child protection Bill that will also take cognizance of both our customs and traditional values in defining the Rights of the Child. The Commission continues together with its broad partnership to lobby all stakeholders in collaboration with the Children Network Forum along these lines.

12. **EXCHANGE PROGRAMMES:**

In terms of broadening ship our expertise, the Commission has participated in exchange visitation programmes and the most recent being to Dakar, Senegal to

obtain practical study war affected children. the trip was sponsored by Sierra Leone Government led by the Executive Secretary, Mrs. Bintu Magona. Other trips are being explored to broaden our horizon.

13. **FUNDING AND COURTSY**:

The source of Funding to the Commission is provided by the government of Sierra Leone through the Highly Indebted poverty communities (HIPC). The amount is utilized for our specific programmes of Trauma Healing and recreational children's centers in Bo, Kenema, Pujehun, Makeni and Freetown. By courtesy of the leadership of the United Methodist Conference in Sierra Leone the Resident Bishop J.C. Humper who is also the current Chairman of the TRC the Commission was able to rent an impressive building at Gloucester Street in the central of Freetown at affordable rate that will be specifically used for rehabilitation of street children.

Mr. Chairman of the TRC & Commissioners. Let me conclude the following points and recommendations.

The difficulties Sierra Leone is facing today are the direct results of bad governance, the culture of silence, the misuse of youths for selfish political gains and marginalisation. The children of Sierra Leone need to be heard and participate in the democratic process to ensure their enhancement through their respective channels under the leadership of NaCWAC.

The solutions to the problems facing Sierra Leone cannot be isolated from the global community particularly the instability in the sub region characterized by civil conflict, increased refugees exodus, displacements and migration to name a few.

The vision to move Sierra Leone from its present difficulties to a better future should be based on Sierra Leonean Initiative and Action.

Attitudinal change and improved governance at all levels and respect for the rule of law and separation of powers without political interference should be recognized.

The recognition of the children as important partners in development.

Prompt legislation and enforcement of a Child protection .Bill to address the problems of child labour, street children, child trafficking, and others.

Providing increased financial support to the National Commission for War Affected Children with possibly consultants. The International Community through its respective agencies in **Sierra Leone,** and abroad to assist in strengthening capacity building of the Commission as a matter of priority.

The issue of CHILD SOLDIERS is a phenomenon especially in developing countries. The reasons are due to social and economic inadequacies backed by political problems. Compulsory free education is a step in the right direction but much more the Ministry should be involved to conduct sensitization including other forces. Also at the international level the United Nations, African Union ECOWAS and others should prioritise the agenda of child soldiers and discourage the practice.

That special consideration and priority be given to Amputees and War wounded particularly their children in terms support.

There is the need to support more vocational & skill training bodies especially in the rural setting.

May I take this opportunity on behalf of the National Commission for War Affected Children and on behalf of our children to express our full support to the Truth and Reconciliation Council as a positive tool for peace building and Reconciliation and urge all Sierra Leoneans to give it their unflinching support and to thank H.E. the President Alhaji Dr. Ahmad Tejan Kabbah, his government and the members of Parliament for establishing the Commission. God Bless.

MINISTRY OF SOCIAL WELFARE, GENDER AND CHILDREN'S AFFAIRS

PRESENTATION ON THE THEME "YOUTH, CHILDREN AND THE CONFLICT IN SIERRA LEONE, ASSESSMENT OF IMPACT AND THE WAY FORWARD"

AT THE THEMATIC HEARING OF THE TRUTH AND RECONCILIATION COMMISSION OF SIERRA LEONE

ON 17TH JUNE 2003 AT 10:00 AM

AT THE YWCA NEW HALL, BROOKFIELDS, FREETOWN

SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION FROM THE MINISTRY OF SOCIAL WELFARE, GENDER AND CHILDREN'S AFFAIRS ON YOUTH, CHILDREN AND THE CONFLICT IN SIERRA LEONE

INTRODUCTION

The Ministry of Social Welfare, Gender and Children's Affairs is responsible for the provision of services to socially marginalized, disadvantaged groups, less privileged, particularly children, women, the aged, the disabled, whether groups or individual family units and the needy in our communities. In this regard, the ministry's mission is to promote and advocate for the needs and rights of these categories of people mainly in the area of resource mobilization and allocation and to ascertain any necessary law reforms in favour of the welfare of these people.

In pursuance of its mandate, the ministry engages itself in the development of programmes geared towards creating a conducive atmosphere for these categories of persons. Its activities embrace families, communities, women, children, the aged, mentally and physically disabled, street children and war affected children including child ex-combatants, sexually abused and separated children.

The Ministry of Social Welfare, Gender and Children's Affairs has two Divisions:

1. The Social Welfare Division

2. The Gender and Children's Affairs Division

The Social Welfare Division is responsible to provide services for the socially marginalized and disadvantaged groups in society either directly or **indirectly** through **welfare non-governmental agencies. It has seven operational sections or units:**

a. Child Welfare Secretariat

b. Probation

c. Institutions

d. Family Case Work

e. Disability issues

f. Audio Visual Aids

g. Community Based Organization

In addition to these sections, there are two welfare institutions that are directly operated by the Division, namely, the Remand Home and Approved School. These are institutions used to reform the juvenile delinquents that are in conflict with the law.

The Gender and Children's Affairs Division promotes and advocates for the needs and rights of marginalized groups including women and children particularly in the areas of resource mobilization and allocation without gender discrimination.

The objectives of the ministry include the following:

I. To assess and evaluate the welfare situation generally in the country so far as it affects vulnerable groups such as

- **Unaccompanied Children (UAC)**
- **Children Associated with the Fighting Forces**

- **Street Children and Sexually Abused Women and Girls**
- **The aged**
- **Mentally and Physically disabled**
- **Children in Conflict with the Law**

2. **To register, trace, reunify and reintegrate unaccompanied children and children associated with the fighting forces with their families and communities.**
3. **To ensure that the rights of children in accordance with the Convention on the Rights of the Child (CRC) are adhered to.**
4. **To ensure that social reintegration of children is based on the principles of the CRC.**
5. **To provide care and protection for children in conflict with the law and other destitute children.**
6. **To assist and reconcile families in conflict in order to protect the welfare of their children.**
7. **Enable the voluntary Community Based Organizations to carry out their activities** and to **enlighten them** on **their role** and **responsibilities within their respective communities.**
8. **Promote consensus on the conceptual framework that guides identification of gender disparity in society and analyse the causes, which should form the basis for formulating national policy on gender focusing on the marginalized groups.**
9. **raise awareness and recognition of gender disparity in all sectors of society, using electronics and print media as well as inter personal communication channels.**
10. **Train development planners and policy makers to use gender analysis tools** to develop and **orientate sectoral projects, programmes and policies in the public and private sectors.**
11. **Establish a resource** base **for the collection, analysis and dissemination of information and statistical data on gender specific indicators for various ages and socio-**

economic categories, which will impact on policy formulation and programming in related ministries.

12. **Advocate for the collection of adequate technical, financial and organizational resources within line ministries to re-orientate human development policies and programmes for closing the gender gap and supporting the expansion of the public role of women and marginalized groups especially as parents, producers, income earners, managers, educators, health workers and decision makers.**
13. **Mobilize additional resources from outside, UN Agencies, NGOs, the Private Sector and other civic groups to support programmes on gender, women and children.**
14. **Advocate for the integration of women into the development process at all levels through programmes and policies.**
15. **Facilitate the work of the National Commission for War Affected Children, the Department for the Advancement of Women, the Children's Forum Network and the Women's Help Live as a way of monitoring the implementation of policies and programmes on women and children.**

THE MINISTRY OF SOCIAL WELFARE, GENDER AND CHILDREN'S AFFAIRS BEFORE THE WAR

Immediately before the war the present Ministry of Social Welfare, Gender and Children's Affairs was the Ministry of Social Welfare and Rural Development. This ministry then was responsible for women, children and all the socially marginalized persons and group of people when the Democratic Government was overthrown by the military, in 1992, Gender and Children's Affairs Ministry was established separate from the Ministry of Social Welfare. Youths Affairs that was part of the mandate of the Ministry of Social Welfare was also transferred to the Ministry of Education during the early days of the war (early 1990s).

Before the conflict in this country, the Ministry now referred to as Ministry of Social Welfare, Gender and Children's Affairs was performing its normal activities. These activities included:

a. **Provision of services to juvenile delinquents who are caught by the police or reported to the police, by the public for committing various crimes. The services here include:**

- **Identifying these juvenile offenders with the police and advocating for their release if the crimes committed are not grave. For crimes that cannot be easily dropped, the police are encouraged to charge the offenders to court without delay and arbitrary detention.**
- **The police is also encouraged to handover to the ministry on bail, those children who are charged to court. The ministry produces them to court as and when demanded. The ministry also follows up the cases to conclusion and advice the magistrates according to the principles of the CRC.**
- **Those children who need to be punished are again handed over to the ministry and are subsequently transferred from the Remand Home to the Approved School. These children are reformed at the Approved School. While here they are provided with health, education, skills training and recreational facilities until when they are free to join their parents again. Follow-up visits are carried out to these families to ensure that their children are properly reformed.**

b. Provision of services to families in conflict. Mediations and counseling are carried out within such families. Families that are very poor are assisted with grants to enhance their living conditions. They are also trained in various skills like soap making, gara tie dyeing etc and provided with micro-credit funds to set up their own businesses for self-reliance to support their children.

c. Services are also provided for people with disabilities (eg. The blind, deaf and dumb, polio victims, amputees etc). This ministry provides subventions to institutions where these categories of children and adults are cared .

THE IMPACT OF THE CONFLICT ON CHILDREN IN SIERRA LEONE

The 10 years civil conflict in Sierra Leone indeed has negatively impacted on the lives and development of the children of this nation. Thousands of children in Sierra Leone have been exposed to series of violations against their rights during the period of the 10 years conflict. The major violations of the rights of children during the conflict include the following:

l. Abduction and forced conscription of children into armed forces as combatants by all the fighting forces.

2. Killing of children during raids of RUF/AFRC on communities and using children as human shield during confrontations with enemies.

3. Children have been amputated by mainly RUF and AFRC. Some are tortured in many other ways e.g. Lacerating the bodies of children to write on them inscriptions of their movements (RUF/AFRC). The main reason for this according to the children themselves was for them not to escape from **the movement.**

4. Children, mostly girls were raped and subjected to other forms of sexual violence by the fighting forces especially the RUF and AFRC. All girls above the age of 5 who were released by the RUF/AFRC or who escaped and found themselves with the ministry and its child protection partners were sexually abused. According to information given to us by the victims themselves, some of them were gang raped, while others were forced into sexual slavery in the form of forced marriage to the rebels. In fact, according to some girls and women the rebels (RUF/AFRC) usually put a number of them in well-secured houses just for sexual purpose. Any rebel who had sexual feeling would go in to satisfy his desire. These types of sexual abuses have resulted in many instances permanent physical harm such as some of the girls/women becoming sterile from gang and repeated rapes and sexual torture. Some of the victims have contracted sexually transmitted

diseases like HIV/Aids, some girls/women had unwanted pregnancies, which resulted to, unwanted babies and above all many of the victims of the sexual abuses did not live to tell their stories.

5. **The 10 years war resulted to the separation of over 15,000 children. Some of these separated children went across the borders to Liberia, Guinea, the Gambia, Ivory Coast, Nigeria and other West African Countries. Many more were internally displaced and had been languishing in internally displaced camps all over the country. These separated and displaced children living in refugee and displaced camps had been exposed to a lot of child rights violations such as, child labour and economic exploitation, rape and sexual abuse, child trafficking, drug abuse etc. Most of those separated and displaced children who found themselves in the streets have been constantly in conflict with the law either through stealing, sexual abuse or other crimes committed against the public or the state.**

6. **Most children lost their identity during the war. There are some among this category of children who will never regain their actual identities in their life time. The breakdown of traditional and family structures, cultural values and practices during the war resulted to the lost of identities of some children. Some separated, displaced and refugee children and those who were permanently in the bush with the rebels had no time to grow within their traditional family and community structures that have cultural values. Such children, most of whom are now young adults did not have the opportunities to learn their culture and values. Meanwhile, it is possible for such children through the reintegration processes to learn about their lost cultures and traditions. But for children who were very small (babies) at the time of separation from their families and communities and who could not even remember their names, families they were born into, communities, chiefdoms, districts and regions they come from have completely lost their identities and would never regain them.**

7. **Majority of the Sierra Leonean children lost access to education, health and shelter services due to the massive destruction of such facilities during the war. This has resulted to high incidence of malnutrition, diseases, school dropouts and crime rate among children and young adults.**

SERVICES PUT IN PLACE FOR CHILDREN AFFECTED BY THE WAR IN SIERRA LEONE

In the bid to address the awkward situations of children affected by the war in Sierra Leone, the ministry of Social Welfare, Gender and Children's Affairs in collaboration with its Child Protection Partners has established Child Protection Committees at National, Regional, District and Chiefdom levels - a system to coordinate, monitor and evaluate all child protection activities implemented in the country. With the help of the Child Protection Committees, different programmes have been developed for the care and protection of children affected by the war in Sierra Leone with the following objectives:

1. **To promote child rights issues.**

2. **To increase awareness** and **responsibilities around** the **CRC nationwide.**
3. **To ensure the reunification of all separated children with their families and communities.**
4. **To provide alternative** care for **separated** children **awaiting reunification.**
5. **To provide quality services and facilities that promote care and protection for children within acceptable minimum standards.**
6. **To ensure social reintegration of war affected children.**

7. To plan for the long-term future of children in especially difficult circumstances.

In order to achieve the above objectives of providing adequate and appropriate care and protection for the children affected by the war in Sierra Leone, the following programmes and projects have been designed and implemented in collaboration with child protection partners:

1. Child Rights Advocacy and Sensitization

2. Programmes for street children and children in conflict with the law.

3. Family Tracing and Reunification of separated children including cross-border tracing and Reunification

4. Centre Base and Alternative Care for children whose families could not be easily traced.

5. Demobilization and Reintegration of child ex-combatants.

6. Reintegration of ordinary separated children who have been reunified with their families and communities.

7. Child Rights Violation Monitoring Network.

8. Juvenile Justice System - programmes for children in conflict with the law.

9. Girl Mothers Programmes.

l0. Programmes for Commercial Sex Workers.

1l. Scar/Tattoo Removal Project.

ACHIEVEMENTS

1. CHILD RIGHTS ADVOCACY AND SENSITIZATION

In Child Rights Advocacy and Sensitization, training workshops on the Convention on the Rights of the Child have been organized for Child Protection Committees, Youth and Women's groups, the Police, Prisons Officers, Law Officers and the Military (both the Sierra Leone Military Forces and UNAMSIL). Some Religious Leaders (both Pastors/Reverends and the Imams) and the Media have also been trained on child rights issues.

Every year the Day of the African Child (DAC) is celebrated with the full involvement of all categories of children. A theme is carefully selected to advocate for the rights of children. This year's theme is "Birth Registration: An Identity and Voice for Every Child".

For child rights issues to be effectively promoted in this country, the Convention on the Rights of the Child should be harmonized with the national laws. In pursuit of this venture, the ministry in collaboration with its Child Protection Partners and the law Officers Department has developed a Child Rights Bill which is now in the process of being incorporated into the laws of Sierra Leone.

2. STREET CHILDREN AND CHILDREN IN CONFLICT WITH THE LAW

For street children and children in conflict with the law, a Taskforce has been established to coordinate and monitor activities related to the relief of problems of street children and the children in conflict with the law. The Taskforce is working with street children's organizations to alleviate the problems of street children. Programmes have been designed and are being implemented for street children in the areas of education (formal, non formal and skills training), health and counseling. Some of the services provided for these children are residential while others are day-care. All these services are provided with the aims of removing the children from the streets and subsequently reunifying them with their families.

In the area of Juvenile Justice, the Probation Section of the Ministry monitors police cells and other detention centers including Central Prisons for children who are arbitrarily detained. Advocacy and Counselling services are carried out for these juvenile offenders. Advocacy sessions are held with the police to ensure that juvenile offenders are not placed in the same cells together with adult criminals.

The ministry operates a Remand Home and an Approved School for children in conflict with the law. Those children who are caught by the police or reported to the police by the public for committing various crimes are advocated for by the ministry for their release (for crimes that are not serious) or them to be charged to court (for crimes that are very serious) without arbitrarily detaining them. The ministry bails those children who are charged to Juvenile Courts for crimes committed against the public or the state. They are kept at the Remand Home and be produced to court as and when demanded by the magistrates. While at the Remand Home, various services are provided for them including the provision of **food, clothing, medicare, non-formal education and recreational facilities. When the court finds them guilty, they are ordered to be transferred to the Approved School at Wellington for their reformation for a period of time. The above facilities provided at the Remand home are also provided for the children at the Approved School in addition to formal education and skills training. Family and community mediations are carried out by the ministry's social workers with the families/communities of these children for them to be subsequently reunified with families and communities for their reformation. Follow-ups are also done to these families to ensure that the children have been properly reformed.**

3. FAMILY TRACING AND REUNIFICATION OF SEPARATED CHILDREN

Because of the massive displacement and separation of over 15,000 children due to the civil conflict in this country, the ministry with its partners has established a National Family

Tracing Network to trace reunify and reintegrate separated children with their families. Over half of this number have been traced and successfully reunified with their families. The National Family Tracing and Reunification Network is also charged with the responsibility of finding alternative care such as interim care centers, foster homes, group homes as well as independent living for those children including street children who could not be immediately reunited with their families due to various reasons ranging from fear of retribution from communities, displacement of families, destruction of homes etc. in order to enhance the Family Tracing Programme, a National Database has been established within the ministry to collect and process data on separated children. This Database is also responsible for the coordination of family tracing programme through the country.

4. DEMOBILIZATION AND RE-INTEGRATION OF CHILD EX-COMBATANTS

Mechanisms have been put in place to reintegrate demobilized children from the former fighting forces into their families and communities. The ministry of Social Welfare, Gender and Children's Affairs has been working with partner institutions like UNICEF, NCDDR and other NGOs to encourage demobilized ex-child combatants to enroll in specially designed school programmes, given the exigencies of the situation, emphasis is placed on the psychosocial assistance through trauma healing services, counseling, training, educational and recreational activities within the school system. About 6,000 children were demobilized. Some have gone through reintegration processes while others are still going through the processes.

The reintegration assistance aims at providing children with opportunities for achieving the following objectives:

1. **To enable them meet the immediate post demobilization and resettlement needs.**
2. **To develop initial marketable skills.**
3. **Engage in income generating activities.**
4. **Improve their perception of personal security.**

It is expected that reintegration assistance will help child ex-combatants lead productive lives and contribute to the development of their families, communities and the country.

5. CHILD RIGHTS VIOLATION MONITORING NETWORK

Child Rights Violation Monitoring Network has been established in the country due to the high increase in the violation of children's rights. The Council of Churches in Sierra Leone (CCSL) was identified as one of the child protection partners to the ministry to coordinate this Network. The menace of child abuse and misuse is increasing every day and the involvement of more stakeholders to curb these excesses is the only way out to fulfil the goals of the Convention on the Rights of the Child.

Child abuse is indeed a community problem; therefore the network has involved opinion leaders including chiefs, religious heads, women and youth groups in the discussion of child issues pertaining to violations of their rights. Child Welfare Committees have been established all over the country to monitor and report on child rights violations occurring in their respective communities. For example, some communities are now vigilant and have formed "Community Watch Groups" to promote child welfare matters, especially the education of the girl child and monitor gross child rights violations in their localities.

Violations that are monitored and reported on include the following:

1. **Rape and other forms of sexual abuses**
2. **Amputations**
3. **Torture and other ill-treatment of children**
4. **Killing and massacres**
5. **Arbitrary detention**
6. **Abductions**
7. **Recruitment of children into armed forces**
8. **Child labour**
9. **Child trafficking**
10. **Deprivation of children to access health care and educational facilities.**

Both partner agencies and government provide medical services for the victims of child abuses such as rape and other forms of sexual abuses, torture and other ill-treatment of children. Community sensitizations are also carried out on child abuse to encourage victims to come out and report the abuses for actions to be taken. The sensitizations are also aimed at helping to prevent child abuses from occurring. Free legal support is now given to victims in order to apprehend the perpetrators and ensures that justice prevails. The Family Support Unit of the Police, the Council of Churches in Sierra Leone, FAWE, the Probation Unit of the Ministry of Social Welfare, Gender and Children's Affairs, International Rescue Committee and LAWCLA (a group of Lawyers who have come together to provide free legal support to the victims of rape and other forms of sexual violence) are assisting in one way or the other to legally support the victims of rape and other forms of sexual abuses.

6. GIRL MOTHERS PROGRAMMES

Because of rape and other forms of sexual violence and exploitation, many girls became pregnant and gave birth to children most of whom have no father to be responsible for them in a family setting. Some of these girl mothers have been rejected by their parents because some were involved in the fighting and others, because they have brought additional responsibilities to the family (additional babies/children). So the girl mothers are left alone for their survival.

Some partner agencies like COOPI, GOAL and FAWE have been providing services for the girl mothers and their children. The services provided include counseling, skills training and other income generating activities in addition to food, clothing and **shelter** for the girl **mothers. The babies/children of these mothers are also cared for by these agencies while their mothers are busy with their trainings and other activities.**

7. PROGRAMMES FOR COMMERCIAL SEX WORKERS (CSWs)

Commercial sex workers (CSWs) are young men, women, girls or boys who have traded home life for freedom in the streets. These generally:

- **Have little or no formal education or skills training**
- **Some times, but not always, come from poor socio-economic backgrounds**
- Live rough in the streets
- Are drug addicts
- Former abductees of former SLA/RUF fighters
- Come from the displaced population

- Have very low self-esteem

- Are victims of domestic violence and sexual abuse

- Are street hawkers

The following factors have given rise to commercial sex work in Sierra Leone:

- Poverty
- Lawlessness
- Laziness
- Illiteracy
- Forced child marriage

- Low academic achievement

- Low self-esteem

- Peer or family pressure

- Drug abuse

- Abduction by the fighting forces and the subsequent rejection by family and community

Many services have been provided for commercial sex workers by partner agencies like GOAL in the Western Area. The services provided are as follow:

Non-formal education/skills training services

- Construction of shelter to house commercial sex workers eg. Susan's Bay

- Free distribution of condoms to commercial sex workers

- Distribution of non-food items - blankets, shoes, clothes toys for children and many more

- Psycho-social counseling

- Primary health care facilities for CSWs, their under-5 children and sometimes their customers

- Referrals of CSWs and their under-5 children to tertiary health institutions

- Provide on-street contact, support and referrals for sexually abused girls and women

- Provide ante-natal and post-natal care for CSWs

- Carrying out health education for self-awareness and that of sexually transmitted infections (STIs) and HIV/AIDS - what they are, how they are contracted or mode of spread and how to prevent them.

- Advocate on behalf of CSWs when they are in conflict with the law

- Conducting sensitization meetings with community leaders, the police, the military and their exploiters and other members of the public

- Undertaking preventive commercial sex work **education targeting at risk children and their families.**

- Provision of recreational facilities - outdoor games, movies and beach parties for CSWs

- Strengthening family/community support for CSWs - this is done through the provision of loan schemes for CSW.

8. SCAR/TATTOO REMOVAL PROJECT

AFRC/RUF commanders used sharp objects to mark the children in their care so that they cannot escape to go to the pro government forces or to their families or communities. The marks/tattoos (RUF or AFRC) were put on the chest, back and arms of the children. In collaboration with COOPI, specialized

doctors were brought into the country to remove these tattoos from the children. Over 100 **children benefited** from this **project successfully. Some children refused to remove their scars because, according to them, they want to remain as heroes.**

9. ESTABLISHMENT OF THE NATIONAL COMMISSION FOR WAR AFFECTED CHILDREN

Because of the numerous problems the children of this country have gone through during the 10 years war and are still going through even after the war, the government in collaboration with the office of the Special Representative of the United Nations Secretary General on Children and Armed Conflict decided to establish the National Commission for War Affected Children. This Commission was established by an Act of Parliament of 26th January 2001 and is charged with the responsibility for facilitating the reintegration and rehabilitation of street and other war affected children into normal family and community life. The Commission has started its work in sensitizing the communities on its activities and also assessing the situations of war affected and street children. The Commission is currently constructing centers at key places in the country, where disadvantaged children will be trauma counseled, afforded skills acquisition opportunities, non-formal education and recreational facilities.

10. ESTABLISHMENT OF CHILDREN'S FORUM NETWORK

In order to give more premium to child participation as one of the main provisions in the Conventions on the Rights of the Child, the Ministry of Social Welfare, Gender and Children's Affairs facilitated the establishment of the Children's Forum Network. This forum is now functional and has established branches in the provinces. Children's participation in decision making on issues that affect them is no more a secret or taboo in this country.

With this frame work the Voice of Children Radio Station through the support of UNAMSIL Information Department has been established in-order to give children the opportunity to express their views on issues affecting their well-being.

RECOMMENDATIONS

I. That Parliament and Cabinet speed up with the harmonization of the Convention on the Rights of the Child with the laws of Sierra Leone.

2. **That resources be provided to help increase the establishment of Child Protection Committees throughout the country to monitor and report on incidences of child abuse and other child protection issues.**

3. **A policy on children be developed to ease the implementation of child protection activities.**

4. **More funds be allocated to the ministry for the implementation of child protection programmes.**

5. The Juvenile Justice system in the country be improved upon so that children in conflict with the law are adequately cared for and protected.

6. Remand Homes and Approved Schools be constructed and operationalized in the regional headquarters of Bo, Kenema and Makeni to address the increasing juvenile delinquencies in the regions.

7. The ministry's devastated offices in the provinces be speedily reconstructed and rehabilitated to be able to cope with the increasing welfare issues in the country.

SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION

I.OPENING STATEMENT

UNICEF has been the lead agency for child protection in Sierra Leone since 1993. Working together with other agencies to provide services to Sierra Leonean children, UNICEF supports the demobilisation of child combatants, reunifies separated children, provides psychosocial assistance to separated children, and develops and manages programmes for reintegration and long term care. UNICEF's protection mandate stretches to children in all circumstances, including street children and children in conflict with the law.

The UNICEF Child Protection Programme promotes protection of all children against violations of their rights. Its main objective is to ensure protection of

their rights as enshrined in the Convention on the Rights of the Child and other international legal instruments. In working towards this goal, UNICEF and its partners work to demobilise and reintegrate all children associated with armed groups, reintegrate unaccompanied children, provide psychosocial services for all children affected by the war, and support the sensitisation of communities on the protection needs of children.

UNICEF's child protection interventions also include emergency care and reintegration of separated children, care, protection and reintegration of sexually exploited children, promotion of child rights, and monitoring and advocacy in the area of juvenile justice. In 1998, UNICEF supported 54 agencies to form the Child Rights Violations Network to monitor, document, and advocate against continuing human rights violations against Sierra Leone's children.

The Child Protection Network, chaired by the Ministry of Social Welfare, Gender and Children's Affairs, and coordinated by UNICEF, is comprised of forty members from UN agencies, international and national non governmental organisations, and government ministries, and has been the focal point for coordination and collaboration in the area of child protection since 1996. A national Child Protection Committee was formed, with regional and district branches, to make policy for child welfare, with particular emphasis on child soldiers and unaccompanied children. In the face of immense obstacles, UNICEF and its child protection partners established structures for the demobilisation and reintegration of child soldiers, identify, register, document and reunify unaccompanied children separated by war, poverty and abuse, and provide psychosocial support to children suffering psychologically and emotionally from their tragic war experiences.

UNICEF has been the central organisation receiving and caring for demobilised Sierra Leonean children. From the moment the first group of 360 boys and ten girls were demobilised and handed over to UNICEF on May 31, 1993, UNICEF has played the key role in this effort to free child soldiers from the bonds of forced conscription and provide them with security, shelter, care, and ultimately, family reunification or foster care, and education. Since 1998, UNICEF has been a member of the Technical Coordinating Committee of the National Committee on Disarmament, Demobilisation and Reintegration (NCDDR). Its services to ex-child soldiers include services to all those who come from the fighting forces, including abductees and young "wives." Once a child entered the program for protection of former child soldiers, they were screened and placed in an Interim Care Centre (ICC) as close as possible to the place where the child would be reunified with their family and community. In the ICCs children are provided with immediate care until such time as they can be reunified with their families, such services including basic supplies, medical services, trauma counselling, family mediation, education and skills training opportunities and recreation. As part of

the assessment the stores and background of the child were carefully assembled and recorded.

UNICEF's family tracing and reunification activities aim to reunify all children with their families and communities, and include a focus on education, skills training, and follow-up support for the families. Nonetheless, there have been times when a child cannot be reunified with her/his family, either because of the failure of the tracing mechanisms, because of ongoing insecurity in the region of origin, or because the child may have been rejected by her/his family. UNICEF and its partners have been doing their utmost to ensure proper and comprehensive long-term care for children in this tragic situation.

II. IMPACT OF THE WAR ON SIERRA LEONE'S CHILDREN

The reports of brutality committed in Sierra Leone during its ten-year civil war reverberated throughout the world. After numerous false hopes of a lasting peace over the years, a cease-fire finally took hold in January 2002. At the time of writing of this submission, Sierra Leone has maintained its grasp on a fragile peace, and scores of international and national agencies and institutions have been doing their part to ensure that the horrors of the past do not recur.

No one has suffered the devastating effects of such widespread systematic brutality more deeply than Sierra Leone's children. Particularly vulnerable to abuse, children in Sierra Leone were violated in deep and lasting ways, some too awful to be adequately described in words. Sierra Leonean children have been murdered, mutilated, tortured, raped, beaten, enslaved, and forcibly recruited into fighting factions. The wounds, both physical and psychological, inflicted upon them will leave permanent marks on them and their families, as well as on the entire Sierra Leonean community and indeed, all humanity. In some ways it is as if a new level of cruelty has been attained in this war, setting the bar lower than ever imagined and eschewing international efforts to put a limit on the commission of such outrageous crimes against humanity.

UNICEF and other child protection agencies faced great obstacles in their efforts to protect children from the relentless war and the concurrent gross violations of children's rights. Access to children in areas of the country at war often made identification and documentation of unaccompanied children as well as reunification of those already identified impossible. Communities and families, the primary caretakers of the children, were systematically damaged and destroyed, weakening if not shattering their ability to reintegrate or support their children. Child protection and support staff themselves were victims of human rights violations, making them unable to assist themselves and their own families, and certainly preventing them from providing any support to separated.

The extent of the damage has yet to be assessed. When we speak of children and the impact of such violations upon them, we cannot talk only of statistics or

of apparent physical consequences. We are talking about attempts at destroying the very humanity that these children have been born with. We talk about not only violating their rights as enshrined in international law, but about denying them the very right to exist as what they are -- children. The damage to them as human beings will resound for them and for their families and communities for years if not generations to come. We have an obligation to protection for them against future brutality, to do our utmost to protect their basic human rights, and if at all possible, to bring back their hope in a better future.

The war in Sierra Leone has had a devastating and permanent impact on children and their families. Children have been forcibly abducted from their families and held in abominable conditions, mistreated both physically and sexually, and denied basic human needs. They have been forcibly conscripted into military and paramilitary activities and forced to commit heinous acts against others, often drugged, all the while undergoing brutal treatment by their superiors. Girls have been captured as sex slaves to serve as "wives" to combatants who treated them with the utmost cruelty. Children of all ages have been separated from their families, in many cases never to be reunited. Many have grown up in abominable conditions both in Sierra Leone and in neighbouring countries as refugees.

The special needs of children combined with the depth of their suffering means that it will take years if not generations for the wounds to heal. The risks are great and further damage can be done in the process if it is rushed or if we are careless. Truth telling can heal and contribute to reconciliation; but truth telling can also hurt and spur renewed violence. Sierra Leonean children deserve a post-war process that both protects them and supports them; one that both includes them and accurately documents their suffering, while protecting them against further traumatisation and retaliation; one that provides a basis for building a future based on their best interests, ensures access to education, and with that, full respect for their rights.

The first step towards this end is to ensure that they are given an opportunity to tell their story. It is a story not easily told. It is a history which will inevitably be incomplete, with a gaping hole left by the missing stories of children who were killed and disappeared. The focus of our documentation must of course be the children themselves, if they are willing, and if the process protects them. This submission is written based on UNICEF's own documentation, while at the same time corroborating and endorsing the reports of other key institutions who have been monitoring and documenting child rights violations during the war, and whose reports are cited herein. In support of their own truth telling, UNICEF hereby submits this overview of the impact of the war on Sierra Leone's children.

III. INTERNATIONAL LAW AND CHILD RIGHTS

Sierra Leone is party to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights, (ICESCR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Geneva Conventions of 12 August 1949, and the African Charter on Human and Peoples' Rights. Sierra Leone ratified the Convention on the Rights of the Child in 1990, and its Optional Protocol on the Involvement of Children in Armed Conflicts as well.' It has also ratified the Rome Statute of the International Criminal Court and signed the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment.

Although the Government of Sierra Leone has committed itself to upholding the provisions of these documents, it has failed to incorporate their precepts into national law or to adjust national legislation to meet the standards set by its international obligations.

The International Covenant on Civil and Political Rights (ICCPR), Article 6(1), states that "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." Article 7 states that, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment," and Article 8(1) states that, "No one shall be held in slavery; slavery and the slave trade in all their forms shall be prohibited." Article 9 goes on to say that, "No one shall be subjected to arbitrary arrest or detention." There are particular provisions of the ICCPR which deal with the protection of the family unit and of children. Article 23 holds the family to be the "natural and fundamental group unit of society" which is thus "entitled to protection by society and the State." ICCPR Article 24 protects the rights of children, without discrimination, entitling them to "such measures of protection as are required by [the child's] status as a minor. ,2

In ratifying the International Covenant on Economic, Social, and Cultural Rights (ICESCR), Sierra Leone has committed herself to "ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights" (Article 3), to afford "the widest possible protection and assistance ...to the family"(Article 10.1) in particular to take "special measures of protection and assistance ...on behalf of children" (Article 10.3) to "to recognise the right of everyone to an adequate standard of living ...including adequate food, clothing and housing," (Article 11.1) and to "recognise the right of everyone to the enjoyment of the highest attainable standard of physical and mental health" (Article 12.1).[3]

' Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts, www.unhchr.ch/thml/menu2/6/protocolchild.htm.

[2] International Covenant on Civil and Political Rights, GA Res. 2200 A (XXI) December 16, 1966, entered into force March 23, 1976.

[3] International Covenant on Economic, Social and Cultural Rights, GA Res. 2200 A (XXI) December 16, 1966, entered into force January 3, 1976.

The African Charter on Human and Peoples' Rights, to which Sierra Leone is a party, states that "Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right." (Article 4), and prohibits "All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment" (Article 5), and Article 6 protects every person's "right to liberty and to the security of his person," adding that "no one may be arbitrarily arrested or detained." Article 18 provides that "the family shall be the natural unit and basis of society," and requires the State to "ensure the protection of the rights of the woman and the child as stipulated in international declarations and conventions .,,4

The pre-eminent international document for the protection of children's rights is the Convention on the Rights of the Child. This instrument is replete with provisions protecting the rights of children, parents and caretakers, describing the obligations of States Parties with regard to respecting those rights, and calling for broad ranging measures to guarantee that the best interests of the child are guarded.[5]

Common Article 3 of the Geneva Conventions, which governs conflicts "not of an international character," states that

> Persons taking no active part in the hostilities ...shall in all circumstances be treated humanely, without any adverse distinction based on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above mentioned persons:
>
> a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
>
> b) taking of hostages;
>
> c) outrages upon personal dignity, in particular humiliating and degrading treatment;
>
> d) ...the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees...[6]

All armed groups that fought in the Sierra Leone war are responsible for deliberate and outrageous breaches of their obligations under international law. According to the extensive documentation of violations conducted by both international and national human rights and humanitarian organisations, the RUF and the AFRC were responsible for the bulk of violations committed against children. Nonetheless, systematic and horrific abuses were committed by the pro-government CDF and their powerful Kamajors, as well as by ECOMOG forces.

The provisions of the ICCPR, the ICESCR, the CRC, the Torture Convention, CEDAW, the African Charter on Human and People's Rights and the Geneva Conventions were systematically and egregiously violated during the war in Sierra Leone, with total impunity. The very crimes prohibited by international law were flagrantly committed during the war, targeting all civilians including children. Children were victims of killings, sexual violence and sexual slavery, forcible recruitment of child soldiers, abductions, use of human shields, illegal detention, torture, amputations and mutilation, and exploitation, in spite of the fact that any such acts are breaches of international law.

The Sierra Leone government has ratified these international instruments, and thus all factions and armed groups acting under the authority of the state are directly bound by their provisions; yet they have acted in direct and systematic contravention thereof.

The ICCPR, the Torture and Slavery Conventions, and the Four Geneva Conventions have risen to the level of customary international law. As such, their provisions are inviolable by any and all state and non-state actors, irrespective of formal ratification. The rebel RUF and AFRC are bound by these provisions, and have outrageously and methodically violated their precepts.

Under the Geneva Conventions, states are obliged to bring perpetrators of violations of the Conventions to justice. Each of the four conventions has a provision requiring States to "enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention." The Conventions furthermore holds that each State "shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. [7] Grave breaches of the Geneva Conventions are described as "wilful killing, torture or inhuman treatment ...wilfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly. [8] In addition, the Outcome Document for the UN Special Session on Children called for an "end to impunity" and prosecution of those responsible for international humanitarian law violations. Within the current context of simultaneous efforts at truth telling and reconciliation by the Truth and Reconciliation Commission and prosecution of those who bear the greatest responsibility by the Special Court for Sierra Leone, there is enormous potential for prevention of a repetition of the conflict, healing of the nation and rebuilding of society, all goals of the TRC.

IV. HUMAN RIGHTS VIOLATIONS AGAINST SIERRA LEONE'S CHILDREN

a. Multiple Abuses

Most children in Sierra Leone suffered numerous abuses, compounding their suffering and trauma. In July 1998, in Port Loko, a seventeen year old girl was caught by the RUF hiding in the bush, carrying her one and a half year old infant on her back. The rebels demanded food from her, but she had none. The perpetrators raped her, amputated her right hand, and killed her baby in front of her. One mother of a two and a half year old girl and five year old boy reported that in Kenema in April 1998, as part of "Operation Pay Yourself," the rebels found their bush hideout. The rebels looted all their belongings, and were forced to stay in the wooden hut which was their hiding place. The rebels then set fire to the hut, and when she was fleeing the fire the children fell into the flames. Both survived but with devastating burns. In July 1998, a thirteen year old boy in Kailahun was asleep next to his elder sister when she woke him and told him they had to flee to the bush. In the bush they were ambushed by a group of rebels. The boy's sister was sexually abused and then killed by the rebels in front of him, and the rebels then shot the boy in his leg, and left bleeding. ECOMOG soldiers found him and took him to the hospital. In October 1997, while an eight year old girl and her mother were attempting to escape from an attack by RUF rebels in Kenema District, the mother was raped and killed with a machete, and the child was tortured and tied to a stick.

b. Killing

Children were routinely and relentlessly targets of summary killings by rebel forces and pro-government troops throughout the war, in flagrant violation of the international law. Parents and other relatives who tried to protect their children were killed in the act, and the children subsequently slaughtered.

Child rights monitors documented horrific reports of brutal killings of children, often infants, throughout the war. Children became victims of both deliberate and arbitrary killings which often were the final step in a barrage of other violations they suffered. Abducted children were tortured, sexually abused, forced to commit heinous violations against others, mutilated or amputated, and finally killed.

Between February 15 and 24, 1998 alone, 111 children were killed in the Bo area during rebel RUF/AFRC attacks. Between April 1 and June 20, 1998, out of 265 war wounded patients brought to Connaught Hospital, one quarter were children.[9]

International human rights monitors documented what appeared to be a pattern of attacks targeting pregnant women and girls. Many pregnant women were shot in the abdomen, were found dead with their foetuses cut out of their wombs, [10] or were disembowelled."

The Child Rights Violations Monitoring Network documented hundreds of cases of killings of children; the stories are appalling. In August 1998, in the Northern Province, a one and a half-year-old baby boy was pulled by rebels from his

mother's arms, and before her eyes, cut into three pieces. In Bombali District in February 1998, a seventeen-year-old boy was killed by RUF/AFRC rebels when intervening to protect his sisters from rape. In Kono district in April 1998, a twelve year old boy left his home in search of some salt. On his return, he was caught by RUF rebels, who took the salt from him and killed him.

In February 1998 in Kenema District four children, ages seven, ten, seventeen, and eighteen were reportedly burned alive by rebel forces when their house was burned to the ground.

Children were also witnesses to horrific killings, often of loved ones, in their presence. In June 1998, in Pujehun, a fifteen-year-old boy was present when rebels killed his mother and father with machetes. Just following the killings, the rebels shot him in the left leg. The child was unable to seek proper medical care, and the bullet fragments remained in his leg for five months, causing permanent damage. A seventeen year old boy in Kailahun district reported that in July 1998, rebel **RUF/AFRC forces** entered his house shooting in all directions, killing his father and elder brother and shooting him in the leg. He later reported that he had been witness to numerous amputations of small children, as well as to the cutting open of pregnant women's stomachs.

c. Sexual Violence

Because of the way in which rape and sexual violence attack the very essence of the survivors, their families, and their communities, rape, as well as other forms of sexual violence, is considered to be an instrument of genocide, a means of torture, a crime of war, and, when committed as part of a widespread attack against a civilian population, a crime against humanity. International standards have finally acknowledged that a crime of sexual violence is an attack against the physical integrity of the victim, and not an attack against the personal dignity of the victim. It is the personal dignity of the perpetrator which is destroyed in the act of committing rape, and the physical integrity of the survivor.

The precise number of child victims of sexual violence is extremely difficult to establish due to underreporting and an absence of comprehensive medical statistics. Survivors may fear retaliation for disclosure, stigmatisation or rejection, may experience guilt feelings, or may be psychologically unable to deal with the consequences of disclosure. *12* What is clear, however, is that sexual violence during the Sierra Leone war was perpetrated on a horrifically wide scale, and in blatant violation of the precepts of international law. The United Nations Special Rapporteur on Violence Against Women, Ms. Radhika Coomaraswamy, has stated that "systematic and widespread rape and other sexual violence has been a hallmark of the conflict in Sierra Leone. Sexual violence in the context of armed conflict is a "means of demoralising [sic] individuals, families and communities and is used as a weapon to disable an enemy by dissolving bonds between family and society.

Gender based violence against girls is the type of violation that was committed both independent of, as well as in conjunction with, other abuses against children. Girls were raped or otherwise sexually violated and then killed. Girls were abducted and held in illegal detention for lengthy periods of time, and repetitively raped and gang raped, while held in forced labour. Girls were beaten and tortured before during and after the commission of acts of sexual violence against them. Girls were mutilated by their captors while being sexually abused or raped.

Girls were individually raped and gang raped at gunpoint or knifepoint by AFRC/RUF combatants, raped using objects including guns and sticks, and cut. Family members were often forced to witness these acts of sexual violence, helplessly standing by while their daughters and sisters are brutalised. In other cases male family members were forced to commit such acts against their female relatives; refusal meant instant death or amputation. [15] Sexual violence was often performed as an act of retaliation or punishment for failure to comply with orders given by rebel combatants.

Rebel forces subjected girls of all ages, ethnicities, to rape, particularly and openly targeting young women and girls whom they believed to be virgins. Rebel forces often entered private homes looking for virgins girls, often girls as young as four, who were thereafter given to young fighters. [16] Human rights organisations documented cases where girls were "checked" prior to being individually raped or gang raped to verify their virginity. Girls who were "virginated" suffered societal and cultural consequences of this violation in addition such as a decreased likelihood of marital eligibility, due to the high value Sierra Leonean society places on virginity.[17]

Rebel forces often used objects such as weapons, burning wood, and hot oil, to rape young women and girls, which often led to the girls' deaths. Some girls reported that the rebels put hot pepper in their vaginas as punishment based on accusations of having been a "wife" to an SLA soldier. [18]

In February 1998 in Bombali district, two sisters ages seventeen and fifteen were home with their parents sleeping when they heard gunfire around their house. Armed men commanded them to open the door. The men entered, dragged the girls to the floor, and raped them both in front of their parents. In Kono District in April 1998, a twelve-year-old girl and her parents were abducted by the rebels. The child and her mother were raped in front of her father, and the girl suffered permanent physical injuries. In April 1998, as a result of harassment by rebel forces, one family decided to relocate to the interior of Kono. In the village they moved to, they were attacked and forcibly gathered in a public area along with many others. The RUF commander reportedly announced that all girls under the age of fifteen would be detained "because the `Pa' needs young girls to satisfy his sexual urge." The fourteen-year-old daughter of this family refused,

and was thus tortured and raped as punishment for refusal. She was forced to remain with the `Pa' and perform household chores as well.

These children suffered severe trauma, in addition to disease and internal injuries.[19] Many girls were wounded by their captors to prevent their escape, including having their legs and/or feet cut.[20] Often those that became pregnant were sent home by their perpetrators, only to find their families dead or gone, or to be rejected by their relatives.[21] Others were forced to abort, in particular if their childbirth coincided with a military operation that might be put at risk by the presence of an infant.[22]

During the January 1999 offensive, girls and young women were raped in public places. They reported being rounded up each night and forced to report to certain commanders, who in some cases insisted that the girls' virginity be verified prior to raping them.[23] Individual and gang rape was rampant during the attack, on a scale unequalled throughout the war. International and local NGOs reported that more than 1,800 women survived sexual violence during the invasion; of these, fifty-five of them had been gang raped and two hundred had become pregnant.[24]

In response to the needs of girl survivors of sexual violence during the January 1999 offensive, UNICEF initiated a mechanism with the Ministry of Social Welfare and child protection partners to provide medical screening, services and counselling to these girls. In October 1999, the Conforti Centre for young mothers began providing interim care for the mothers and their infants, mediation with their families, and skills training.[25]

In January and February 2000, there was a surge in the abuses against civilians who had sought shelter in camps for the internally displaced in and near Port Loko. During this time, many girls reported being abducted by rebel forces and repeatedly raped and forced to perform household chores for their rebel captors.[26]

Following the September 2000 announcement by the President of the Republic of Guinea that Sierra Leonean refugees in Guinea were responsible for harbouring rebels, and thus causing the cross border attacks which had been taking place, the Guinean population retaliated against the refugees. Throughout the country, many young Sierra Leonean refugee women and girls were individually and gang raped by Guinean military, police, and gendarmes. As a result of these events and the fact that Guinea was no longer safe for Sierra Leonean refugees, many of them fled back to Sierra Leone, during which scores of young women and girls were captured by rebels as sex slaves.[27]

i. Sexual Slavery

Countless girls have been captured and held as sexual slaves by RUF/AFRC combatants. During their captivity, they were required to perform other tasks

such as cooking and washing, and caring for young children held with them in captivity. These women were referred to by the rebels as their "wives," mistreated, abused, and raped at will by their captors, and forced to stay with the combatants as they moved from place to place during the war.[2$]

Abducted girls were forced to have sex with whoever demands it whenever it was demanded. Many reported being "shared" by the combatants, and some reported having "attached" to one combatant in an attempt to protect themselves against gang rape. [9] Girls are reported to have spent years with the rebels in captivity, even in some cases getting pregnant and giving birth during this time. There are many girls who remain to this day in captivity, under the control of their rebel "husband."

There are reports of girls as young as four years old being abducted and forced into sexual slavery. Many of these girls bled to death as a result of rape.[30]

During the January 1999 offensive, rebel commanders identified virgin girls, usually between the ages of twelve and fifteen, and ordered them to report to them each night, where they would be raped and otherwise sexually abused.[31]

Acts of gender based violence against girls have resulted in both physical and psychological trauma, and in often irreparable harm. Many girls have bled to death as a result of injuries caused by perpetrators of sexual violence against them; others have acquired sexually transmitted diseases such as HIV/AIDS. Still others have become pregnant only to be raped again and miscarry. Many girls who became pregnant were released, as their captors did not want to deal with the excess burden of the baby[32] and the decreased capacity of the mother to perform hard labour.

Girl children who were abducted for use either as fighters, sex slaves, or "wives" have not figured highly among the numbers of demobilised children. The reason for this is that many such girls who have been held for long periods of time are afraid to return to their families and communities. They have feared that they will be reject due to either the sexual abuse they have suffered, the time they spent with rebel forces who may have subjected the girls' family and/or community to violations, or that they will be accused of ongoing allegiance to their captors. Between 1999 and April 2002, only 8% of the total number of released and demobilised children were girls, and this number sank to only 3% during the last demobilisation phase in November and December 2001.[33]

Many girls and women who survived rape continue to suffer the physical consequences. Young girls who have given birth so young often suffer from vesicoor recto-vaginal fistula (VVF), proven to result from rape and childbirth prior to the mother's maturity.[34] VVF is a breakdown of tissue between the bladder and the vagina, which results in urinary incontinence, which in Sierra Leone usually renders a person a social outcast.[35] This condition is permanent without access to surgical procedure, which is not available in Sierra Leone.

Gender based violence committed against girls was more than an attack against the individual survivors; it was an attack against their families and communities. Indeed, it is an attack against their present and their future, destroying their ties with home, threatening if not destroying their hopes of normal family life and often taking away their possibility of having children. Gender based violence is an attack against the survivors' dignity, which they may never be able to regain. When committed on such a widespread scale, as was the case in Sierra Leone, it is indeed an attack against their very humanity.

e. Child Soldiers

Throughout the war in Sierra Leone, children as young as seven were forcibly conscripted into fighting factions, both by rebel forces as well by pro-government troops and militias. Children were brutally abducted from their homes and families, held in abominable conditions, systematically mistreated and denied their basic rights, forced to take up arms and commit heinous crimes against others. Rebel forces as well as government troops engaged in child recruitment on a massive scale, with more than six thousand recruited as fighters and a similar number recruited for forced labour and sexual slavery.[36] Both the rebel RUF/AFRC and the Civilian Defence Forces (CDF), in particular the Kamajors, were responsible for widespread recruitment of child soldiers, in blatant violation of international law. It is estimated by UNICEF that almost 7,000 children were associated with fighting forces in Sierra Leone during the ten-year war.[37]

Although no exact details can be obtained UNICEF Sierra Leone holds the impression that a large proportion of the girls held by the fighting forces were used as fighters.

Often, child recruitment took place via village elders, who were politically pressured to hand over a certain "quota" of children as soldiers, or risk credibility within the community. The children themselves were often convinced to believe that fighting to defend their communities was their civic duty.

Children were viewed by their captors as fertile ground for recruitment as combatants, as they were seen as easily manipulated and obedient.[38] New recruits were forced to walk enormous distances to the training camps, and many did not make it. Those that survived joined others who had been previously recruited, and those that resisted or tried to escape were put to death.[39]

Taking advantage of their vulnerability, child soldiers were frequently given retraining and indoctrination to make them as fearless as possible. Their inauguration into the fighting forces often involved a ritualistic initiation. This was especially the case for those children recruited by and initiated into the traditional hunting groups of the Civilian Defence Forces (CDF), who believed children to have magical powers. When the magical powers of these children

were bestowed upon them or strengthened through initiation ceremonies, the children were often told that it made them "bullet proof," a belief that was intended to make them entirely fearless.[40]

During the military training, some boys were given war names, in an ostensible attempt to make them feel a sense of belonging and power.

Separated children, and those that had previously been recruited and then released, were particularly vulnerable to recruitment or re-enlistment, and were thus particularly sought out by the RUF/AFRC for recruitment.[41]

Many child soldiers interviewed by international human rights organisations reported that they were forced to drink alcohol and take drugs to numb their fears, in order to ensure their willingness to carry out acts of brutality.[42] Child combatants were put on the front lines and forced to commit crimes against their own communities, making it difficult if not impossible for them to return home due to traumatisation, feelings of culpability, and an unlikelihood of acceptance by their communities.[43]

Forcibly recruited children were usually placed under the authority of a military commander or officer, whom the child had to obey at all costs, even upon return to the child's village. Thus, a child soldier would usually have to obtain permission from his superior officer to return to his village to resume schooling. Even then, the initiators could object to the child's demobilisation by refusing to release the child from his vows.

In many cases children were recruited at a very young age and spent years among the rebel or government forces. The length of time spent in such nightmarish circumstances, combined with their forced participation in or witnessing of heinous criminal acts, made it extremely difficult for these children to return home.

It was not always possible for child protection agencies to know which authority to deal with when advocating for the demobilisation of child soldiers. When dealing with the CDF, for example, in Bo district in 1998, CDF officials were unable to specify to UNICEF which branch of their authority structure would be responsible for negotiations with child protection agencies. This confusion was often an obstacle to efforts to obtain the release and demobilisation of child soldiers.

One contributing factor to forced recruitment of children was the absence of nontraditional schooling opportunities for children in Sierra Leone. Those children who had been recruited and thereafter released had a difficult time recommencing their schooling. Unsuccessful reintegration would result in these children being vulnerable to re-recruitment as child soldiers, which unfortunately

often took place. Teachers reported that the absence of programs for reintegration of these children into the education system contributed to their increased participation in the fighting.

Financial factors also affected a child's ability to reintegrate and re-enter the educational system he left when recruited. If the child's family was unable to pay for the child's schooling, that often was an obstacle to his resumption of schooling.

Small arms trafficking which prevailed throughout the conflict in spite of economic sanctions facilitated the use of child soldiers as such weapons and ammunition most often fell into the hands of child combatants.[44]

i. The Demobilisation, Disarmament, and Reintegration Program

With the support of the international community, the Demobilisation, Disarmament, and Reintegration (DDR) program was begun in 1998. Managed by the government of Sierra Leone with funding from a World Bank trust fund, the DDR program was intended to both disarm combatants as well as to serve as comprehensive support for ex-combatants in their transition from fighting in war to living in peace. From the start of the program in 1998 until May 2000, approximately 25,000 ex-combatants had begun the demobilisation process, out of an estimated 45,000 combatants. After the May 2000 incidents (described below in detail), many previously demobilised combatants re-joined armed groups. However, following the cease-fire of May 2001, even greater numbers began to demobilise.

In May 1993, there was an official announcement of the release of all child combatants between the ages of 8 and 17. In response, UNICEF collaborated with humanitarian agencies and the government to urgently establish three demobilisation centres, where the children were provided with basic supplies and shelter by UNICEF and food by WFP. Basic medical care was provided by UNICEF and Ministry of Social Welfare staff, and teachers were recruited to provide education and skills training. By December 1993, 56% of the children's' families had been traced by the Catholic Mission and the Red Cross Society with support by UNICEF. Forty three percent of these children returned to their families and twenty six percent dropped out of the programme, due to a combination of disappointment with the program and material benefits offered to them by child combatant recruiters. [5] By the end of this program, three hundred fourteen children had been successfully demobilised and reunified with their families. A few Interim Care Centres (ICCs) were established by UNICEF in 1993 in response to the demobilisation of children from the SLA.

As of August 1994, 57% of these children were in touch with social workers. Of these 180 children, by this date, forty percent were attending school, 18 percent were in skills training and twenty percent were engaged in domestic activities.

The remaining twenty-two percent were either re-enlisted or were living on the streets.[46]

By 1996, though precise statistics were not available, estimates of child combatants approximated 3,200 child soldiers affiliated with the RUF, and 1,000 with the CDF. UNICEF estimated at this time that among this number of RUF child soldiers, half were engaged in active military activities and half were in forced labour.[4'] In response to the ongoing abduction of children by the RUF and recruitment by CDF, a programme for the reception and demobilisation of children from the armed groups was formed and registered 150 child soldiers. Simultaneously, a National Child Welfare Forum was formed within the Ministry of Social Welfare to deal with child welfare policy issues .[48]

The 1997 coup and subsequent junta rule saw a major increase in the levels of abductions and forced recruitment. The Child Protection Committees were overwhelmed, but managed to obtain the release of 340 children from RUF, as well as agreement by the fighting factions to release all children under the age of ten. Nonetheless, this process was halted when the coup was overthrown, and UNICEF estimates that child protection agencies at this point lost their power of negotiation over the release of approximately 2,000 children from the AFRC/RUF. Many children were subsequently killed, others remained with their RUF captors, still others were arbitrarily arrested and detained, and many fled the country to become refugees in Guinea. UNICEF suggested that during this time, the primary hindrance to the work of the child protection agencies was the widespread animosity against these child combatants based on their (involuntary) association with the RUF.[49]

Between September 1997 and January 1998, over 90% of the 340 children who had been released by RUF were reunified with their families.[5°] Child protection agencies became particularly concerned about the child soldiers recruited by the CDF.

Between **August 1998** and June 1999, the first phase of DDR took place, during which children who were demobilised were given over to child protection agencies. UNICEF and its partners placed these children temporarily in centres or in foster care as close as possible to the targeted reintegration communities.

Children from the fighting forces enter into the programme through different channels. Since late 1999 the majority of the children have entered into interim care from the demobilisation centres but many more have either been captured and handed over to UNICEF by the security forces, were part of a negotiated release/handover or were picked up by UN military observers on patrol. Irrespective of the way they enter the programme, after screening children will be placed in an interim care programme located in their area of possible reunification.[51]

UNICEF built on the few already existing Interim Care Centres and created additional ICCs for child ex-combatants, which provide them with shelter, basic needs, tracing registration, mediation with families to support their reintegration, counselling and medical care, education and skills training orientation, recreation, and preparation for transfer to home community or foster care.[52] The ICCs have been managed by a team consisting of UNICEF, its child protection partners, and the Ministry of Social Welfare, and were created as "new structures to respond to the DDR programme."[53] They were to serve as an interim support for the transition between demobilisation and reintegration.

Between January and May 2000, less than 25% of the estimated 5,400 child combatants had been released and demobilised, and the reintegration of the 25% who had was slow. At this time, there were four operational demobilisation centres, which, with the interim care centres, provided for the 1,232 children who had been demobilised, most of whom came from the AFRC/Ex SLA and had reported to DDR in Port Loko.

The transition of the children from demobilisation centres to interim care centres at this time was severely hampered by procedural delays. This left children who were in demobilisation centres exposed to ongoing pressure by their former commanders, especially because child ex-combatants were not always separated from adult excombatants. The reason for this mingling of adults and children was the difficulty of identifying camp followers (family members of combatants who travelled along with the armed groups and/or joined them in the demobilisation centres), abductees, and child soldiers from among the families of the demobilised adult combatants who had come to live with them in the demobilisation centres. Child camp followers were particularly at risk due to the absence of programs to assist them, and the inability to distinguish between child ex-combatants and camp followers often denied both groups access to services. Commanders, used to being in positions of military power, used their influence to keep as many children as possible under their control in the camps. Commanders used their influence to block attempts at identification of child combatants and girl "bush wives," who consequently were afraid to take the risk of leaving the camp for fear of reprisal.[54] Those children who could be identified by child protection agencies were either reunified with their families immediately or placed temporarily in interim care centres.

The disarmament was proceeding very slowly, in particular with regard to the demobilisation of the RUF. In May 2000, following the hostage taking by RUF of 500 UN Peacekeepers, and the civilian deaths at a demonstration in front of RUF leader Foday Sankoh's house, the situation degenerated. Many children left the interim care centre at Makeni, coerced into returning to the ranks of the RUF. Others fled with their caretakers to seek safety. From the ICC in Lunsar Town, many of the 200 children in the ICC children ran away when the rebels came in, but most were able to regroup one week later and made it to safety in Freetown.

The ICC in Waterloo, with thirteen separated children and fifteen demobilised child soldiers, relocated due to the arrival of the rebels, and some older girls were even too afraid to remain in the ICC; they were housed temporarily in an NGO office. The forty-seven children from the ICC in Daru were also relocated due to rebel incursions. In the southern provinces, at this time a safer area than the others, children housed in the ICCs nonetheless were targeted in retaliation for previous participation in RUF activity, as were any organisations or individuals who assisted these children. It was a time of immense fear, which compounded the trauma of the children.[55]

By September 2000, the DDR program estimated the number of children recruited by the RUF/AFRC and in need of demobilisation to be much higher than they had originally thought, due to a lack of access to over half of the country at the time.[5s]

Children who agreed to be reintegrated often faced an additional trauma upon returning to their families. At times members of the family might have been killed, others might be disappeared and yet others may have fled to seek shelter in neighbouring countries. Children returning to their families might have sustained themselves through their suffering with memories of home. The shock of returning to a home which has dramatically changed, in particular where close relatives have been killed or have since died, had a drastic impact on these children.
The Special Representative of the Secretary General for Children in Armed Conflict visited Sierra Leone in June 1998. During his visit, the Sierra Leonean government committed to ceasing recruitment of all children under eighteen and ensuring demobilisation and protection for child combatants. But merely one month later, the CDF was reported as continuing to recruit child combatants.[5]'

By late 2001, the demobilisation and reintegration process for children was more efficient than before. However, children still stayed in the ICCs for much longer than originally foreseen.

The long lasting repercussions on these children of the violations they suffered cannot yet be assessed, but the immediate impact upon them was clear, and shocking, to child protection staff working with them in the ICCs. UNICEF staff documented the condition of the children in the Interim Care Centres, reporting that child mothers recently demobilised were often depressed, which impacted on their ability to care for their children. Children often had difficulty paying attention during schooling and thus frequently failed their classes. When asked about his school difficulties, one boy reported that he believes education has nothing to offer him after so much lost time. Others appeared merely to have lost interest and thus have difficulty paying attention. Some boys acted tough, hardened, aloof, and/or withdrawn. Children reported being called "rebel" by others, which made them either prone to retaliation or more reclusive, depending upon the child.

Other children were reportedly aggressive and confrontational, and had difficulty forming ties with people. Some were described as troublesome, bullying other people, verbally abusive and disruptive.

Some children cared little for appearance and hygiene.

Many of the children expressed fear of reintegration in anticipation of recriminations or acts of retaliation. One eighteen year old told a UNICEF reintegration officer that he would like to go back to his family but is worried about his personal security. This boy's father was a Kamajor commander, and the boy did not feel safe returning to his own home due to his recruitment and demobilisation after six years with the RUF. Often no family came forward, children had to stay for extended periods of time in the ICCs.

Many children were forcibly recruited by one-armed group only to be captured and retrained by an opposing armed group fighting against the original one. This put the children at risk of re-recruitment no matter where they went, as well as in fear of retaliation from several armed groups and/or from victims of violations committed by either group they were forced to join.

A child's behaviour often improved dramatically upon news of the location of previously separated family members.

Those children who did not have a safe and secure family environment prior to the war had their suffering dramatically compounded by the years of cruelty they experienced as child combatants. Children such as this also often had no where to go following demobilisation and their time in the ICC; even if family could be traced, returning to them was often not an option. These children, during the war, were at great risk of re-recruitment, due to their vulnerability and intense need to feel a sense of belonging.

Particularly despondent were the children who had been recruited as young as 7 and demobilised as teenagers. These children often were confused, disoriented, conveyed facts and information wrong, and were frequently unable to tell the difference between fantasy and reality. One ten-year-old boy described his mother as having four eyes and claimed he himself was twenty years old. Others gave conflicting and confused information about their place of origin or the last known location of their relatives.

Children were regularly reluctant to attribute their feelings to the traumatic experiences they had survived, choosing instead to ascribe their behaviour to a physical condition. One boy repeatedly stated that "there is something wrong in my head."

Another 16-year-old boy, when asked about his violent behaviour towards other children, said that he sees ghosts of his mother, who make him turn violent.

Drug use at the ICCs was common. Though the children consistently denied this when confronted, attributing their erratic behaviour to the drugs with which they

were injected in the bush, the evidence of drug use was frequently obvious. One seventeen year old boy who had spent nine years with the rebels admitted to using drugs, saying that they "open up my mind." This boy often slept through entire days. He also wet his bed nightly, a symptom associated with post traumatic stress disorder.

Children in the ICCs described gruesome crimes they were forced to commit, often under the influence of narcotics. One boy talked about his participation in the attack on Freetown in January 1999, and another said that he had killed his mother and grandmother. Many suffered from immense guilt associated with the crimes they committed, and had consequent nightmares.

The reintegration of children associated with fighting forces was a monumental challenge. Many children had been brainwashed and deeply involved in the fighting and commission of atrocities. Child protection organisations worked with local community leaders and families to convince them of the importance of reconciliation and forgiveness. Families were often more ready to accept the reintegration of their children than the communities were, leading child protection staff to involve tribal leaders, who engaged the communities in traditional cleansing ceremonies.[5$]

Child protection agencies were far less successful in addressing the needs of girls associated with fighting forces than boys.[59] Many girl "wives" had been with their captors for years and had given birth to babies. In DDR Phase Three, the "fast track period," ex-combatants were permitted entry into the demobilisation camps without their "families," which cut off a key means of access to their abducted "wives." Thus, child protection agencies only acquired access to girls who came to the camps of their own volition, a rare occurrence at best. There were no means in the planning of the process for the active searching out and "rescuing" of abducted girls.[6o]

Girls who did make it to the ICCs usually stayed there far longer than boys. Many of these girls were young teenage mothers whose families would have accepted them back but not their "rebel child," as such infants were frequently called. Girl mothers in this situation were unlikely to be placed in foster care, and attempts to place their infants in foster care to permit the mother to engage in education or skills training were usually unsuccessful. There were also some girls who viewed their commanders in a positive light, even revering them, convinced that these commanders had saved their lives. Child protection agencies found themselves in the uncomfortable situation of having to ensure that they do not antagonise the commander "husbands," which in these cases was likely lead the girls to refuse to give their names for family tracing.

A chart detailing the numbers of children who entered the ICCs per year is included in the section on statistics below.

Reintegration of demobilised children was not always a smooth process. Child protection agencies reported that younger children adapted more easily to reunification with their families than did teenagers. Children who had spent extended periods of time, such as several years, with their captors were also less likely to reintegrate successfully. Particularly difficult was the reintegration of girl "bush wives" who had spent years with their commanders. Many of them had borne children, and some had been provided with access to supplies and food which was markedly more than what their families could provide them upon reintegration. In some cases, some children left home again following unsuccessful reintegration, to rejoin their captors in the bush. Teenage boys who had spent years as child combatants and who were unable to find activities to interest them in their communities were often left susceptible to re-recruitment by armed groups, even by commanders who have joined rebel forces from neighbouring countries. Child protection agencies also said that many children had not gone through the child protection network. For these children, it is more difficult to monitor and document what became of them.

f. Abductions

Human rights violations during the Sierra Leone war were often committed in contexts in which the perpetrators gained total control over their victims, leaving them at the complete mercy of their captors. Thus, abduction was often the first abuse committed against children; thereafter, their liberty completely restricted, the victims were subjected to other hideous violations such as killings, torture, sexual violence, amputation, mutilation, and forced labour. In fact, most human rights abuses described in this submission took place in the context of abductions, even if the abduction was for a brief period of time.

Abductees were not only victimised themselves, but were also forced to witness killings and brutality against others, committed in their presence by their captors.[6]'

Adolescent girls were often abducted and held for the purpose of caring for younger children who had been abducted and who were being held by rebel forces.[62]

Youths and children were abducted by combatants and forced to work for them, carrying loads, and performing domestic chores. Young girls were captured and kept as sexual slaves.

The Child Rights Violations Monitoring Network reported on innumerable cases of abductions and other abuses committed in the context of abductions. In 1996, in Bo District, a fifteen-year-old boy's mother was killed by the RUF. The boy and his father fled to Bo. One day the boy went in search of food in a village, where he was abducted by RUF rebels. He was tortured, amputated and severely wounded on his neck and legs by the RUF, and left to die. He remained without

assistance in the bush for five days until he was discovered, and has suffered severe permanent disabilities. In December 1996, an eight-year-old boy in Tonkolili District was on his way to morning prayers with his father when the rebels started firing at them. The father and boy ran, but the boy was caught by the RUF and abducted. In May 1998 in Kono District, two brothers ages fifteen and twelve got separated from their parents and were captured by rebel forces. They were used as forced labour, until they became too exhausted to continue. A friend who was with them at the time reported that the rebel captors told the boys that if they do not continue, they will be killed. Sadly, the boys were simply unable to go on, and were summarily killed on the spot.

Also in Kono District in April 1998, a man left his family to go in search of food. While he was gone, the RUF went into the bush looking for people hiding, and they came upon the boys. The rebels abducted and disappeared the man's three children, a boy aged seven, and two girls ages nine and twelve. In another case during the same month in Kono village, a family of four was hiding in the bush when they were encountered by the RUF rebel forces who were looking for food. Civilians were fleeing in all directions, but the two children of this family, a five year old boy and a thirteen year old girl were abducted. The father reported with complete desperation that he heard the children crying but that he was unable to respond for fear of his life.

Following the attack on Freetown of January 1999, more than four thousand children were reported missing, most of whom were abducted. An estimated 60% of these children were girls, the majority of whom were reported to have been sexually abused.[63] These children were taken to be used as human shields, camp followers, and "wives," and many were forced to pick up the weapons of those already killed and forced to commit human rights violations against other innocent civilians. Many of these children did not survive the treacherous journey on foot, but those that did joined other child combatants who were previously abducted. The new recruits were trained in the use of weapons, and those who were unable or refused to learn were summarily killed, or tortured and branded.

g. Torture

Torture formed a tragically common part of violations against children, and was committed routinely in the context of abduction and detention. Scores of child victims died as a result of torture. The means and methods used by the perpetrators of torture had no limit and were at times too gruesome to put into words:

Children were often tortured based on associations with armed groups. Following the overthrow of the 1997 coup and nine months of junta rule, many former

child soldiers were tortured, and even killed, by CDF and other pro-government armed groups in retaliation for their association with the RUF.[64]

The reports of torture of children are appalling. In February 1998 in Bombali District, AFRC/RUF rebels forced their way into the home of four teenage boys (ages fourteen, fifteen, seventeen, and eighteen), expelling the boys and their father. Two days later, the father sent the boys back to the house to collect some necessary items. The boys were met by the rebels who stopped them, tortured them, and left them to die. The boys' father returned, found the boys in agony on the ground outside the house.

In July 1998, an eight-year-old boy in Kenema was gathering wood in his village when the rebels attacked. Most children scattered, but this child hid in a hiding place but was caught. The rebels tied him up and asked him to point out to them the important people in his village. When he refused, they shot him in the leg and left him bleeding. In Kailahun district in March 1998, two boys, ages ten and eight, headed out of their home and into the bush to look for their relatives. They suddenly found themselves in a rebel ambush, and were abducted by RUF/AFRC forces. The ten-year-old was killed by being forced to drink boiled palm oil, and the eight-year-old was tortured.

h. Amputation and Mutilation

Reports of ghastly amputations committed primarily by rebel forces in Sierra Leone during the war have gained international infamy. HOW MANY of the amputees are children. Hundreds cases of child victims of amputation were documented by child rights monitors, and the stories are horrific. In one case which took place in May **1998,** in Makeni, six children, ages six, eight, nine, ten, eleven, and fourteen were in their village when the rebels attacked, killing some, and abducting others. The six children each had both hands amputated by the rebels during this attack. Many children were left to bleed to death following amputations.

Children were also branded with physical engravings by rebel forces, leaving them physically scarred for life. The branding of children was intended to prevent them from escaping from the armed groups, which had forcibly recruited them, or to gain compliance. The words "RUF," "AFRC," or "Ex-SLA" were branded on a child's chest, forehead, arms or back, and were cut into the child's body with various sharp instruments. The children were thereafter told that if they escape, the security forces would find them and kill them as a result of their identification as combatants.

Branding placed an enormous obstacle in the path of such a child's demobilisation process, as it symbolically affiliated the child permanently with the rebel group and their crimes. Thus, for example, the case of one child from Bo district who was captured by the RUF and branded with the letters "RUF" on his

chest. This child was continuously at risk of being killed by the Kamajors, for whom it made no difference that the child had been forcibly recruited into the RUF and branded against his will. It was only with the vigilant protection of the population of his village that the child was able to survive.[65] In cases where the child did not have anyone to protect him or her, children were at times killed in retribution for RUF offences based exclusively on the presence of an RUF scar on their body. One local human rights organisation reported on the case of one child soldier who was captured by ECOMOG and watched his friends, also child ex-combatants, executed by ECOMOG soldiers based on the letters "RUF" which had been branded on their bodies.[66]

Reintegration of demobilised child ex-combatants was understandably dependent upon acceptance of the community. Fear that their home communities might reject them based upon their scar made many such children hide from reunification and reintegration. Child combatants with scars were aware that their home community would likely forget the fact that their involvement with the fighting forces was involuntary, and would not distinguish between different roles they may have played among the armed groups (combatant, sex slave, camp follower.) Consequently, UNICEF and the International Medical Corps (IMC) developed an initiative to perform plastic surgery to remove or transform these scars for some of these children. The plastic surgery scar removal project was carried out over a period of six months beginning in August 2000. All children counseled before, during and after the operation by social workers. Ninety-three children were recommended for the surgery, and thirty-seven girls and forty-five boys have had their scars successfully surgically removed or transformed.

i. Sexual *Exploitation*

Sexual exploitation is perhaps the least documented human rights violation due to a commonly held misperception that such activities are permissible or consensual. In fact, entrenched sexual exploitation affected scores of young Sierra Leonean girls both during the war and after and both within Sierra Leone as well as in refugee hosting countries. In February 2002, UNHCR and Save the Children, UK, published a report entitled *"Sexual Violence and Exploitation: The Experience of Refugee Children in Liberia, Guinea and Sierra Leone.* [B7] UNICEF welcomes investigations into sexual violence and exploitation, including monitoring situations that involve humanitarian workers. This report in particular led to a follow-up series of investigations and brought the world's attention to this widespread and long-existing phenomenon.

Sexual exploitation in Sierra Leone, however, is far more common than documented in this report, and the perpetrators include not only international humanitarian workers but also Sierra Leonean teachers, religious leaders, and government authorities. The inherent power differential between a man with access to resources, however minimal, and a young woman or girl with less, or none, renders any sexual relationship between the two non-consensual sexual

exploitation. In particular in the context of the horrors of war, the desperate poverty and hunger, and the consequent enormity of the needs of civilians, men in positions of power, both Sierra Leoneans as well as expatriates, systematically took advantage of this situation for their own sexual gratification. Hiding behind the cloak of words such as "prostitution" and "commercial sex work" lurks the reality of young women and girls who are survivors of a sickeningly widespread pattern of exchange of desperately needed goods and services for sex.

j. Refugees

The history of the Sierra Leone war and its impact on Sierra Leonean children would be incomplete without reference to the experiences of refugee children in Guinea. Guinea was and remains the primary host to refugees from Sierra Leone. Most Sierra Leonean refugees initially fled across the border and settled in the area of Guinea, which extends into Sierra Leone, called the "Parrot's Beak." Over time, it became difficult if not impossible for UNHCR to distinguish between refugees and combatants in that region, and tensions in Guinea were increasing. From September 2000 until April 2001, RUF and Liberian armed forces launched cross border attacks into Guinea. In September 2000, Guinean President Lansana Conte made a public announcement accusing all refugees in Guinea of being or harbouring rebels. This speech led Guinean authorities and citizens to rise up against Sierra Leonean refugees, including children, in Guinea. Refugee camps were attacked by Guinean police and military forces, and non-camp-based refugees were detained en masse. During this time scores of refugee children were raped and many were killed or died in detention due to the abominable conditions in which they were held. As a result, many refugees fled back to Sierra Leone, only to be abducted as child combatants and sex slaves.

Guinean forces launched cross border helicopter gunship shelling of towns and villages in Kambia District in retaliation for the cross border attacks by the RUF. During the shelling, scores of Sierra Leonean children were killed. The Child Rights Violations Monitoring Network investigated reports of the dead and wounded, and found that the bodies of the dead were either quickly buried in shallow graves or abandoned, while survivors were taken to Lungi Government hospital. At the hospital, the monitors recorded nine children ranging in age from nine months to eleven years all suffering from shrapnel wounds.

In late 2001, UNHCR undertook a screening and relocation of Sierra Leonean refugees from the Parrot's Beak to refugee camps in the Kissidougou and Nzerekore regions of Guinea. Throughout their time in these camps, refugee girls as young as five became victims of rape and other forms of sexual violence at an astonishing rate considering the ostensible civilian nature of the camp. Entrenched sexual exploitation perpetrated against refugee women and girls continues in these camps to this day, with near total impunity. Each refugee camp contains several "ghettos," or drug bars, and brothels, where men go to exchange money or goods for sex, often with minor girls. Other human rights

abuses committed against both adult and child refugees in Guinea refugee camps include arbitrary arrest and detention and other due process violations, police abuse, blocking of freedom of movement. Of particular concern is the ongoing militarisation of the camps in the region of Nzerekore, in particular Kuankan camp, which houses both Sierra Leonean and Liberian refugees. Members of the Liberian rebel group Liberians United for Reconciliation and Democracy (LURD) are in positions of power among the refugee communities in these camps, causing the civilian nature of the refugee camps to be threatened. This has led to patterns of human rights violations against refugees, including reports of abductions from the camps.

IX. CONCLUSION

International legal standards clearly oblige us to call for accountability for perpetrators of the heinous human rights violations committed against children in Sierra Leone. Nonetheless, inside Sierra Leone, support for bringing the perpetrators to justice is not as widespread as one might think. Child protection staff at UNICEF were consulted regarding their impressions of children's support for accountability. Child protection staff stated that they did not encounter child survivors who asked for their perpetrators to be arrested and punished. This could be attributable to several factors. First, in most cases child protection staff have not directly discussed issues of justice and accountability with children in Sierra Leone. Second, the misinformation about post-conflict justice mechanisms - in particular the confusion over the differing roles of the TRC and the Special Court -- are likely a contributing factor in the apparent lack of support for these mechanisms. When asked whether they thought there was an aspect of fear of retaliation, child protection staff said their impression was that the ignorance of formal justice procedures was a greater factor in the absence of discussion on this issue than fear of retaliation on the part of the child survivors. Child protection staff shared their impression, however, there appears to be wider support for reconciliation processes than for prosecution processes.

There is much debate in the country on the issue impunity for perpetrators, in particular due to the first simultaneous existence of the TRC and the Special Court in one country, as well as due to the limited mandate of the Special Court. UNICEF has been playing a central role in the development of agreements between child protection agencies and these institutions, and has been supportive of the work of both and the potential contribution they can make to the situation of Sierra Leone's children. However, it is markedly difficult if not impossible to work with and get to know children who have suffered such brutality and horrific mistreatment and to not support all efforts at holding the perpetrators accountable.

The TRC has a critical role to play in this post-war period. In particular, its tasks of establishing an impartial and official historical account of the impact of the war on children, promoting reintegration and reconciliaion, creating a public forum to

allow victims' voices to be heard, and contributing to a culture of impunity will all play a central role in the recovery process for Sierra Leonean children. UNICEF supports the TRC in its task of documenting the crimes against children in Sierra Leone, in particular as a voice for the child survivors. Nonetheless, UNICEF simultaneously strongly supports all efforts to bring the perpetrators of such egregious violations to justice.

X. STORIES OF CHILD RECOVERY

Story 1 (male child):

"I was abducted at the age of 11 years in 1997 at my village in the Eastern Kono District of Sierra Leone during a rebel raid.

Immediately my rough ordeal started when like many others I was made carrier of the stolen items, and sometimes the aged from our village who got tired to trek the unknown bush journey we were undertaking. It must have taken us not less than 30 miles before we reached Masingbi, which used to be one of the main rebel bases.

At Masingbi we were addressed on the aim of the revolution, which was meant to bring freedom and hope of better life for Sierra Leoneans and the do's and don'ts of the movement. In the evening of the same day I was in a group of 60 young men and a few girls who were led out about five miles to a valley for robust gorilla training.

I learnt how to shoot, lie in ambush for long hours in places like trenches and even on trees, how to set to booby traps, and how to fire arms like AK-47 twelve inch, RPG and many more. We were given nicknames as motivation for good combative performance. Mine was `X'.[6$]

I participated in several raids on towns and villages under the command of Captain A.[69] The most interesting but rough experience I had was a mile ambush that we made for Military Vehicles that were carrying logistic supplies. As we took along a drum of petrol from a truck, it exploded and set on fire two of my colleagues. It was from that moment that I started fearing going on raids or ambush. I also learnt to live on drugs such as mixture of gunpowder and alcoholic drinks like "Teachers whisky"; Marijuana and even ate bullet to make us brave and strong.

The end of it all came in October 2001 when along with 16 others; my commander and I escaped from our Masingbi base for about 40 miles and surrendered ourselves to the UNAMSIL battalion stationed at Mile 91. There we were immediately flown to the Lungi demobilisation centre.

I spent three days at the centre being cared for by Military officers, and a Social Worker in terms of clothing, food and counselling. I was given a demobilisation number and identification card and was transferred to the interim Care Centre located at the East End of Freetown run by COOPI, an Italian Non-Governmental Child Protection organisation.

I stayed in the centre for six weeks and received medical and psychosocial care.

I was finally reunited with my Aunty in Freetown and enrolled at the Government Independent Secondary School under the Community Education Investment Programme (CEIP) sponsored by UNICEF. The reunification made by the Family Tracing and Reunification (FTR) team of COOPI with my biological family made me feel so good and happy that I then realised the happiness I lost when I became separated from my family.

I am happy that I am now with my family and doing fine with my schooling through the help of Social Workers of COOPI and UNICEF."

Story 2 (female child):

"On the 8th of January 1999 I was made to abandon my home, and became separated from my family at the age of fifteen for another home and environment only known to me before as one full of dreadful life.

After being in hiding for two days with my parents - who never had wanted me to be out an inch for fear of my getting abducted- during the R.U.F. invasion of Freetown we had to flee our home in a state of confusion and panic at mid night when a huge bullet hit and set our house on fire.

As I ran and got separated from my parent in the heat of the panic, I decided to take refuge in an old, abandoned house. Little did I knew that I was running from hot water into fire as I entered into the hands of armed rebels who were already holding many people in captivity.

In the morning, I was with a group of abducted children that were escorted in a single file by seven rebels up the hills of the city into the bush. We found ourselves in a camp of thatch houses. There we were allocated to the care of different rebel commanders.

My ordeal under Captain C'° indeed made me different from who I used to be. In less than a week I became his second wife and after much sexual harassment, I also became pregnant.

I was taught to hold the A.K. 47 rifle but I never used it. When raids were conducted, I served as a carrier. It was on one such raid on a village ... that I fell in the ambush of Government Soldiers and was captured.

I was taken to UNAMSIL Forces centres for demobilisation at Port Loko and stayed there for three days. Because I was pregnant I was put under the care of

a Social Worker and a Nursing Sister. I received medical and psychosocial care, clothing and mats and was given an identification number and card that showed that I was no longer with the rebel faction and had gone through the disarmament and demobilisation processes.

Later, I was brought to Freetown and placed in a girl mother centre Conforti Home For Girl Mothers ran by COOPI, an international non-governmental organisation. I received medical and psychosocial care, food, and clothing and had access to indoor and out door games. I gave birth later to a healthy baby girl.

In November 2001, I was reunified with my uncle. After my mother took my baby [into her care], I was enrolled under the Community Education Investment Program (CEIP) at the St Joseph Secondary School for Girls.

I am now well back in my society and home.

I am very happy that at the end of everything my family has now accepted me back as a member of the family after a lot of mediation facilitated by the Social Reintegration team of COOPI. For this I would like to say I am grateful to all the Social Workers and other parties that have made it possible for be to gain back my childhood and above all my family

Story 3 (male child, 16):

"I've been away from home for six years, and I haven't seen my mother, my father or my brothers and sisters in six, long years. I was captured and abducted by the RUF commanders when I was only 10 years old. They made me do a lot of bad things ... but I don't do those things anymore. I never wanted to do them, but they made us. They would kill us if we didn't do the things they ordered us to do."

This boy spent almost 5 years fighting in Sierra Leone's dense jungles, living under a daily threat of death, flogging and torture. He fought as a rebel out of his mind on cocaine, marijuana, alcohol and fear for his life. These were all injected and induced by his commanders - mostly young men around 18-24 years of age who were also high on drugs - on a continual basis.

"I have 3 brothers and 5 sisters living with my parents. I can't wait to see them again. I hope they will be proud of me."

Accompanied by local staff members of the NGO, Caritas-Makeni, including his psychosocial worker and his community reintegration officer, this boy was reunified with his family that he hadn't seen for six long years. Child protection

staff reported that when he first came to their care, the boy was very quarrelsome, and that even though he was malnourished, depressed and sick, he was out of control. The RUF had given him a new name, but over the year and a half since demboblisation, he decided he wanted to change his future - that he wanted to learn a skill so he could go home and be with his family. From that day on, he focused on building a new future for himself.

"My favourite thing to make is a bed. It takes me about two days to build a bed. But I can also make cupboards, stools, and tables - just about anything anyone wants me to make. I'm a good carpenter. Did you know that Jesus was the son of a carpenter?"

This child ex-combatant had never been to school before being abducted and so simply being in a learning environment would have been difficult enough for him in the first place. But he was also used to the rebel life. There, he had a gun, which gave him a sense of power.

"In Sierra Leone, we learn that we must respect our elders. But the rebels turned that upside down and all the child fighters were taught that with a gun in their hand, they could tell their elders what to do and the elders would do it, for fear of their lives and the lives of their family. They knew that if they didn't immediately obey an
RUF child combatant, they could be killed."

At the Interim Care Centre, he had to listen and learn from his carpentry teacher, his psychosocial counsellors and his peers. It wasn't easy for him. During that time, his family was traced for reunification, and he was finally reunified.

Story 4 (Girl child, 16):

"I was abducted when the RUF invaded Freetown on 6 January, 1999. I was hiding in my room. The rebels had my father just outside and forced him to lie on the ground. They were going to shoot him and I cried out. They heard me and told my father he could live, but they were going to take me away."

This girl's father was allowed to live and she was abducted in return ... but not before the rebels burned the family home to the ground. She was thirteen years old when she was abducted.

"I was forced to walk up into the mountains around Freetown and was taken to a house and locked up for 3 days. There were many other abducted girls and boys inside and we were all scared. We didn't know what was going to happen to us. A short time later, a bunch of vehicles arrived and we were put inside and driven to the town of Masiaka, where the RUF had lots of support."

She worked as a `housewife' for a rebel commander, and had to cook, clean, wash clothes and carry loads for him. In April, this girl tried to escape, but she was caught. The next day, at the end of a football match played between the RUF rebels and Masiaka civilians, her commander and two other rebels grabbed her, tied her arms behind her back and held her down on the ground. Using a razor blade, her commander cut "RUF" in large letters across her chest. She struggled and fought against the men, making the cutting deep and uneven. Afterwards, her commander told her that the next time she tried to escape he would kill her. He added that even if she did escape, she would be killed as a spy or combatant as soon as the other side saw the "RUF" letters scarred onto her body. She knew it was probably true. Then the men wiped the blood off their hands and off her chest with a dirty rag and let her go.

"The blood kept coming out and over the next few days the letters got infected and swelled up. It wasn't until about three weeks later that the scars healed. I hated the RUF and I hated the rebels for what they had done to me. They were cutting all the children to scare us from trying to escape. Some had the letters scarred across their foreheads, some on their arms, some on their legs, some on their chest, some on their back. They used anything that was sharp - razor blades, knives, broken bottles, needles, bayonets."

In September, 1999, after surviving 9 months as a rebel abductee, this girl was finally freed following the signing of the Lome Peace Accord in July 1999 - but she found that she was neither completely physically or psychologically free of the RUF. "As soon as I got home, I was so happy to see that my father was alive, but I was so ashamed and scared to show him the scar. But I showed him right away and he just cried. Then he told me not to worry and that he would do everything to remove it."

Her father went to all the hospitals and health clinics, but none of them could help her. Then a man came to the house and said he could perform the operation but that I would have to pay in advance. Desperate to help his daughter, he gave the man a lot of money, but they never saw him again.

In the meantime, the girl was trying to adjust back to life in her community.

"Most of the people in the neighbourhood knew that I had been abducted and they were kind. But some people looked at me with suspicious eyes and scorned me. I never said anything to anyone about the time while I was abducted. I was scared that if anyone saw my scars they would accuse me of being a rebel and would make problems for me and my father."

So, for the next two years, she lived alone with her secret. She was always careful when she bathed and she only wore clothes that were cut high around her neck so that no one would see the RUF letters.

"I had to dress differently from the other girls and I started to stay inside the house more and I became quiet and isolated. I didn't want anyone to know or to find out what had happened to me."

One day the girl tried to remove the letters with a caustic substance. The results were painful, the "RUF" letters remained visible and new scars were formed.

"I had to go to a health clinic after that and that was when a woman working there told me that UNICEF and some other organisations were going to start a project to help children with scars like me. I was very happy and told my father because he was so worried for me."

On 22 October 2001, the child underwent plastic surgery to remove the RUF letters from her chest. The operation was successful and the three letters are no longer visible. Marks do remain however, the results of the deep and large cuts originally inflicted upon her, the resultant infections and the new scarring caused by the caustic substance.

"Now, if anyone sees the marks on my chest, I can just tell them that they are the result of a car accident, so I feel much better. I know that my chest will never be perfect as it was before, but now I no longer have to see those letters every time that I look at myself in the mirror."

VI. STATISTICS that UNICEF holds regarding children [SEE CHARTS/DIAGRAMS ATTACHED]

VII. RECOMMENDATIONS *Children and the Youth*

- Children and youth which make up 62% of the population (0 to 25 years) must require considerable support in the post war recovery period
- The youth between the ages of 21 to 25 years make up one quarter of the total population. This group is currently not given the priority that is required to provide them with an attractive future

Social Services

- The rehabilitation of basic social services that provide a high quality service needs to be a major priority. The high levels of morbidity and mortality (Infant mortality 170/1000 live births; Under Five mortality 286/1000 live births; maternal mortality rate of 1800/1000,000 live births); 27% of children underweight and two thirds of population illiterate indicate an unacceptable situation
- The TRC can nominate the rehabilitated schools and health facilities as symbols of reconciliation and a remembrance to the war

Promotion of Child Rights

- Perpetrators of crimes against children should be held legally accountable.

- Respect and protection of children's rights must be the core of the work of government, military and police and civil society groups
- Initiatives for peace building should be linked to concrete measures of community-based protection for children.
- Priority needs to be given to the reform, reinforcement, and retraining of the judiciary with a focus on child rights issues, in particular, in dealing with cases of sexual violence against children.
- Magistrates, law enforcement bodies, the MSWGCA (particularly the probation officers), detention officers and other correctional staff and all NGOs working with children in conflict with the law require systematic training on the application of child rights.
- Broad information campaigns should be organized to inform children and their families on the rights of the child. Engage communties on the issue of the apparent gap between traditional/cultural practices and international

standards of child rights as defined by the UNCRC. Only through in depth processing can this gap be bridged.

- Special attention should be focused on the promotion of the rights of girls and young women.
- Provide long term capacity building for those national institutions, including the MSWGCA, Police, the Juvenile Justice System and local NGOs, to enable them to shoulder the long term burden of protection of Sierra Leone's children.
  - Ensure comprehensive information sharing among all actors who have some involvement in child protection activities. This should include both international and national organizations, both governmental and non-governmental bodies, and should include all those involved in activities, which affect children.

- Local and international human rights groups should combine an approach that reports on violations as well as builds the capacity of local groups and coalitions to monitor, provide referral services for victims, report, and channel advocacy on human rights abuses.
- Each police station should have one individual responsible for the protection of children. There are no apparent procedures in place to ensure the prevention of child incommunicado detention. Police stations should be systematically monitored by independent bodies to ensure that referral systems for ensuring the unnecessary detention of children are followed. All efforts should be made to ensure that the MSW or a child protection agency are contacted upon the arrest of a child and that children are not detained with adults. A police officer in charge of child protection and an independent individual such as a probation officer should be present at all interrogations.
- Data collection relating to the arrest, detention and sentencing of children should be standardised, coordinated, and improved. Duplication of effort in this regard should be avoided. Legal assistance must be made readily available to all juveniles arrested by the police and juveniles should be informed of this right.
- Alternatives to imprisonment should be made readily available, such as community service. Efforts should be made to create a child friendly environment and the juvenile court should ensure that only those involved in the specific case are present. Efforts should be made to speed up the process in determining the age of a child, as well as putting greater pressure on parents and guardians to attend trial. Magistrates and justices of peace must be trained on international guidelines, rules and law regulating the trial of children in conflict with the law.
- In relation to children in conflict with the law, the draft Bill (1996) builds on the current juvenile justice system requires revision. For example, the age of criminal responsibility remains too young at 10 years and should be increased. Children jointly charged with adults may be tried in a Magistrate's

Court. The draft Bill should also incorporate the right to legal assistance at the point of arrest as well as an independent body to monitor the police cells. Diversion schemes from institutions should be incorporated such as voluntary work, vocational training schemes and community service. The ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984) should be incorporated into the draft Bill, such as the systematic review of interrogation procedures, practices and arrangement for the custody and treatment of any individual under arrest, detention or imprisonment (Article 11 to the Convention against Torture).

- The Remand Home and Approved School desperately require resources and restructuring. Placing a child in these institutions may be detrimental to the child's physical and mental development. Alternatives should be sought to the detention of children in adult high security detention facilities.

Juvenile Justice

- The juvenile justice system requires comprehensive reform and in some cases, physical rehabilitation and must be addressed with some urgency. The improvements cover the whole range of the system including separate facilities for girl and boy children in detention that includes access to exercise, proper food and hygiene, legal representation, social support and counseling; release on bail where possible and minimal pre-trial detention and where release is impossible, prompt court proceedings that are not unreasonably protracted; ensuring that children in need but not accused of violations of the law do not get placed in the Remand Home but in proper care facilities.
- The national legislation requires reform to be in conformity with international standards, including UNCRC and ICCPR.
- Improve services for restorative justice to prevent excessive application of punitive measures

Disarmament, Demobilisation and Reintegration of Children

- In future DDR programmes in other countries advocacy needs to target Government, military factions, and political parties/associations to uphold international agreements precluding the military recruitment of children. This would also include all children who are involved in "supporting" (i.e. abducted children, camp followers, porters, bush wives) a particular a fighting force.
- Future DDR Programmes should specifically include children (fighters and non fighters) such that the programme is designed to fully disband the fighting force and reintegrate all those associated with the fighting force, rather than focus only on the demilitarisation of the fighting forces. Thus specialised procedures for the disarmament and demobilisation of child soldiers. and children will be a central part of any future DDR Programme

- Priority should be given to assisting those children, especially girls, who did not go through the DDR programme and consequently are not a part of any reintegration support programme

Community-Based Reintegration for. child ex-combatants, reunified separated children)

- One cannot assume that children, once they are reunited with their families, do not need any additional support or follow-up visits. Experience has shown that children require long term support assistance in their family setting to ensure their protection, care, and development
- Community based reintegration strategies providing long term support (community education on children affected by war, family/community mediation, counseling, follow up, schooling, skill training) are essential
- Volunteer community structures (Village Child Welfare Committees and Children's Clubs) can greatly assist in the acceptance and inclusion of children.
- Children access to formal education and skills training are a vital part of the reintegration process
- Children require follow up from social workers and community volunteers to ensure participation and inclusion in family, peer, and community activities (eg. school, skills training, recreation, and cultural/religious activities).

Education

- Education is the most vital part of reintegration and a return to normality for all children. All the children in the child protection programme stated that they wanted education more than any other form of support.
- The Government and the international community need to prioritise the rapid development of quality education - both formal and non-formal, and vocational and small-business training
- As the provision of schools increases the issue of quality teaching, teaching and learning materials and conductive classroom environment becomes an increasing priority
- Sensitize communities to the importance of education, in particular for girls.

- Where possible the Government can reduce as many barriers as possible (e.g. fees, charges, school uniforms) so all child can attend both primary and secondary school.

Employment

Gainful employment for the youth is of critical importance

Career guidance should be provided as well as training of small business development in viable areas that includes on-going support in small business development

Sport

- The power of sport in the reconciliation and socialisation processes should not be under-estimated. In particular, sport creates positive opportunities for the youth. A sports field in every village would be a fitting memorial to the lives of children lost in the war and at the same time, creates opportunities for the development of hope in the future

Protection Against Sexual Exploitation and Abuse

- Sexual exploitation and abuse including child trafficking are very important issues that must be comprehensively addressed in the post war recovery and long term development. Not only was sexual exploitation and abuse one of the main violations against girls and young women it is very prevalence in current society. Attitudes and practices in society often create opportunities for sexual exploitation and there is not a general strong attitude against such abuses. There are few specialised services; the majority of which operate in Freetown.
  - The development of services that support survivors of sexual abuse and exploitation must be a priority in the three main areas - prevention, protection and prosecution. Services must be expanded (in number and area of operation) along with the SL Police Family Support Unit. This must be combined with information dissemination that creates a public attitude that will value the services and help control abuses. Community involvement is essential in monitoring and taking action against sexual & domestic violence.
- Services must be provided in such a way that enables easy access and includes activities that are relevant to the survivors such as vocational and life skills training.

ANNEX

The Revolutionary United Front (RUF) was established in1984 and alleged itself to be a legitimate opposition group with the intention of overthrowing the ruling All People's Congress (APC) party in Sierra Leone. During its early existence, the RUF was heavily comprised of youth, both those with a political agenda and those with seemingly none but with nowhere else to go. These youth combined with members of Charles Taylor's National Patriotic Front of Liberia (NPFL), and with the behindthe-scenes support of other politically interested groups and individuals, launched an incursion from Liberia into Sierra Leone in 1991. Led by Foday Sankoh, and joined by mercenaries from Burkina Faso, it was this incursion which sparked the war. The RUF, comprised heavily of minors, from the moment of the invasion engaged in a pattern of serious violations against civilians in the villages they passed through, including summary executions, sexual violence including sexual slavery, abductions and forced conscription. Their aim of overthrow of the government quickly became a campaign to gain access to land's diamonds and other resources.

In April 1992, Valentin Strasser, an army captain, overthrew the APC government of Joseph Momoh, but continued on a path of corruption and mismanagement. Meanwhile, the RUF grew in size, joined part time by disenchanted SLA soldiers. Both Momoh's and then Strasser's governments engaged in widespread recruitment of men and boys as young as twelve, with the intention of gaining strength over the RUF as it too was gaining in numbers. In May 1993, there was a successful demobilisation of 370 child soldiers, which sparked UNICEF's establishment of a Children in Extremely Difficult Circumstances (CEDC) programme to try to address the needs of demobilised child soldiers, unaccompanied children, and children suffering from war-related stress.

In 1995, Strasser hired Executive Outcomes, a South African private security company, to try to take back control over the diamond mines, which were by that time largely controlled by the RUF. The private company began to collaborate with the Civil Defence Forces (CDF), a pro-government military force, as well as their strong-arm branch, the Kamajors. This effort was able to push back the RUF from Freetown and take back some of the mining areas from them.

The CDF was established in 1993-4, and in 1996 was placed under the control of Hinga Norman, Deputy Minister of Defence. Trained and supported by Kabbah's government, the CDF movement was largely comprised of local village defenders and hunters, and its members underwent a traditional initiation said to give them extraordinary powers. The CDF, usually defending their own villages and regions, were a significant opponent to RUF forces, and enjoyed widespread local support.

January 1996 saw the overthrow of Strasser by his deputy, and in February and March 1996, Ahmed Tejan Kabbah of the Sierra Leone People's Party (SLPP) was elected President. As the CDF, and primarily the Kamajors, gained back territory in the Eastern, Southern, and Northern provinces from the RUF, the country suffered a major economic crisis. With more than sixty percent of the population living in abject poverty, children returning to their homes faced severe deprivation, and the child protection mechanisms which did exist were unsuccessful. In spite of this, an effort was undertaken to revise national legislation in an effort to bring it in line with the provisions of the CRC." Negotiations between Kabbah and Sankoh began, and the Abidjan Peace Accord was signed in November 1996. This agreement included disarmament, demobilisation, an amnesty for all RUF members, and the removal of all foreign forces from Sierra Leone. UNICEF and its partners established a national family tracing and reunification network in November 1996. In early 1997, UNICEF led the refocusing of strategies and approaches to the defence of the rights of the child, as well as child protection, among both governmental and non-governmental institutions.

The cease-fire was broken in 1997 when fighting broke out in Moyamba district and when Sankoh was arrested in Nigeria, accused of arms violations.

In May 1997, a coup led by just-released prisoner Johnny Paul Koroma ousted President Kabbah, who fled to Guinea, and caused the release of hundreds of other prisoners, who joined others in widespread looting. At this time, the Armed Forces Revolutionary Council was formed, and, joining with the RUF, the two took control of Freetown in June 1997. The AFRC/RUF ruled by military might, suspending the rule of law and engaging in a pattern of arbitrary arrest and detention.

President Kabbah, from exile in Guinea, rallied international support which led to the deployment of Nigerian ECOMOG forces from Liberia into Sierra Leone, reinforcing ECOMOG forces already stationed at the Freetown airport. Following

the AFRC's announcement of a long-term plan for return to civilian rule, ECOWAS imposed economic sanctions on Sierra Leone, which in October 1997 were echoed in a resolution adopted by the UN Security Council. In spite of all the immense obstacles in their path, during this year, UNICEF and its partner agencies in child protection facilitated the demobilisation of over 894 child soldiers associated with government forces, successfully advocated for the release of children associated with the RUF, provided comprehensive psychosocial services for 1,600 unaccompanied and street children and children from vulnerable families. Also during this year, the National Child Welfare Forum was transformed into the Child Protection Committee, with its regional and district branches. UNICEF and its partners developed an educational curriculum relevant to the current circumstances that school age children found themselves in, and trained national facilitators and community leaders to address the psychosocial needs of children suffering from war-related stress.

An agreement signed in October 1997 between Kabbah and the AFRC/RUF agreeing to Kabbah's return to power was only partially implemented due to fighting between ECOMOG forces and the AFRC/RUF. In February 1998, however, ECOMOG forces succeeded in recapturing Freetown from the AFRC/RUF, and Kabbah returned to power. ECOMOG forces continued to gain control over large portions of the country, while Sankoh was transferred from prison in Nigeria to Sierra Leone and sentenced to death for his role in the 1997 coup. It was at this point in time that the Ministry of Social Welfare, Gender and Children's Affairs took up its mandate in coordinating child protection activities. According to UNICEF, however, the Ministry during this time remained weak, and thus UNICEF and its partners retained a key role in child protection activities, as well as the main advisory role to the Sierra Leonean government on demobilisation and reintegration of child excombatants.'[2]

In July 1998, the UN Observer Mission in Sierra Leone was deployed to monitor the situation. Children who had lost contact with their families were at great risk due to the deteriorating situation. Between February and June 1998, UNICEF and partner child protection agencies ensured that 400 children participated in pre-demobilisation documentation for family tracing, and out of 340 children demobilised from the RUF, 158 were reunified with their natural families, the rest being placed in interim care centres or in foster care. With UNICEF's key participation, a network of eight organisations monitored and documented child rights violations throughout the country, reporting that children were being abducted, raped, tortured, lynched and arbitrarily arrested. The child protection agencies reported that while the violations against children were getting worse, protection mechanisms for them were also severely limited, leaving them at grave risk. By this stage UNICEF estimated that before the coup, there were an estimated 5,000 child soldiers and over 3,000 registered unaccompanied children in addition to the children associated with fighting forces. By November 1998, the numbers had increased dramatically, with an estimated 10,000 children

separated from their families, and increasing numbers of child victims of gross human rights violations. Despite initiatives by the government and non-governmental organisations to develop policies and services for the demobilisation and reintegration of child combatants, protection for unaccompanied children and psychosocial assistance, the social welfare structures had been irreparably affected by the years of poor governance. The UNICEF CEDC and child protection programs had to adjust to fill the gap.

Over the course of 1998, the AFRC/RUF rebels gained control over the diamond rich areas of the country, consolidated their power, and launched an offensive against Freetown in January 1999. This was to be the most brutal part of the war, with the levels of humanitarian law violations skyrocketing. Estimates are that over five hundred civilians were killed by AFRC/RUF fighters and more than one hundred amputated, girls as young as eight were sexually victimised, and civilians were used as human shields. Many were burned alive in their homes; others were tortured, and thousands wounded. Nigerian ECOMOG forces summarily executed prisoners of war. While driven from Freetown, the AFRC/RUF forcibly conscripted youths, abducted other civilians for forced labour, and captured thousands of young girls to use as sex slaves. Their path involved ongoing killings, rapes, and amputations in villages they passed through. Child protection agencies were unable to reach the thousands of separated children, including child ex-combatants, in areas where the children were kept, which were under rebel control. Dialogue between these agencies and the government and CDF was severely hampered by the ongoing security situation, and child protection partners suffered extreme personal and organisational losses. Tracing activities were severely hampered and in some cases cut **off,** in particular in the North and East, and thus the reunification of these children was stalled. The DDR program itself was suspended. During this time of systematic gross child rights violations, a national Child Rights Violations Monitoring Network was established to monitor and advocate against child rights violations.

International pressure achieved a cease-fire in May 1999 and the peace accord in Lome in July 1999. Sankoh was released to participate and both he and Koroma were given positions of authority under the peace agreement. Sankoh became Vice President, and Chairman of the Board of the Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD), and Koroma was given the chairmanship of the Commission for the Consolidation of Peace (CCP). The peace agreement included an amnesty, but the UN Secretary General's Special Representative included a hand-written caveat, stating that the amnesty would not apply to violations of international humanitarian law.

The UNOMSIL mission was converted into a UNAMSIL peacekeeping operation intended to protect the peace, but soon violations of the peace agreement abounded, and the AFRC/RUF continued to terrorise the civilian population. Widespread sexual violence against women and girls continued, as did

systematic sexual slavery, and a breakaway AFRC group, the West Side Boys, committed broad ranging egregious violations in Freetown. Hundreds of children were abducted by the West Side Boys, and when in August 1999 an international delegation comprised of ECOMOG, journalists, humanitarian workers, religious leaders, and others attempted to obtain their release, they themselves were captured by the West Side Boys and held for over one week. During 1999, UNICEF and its child protection partners, in collaboration with the Ministry of Social Welfare, installed registration points in the Western areas to document missing children. A preparedness plan was also developed for the demobilisation of former child combatants, which included the establishment of Interim Care Centres. By the end of 1999, the ICCs were accommodating over 700 children as part of the DDR program. During 1999, 139 children were released to UNICEF by ECOMOG, 801 children were released to UNICEF by the rebels, and 342 children had been officially demobilised from demobilisation camps. Also, many children had been reunified, where this was possible due to their areas of origin being accessible. Others were placed in foster homes.

By May 2000, the Disarmament, Demobilisation, and Reintegration Program (DDR) was proceeding at a slow pace, with only about half of the 45,000 combatants demobilised. The deployment of peacekeepers was slow, and the violations of the peace agreement frequent, until in May 2000, the RUF captured over 500 UNAMSIL peacekeepers, holding them hostage for several weeks. Renewed fighting throughout the country ensued, with demobilised child soldiers being forcibly reconscripted. Human rights abuses continued, perpetrated both by RUF and by progovernment forces. Following a demonstration in front of Sankoh's residence where twenty civilians were killed, Sankoh and 125 others were arrested by government forces. Ongoing attacks against civilians by both sides led to huge internal displacement, and even the CDF, in particular the Kamajors, committed previously uncommon acts of sexual violence against women and girls. Major Johnny Paul Koroma, then Chairman for the Consolidation of Peace and AFRC leader joined forces with the SLA and the CDF in opposition to the RUF.

In response, the British Government sent military troops and UNAMSIL strengthened its ranks. The West Side Boys continued committing heinous violations, until they were destroyed by British troops in September 2000, with many of them imprisoned. From this time until April 2001, RUF and Liberian forces launched attacks against Sierra Leonean refugees in Guinea. Guinean retaliation involved excessive human rights violations, both committed against the attacking forces as well as against Sierra Leonean civilians who had sought shelter in their territory. Following a cease fire agreement signed in November 2000, the human rights situation continued to be dismal, but on a less intense scale than previously. The RUF continued to commit rape, murder and abductions, but released 1500 child soldiers for demobilisation. Girls who had been kept as sex slaves, however, were refused release by RUF forces.

During 2000, 2312 separated children were provided with basic services in Interim Care Centres throughout the country, 1500 of which were demobilised child soldiers, and the rest of which were camp followers, unaccompanied children, and children awaiting retroactive demobilisation (child ex-soldiers who did not go through the DDR camps.) 370 child ex-soldiers who had been with the CDF were directly demobilised into the their communities. Furthermore, 532 child sexual abuse survivors were provided with reintegration assistance. 2836 children were registered for tracing and 1,226 children were registered as missing by their families. 585 were reunified. This year also saw UNICEF's lead role in the development of a national strategy for the reintegration of children from the fighting forces through the DDR program. During 2000 alone, 486 girls and 426 boys were documented victims of human rights violations.

During 2001, due to the spontaneous repatriation of many Sierra Leonean refugees from Guinea due to tensions there, UNICEF mobilised support for those sheltered in safe areas, focusing both on returnees as well as host communities. UNICEF and its partners supported the demobilisation of 3,664 child combatants and provided emergency care to 2,377 of them, until such time as their families could be traced or alternative care arrangements made. This year also saw the launching of UNICEF's Community Education Investment Programme, which provides packages of teaching, learning or recreation supplies to all schools, which enrol child excombatants. UNICEF and the National Forum for Human Rights sponsored a technical workshop that brought together national and international experts on human rights, juvenile justice and reconciliation processes. This workshop resulted in a comprehensive report entitled "Recommendations for Policies and Procedures for Addressing and Involving Children in the Truth and Reconciliation Commission." In May 2001, following intense advocacy conducted by UNICEF and its partner organisations with the RUF, 1,187 children were released to the care of UNICEF and the child protection agencies. Throughout 2001, 3,664 child soldiers were demobilised with the support of UNICEF, and of those, 2,377 of them entered UNICEF's interim care programme. UNICEF also continued in its role as the focal point agency for the Child Protection Network comprised of forty members from UN agencies, international and national NGOs, and government ministries. Through this network, children are assisted comprehensively so that the child can either be reunited with her/his family or be placed in alternative care as near as possible to its home location.'[3]

In spite of achievements in the face of immense obstacles, 2001 saw a struggle in terms of child protection as access to child protection services was severely limited compared with the needs of children. In particular, 2001 was a year of transition; as children were increasingly reunified with their families and returning to home communities, the focus of child protection activities began to shift from centre-based programming to community-based approaches. On the more positive front, during this year the Parliamentary National Commission for

War Affected Children was created, with the mandate to advocate for and advise on issues pertaining to children affected by the war. In addition, the Sierra Leonean parliament ratified the CRC's two Optional Protocols.'[4]

In addition to the above, UNICEF conducted training of police in protection of children in conflict with the law, facilitated the movement of children from the Remand Home to the court for legal proceedings, and monitored the conditions of children in detention.

SUBMISION

From: **The Sierra Leone Youth Empowerment Organisation (SLYEO)**

Address: ***Head Office: 24*** **Main Motor Road, Congo**

Cross Freetown

Regional Office: **50 Bundu Street, Mile 91,**

Tonkolili District

Submitted To: **The Truth and Reconciliation Commission (TRC) Secretariat, Jomo Kenyatta Road, Freetown.**

Subject/Content: Submission for the Thematic Hearing on Youth and Children

1.0 INTRODUCTION:

The Sierra Leone Youth Empowerment Organisation (SLYEO) is a local NonGovernmental Youth Development, Peace and Human Rights Organisation.

Through effective and strategic networking, collaboration and partnership with local and international development agencies, SLYEO seeks to **combat anti-social behaviour for the promotion of positive citizenship.**

Its aim is to increase the capacity of young people and their opportunities for selfdevelopment through an all inclusive enabling, ensuring and empowering approach. The Organisation (SLYEO) was established in August 1995.

The Organisation's focus purpose is reflected in a nine point agenda which includes; Literacy Development

Human Rights, Civic
Education/Awareness and Conflict
Social Drama Counseling

- **Agriculture**

- **Credit/Enterprise Development**

- **Capacity Building /Group Formation and Development Partnership, Collaboration and Coalition Building**
- **Research, Mobilisation, Documentation and Advocacy**
- **Youth Health/'HIV/AIDS**

2.0 EXPERIENCES OF THE CONFLICT

The establishment of SLYEO came as a result of the recognition that young people were conspicuously seeing to be playing a more central role in promoting the conflict at every level. Following this realization, emancipated and enlightened young people deemed it necessary to put up mechanisms for young people's involvement in building lasting peace and reconciliation in Sierra Leone. During the conflict period, SLYEO played an active role in educating and sensitizing the youth constituency and their communities in peace building, election before peace /peace before elections , conflict management/prevention, trauma counselling and indigeneous reconciliation mechanisms. Public fora were held to provide young people directly or indirectly involved in the conflict with an opportunity to air out their grieviances, re-examine their economic, social and political make up and suggest ways by which community life can be re-started.

Such fora were held in areas including;

Western (Urban, Mountain and Rural/Peninsular Areas)

Northern Region (Port Loko, Kambia, Tonkolili and Koya (Okra Hills) and Bombali)
Southern Region (Bo, Moyamba Districts)

- **Eastern Region (Kenema, Kono and Kailahun)**

These activties and experiences build on the fact that young people can play a sgnificant role in re-building peace in S/Leone .

In addition to these, SLYEO provides a regular forum for young people in the Western and Northern Regions to meet and discuss issues relating to national reconciliation and development.

In Northern Tonkolili, these are practically implemented in our on-going projects focusing on "Empowering the Youth to build peace and Promote food Security in Communities affected by severe conflict in Sierra Leone".

Others included:

Adolescent Research Project (Western Area and Northern Area) as documented in research Report **titled "Precious Resources: Adolescents** in **the Reconstruction of Sierra Leone conducted by local Youth NGOs including SLYEO, CCYA, FAWE, IYF, MUYOG, in collaboration with the Women's Commission for Refugee Women and Children based in New York, USA.**

- **Protecting Human Rights under the African Charter on Human and People's Rights in situations of conflict in Africa. A case study of Sierra Leone. Addressing the tyranny of participation and turning literacy political: The Tabotsaneh Framework.**
- HIV/AIDS **And Young People: The Realities And Challenges For Africa (a forum organised by the Commonwealth Youth Forum at the Commonwealth Secretariat in Lusaka, Zambia- April 2001**

These were climaxed with strategic lobbying and advocacy mechanisms as a means to provide a formative structure that will help to address the needs/welfare of children and young people in post - conflict Sierra Leone.

Crucial to these services were structured education programmes on the framework to Peace; the Abidjan Peace Accord (APA) and the Conakry Peace Plan (CPP). These activities provided a fair knowledge and understanding of peace and a basis upon which Sierra Leoneans can kick start their reconciliatory process. The exercise graduated into a National Consultative Conference: Ref The Road to Peace in Sierra Leone (Report). SLYEO co-ordinated youth participation and a position paper was presented by its co-ordinator (Charles B.P. Lahai) on behalf of the Youth of Sierra Leone. This led to the nomination of SLYEO's Co-ordinator to form part of the delegation as Observer Mission to the signing of the Lome Peace Accord in Lome, Togo in 1999; a process that saw the long fought exclusion and marginalisation of youths in the sense that though nominated and approved, youth participation became a bone of contention at the eleventh hour. This situation prevented youth and students participation at the signing of the Lome Agreement.

2.1 VIOLATIONS AGAINST CHILDREN:

SLYEO recognizes and places special interest in the welfare of children and youths.Our knowledge of this prevalence and factors that militates against the welfare andspecial needs and care for children accounts for a clear disparity in the **use of the tools that should inspire and characterize protection and reflection on the Rights and welfare of children and young persons. The following have in no small way helped to hinder the factors that promotes the protection and capacities of children in Sierra Leone:**

- **Abduction, recruitment and use of child soldiers were glaring evidences of the lack of protection of children and young persons.**

As part of a team that conducted a vulnerability Assessment Survey during the Junta rule in 1997, there was an outstanding evidence of child combatants with the Revolutionary United Front. The homes (temporary) of some senior officers were crowded with child soldiers and some of these homes were also used as detention centres.

- **Thoughts about murder and massacres throw a flash back of the very many vulnerable children and young people who were only protected by their unprotected mothers and fathers who suffered severe and acute damages and loss of lives during the 1997 and 1999 junta take over.**
- **The mass exodus of families to seek refuge also created an alarming and wide spread consequences.**

The situation could be viewed two fold:

- **that the junta regime in their claim to provide protection to unarmed civilians turned out to unleash unwanton destruction of lives and property**.

- **that the ousted government's support** to the **sub-regional force (ECOMOG) and their intervention strategy culminated into resistance and confrontation with the junta regime in which process, lives and property were also destroyed..**

in **addition to these ,**

- **Amputation, torture, maiming, sexual violence, arson, deprivation, not to talk about coercive conscription of children and young persons were amongst the very many violations of International Humanitarian and Human Rights laws especially**

for children. These violations were not prohibited in any way. There were evidences (eye - witness for e.g.) of arbitrary arrests/detentions, denial of food and lack of access to health care for children and young persons. They lost parental guidance and became recruited into druggism. Children lost their moral and placement. A lot of children in the process became fathers and mothers of children ... a burden that they cannot cope with. Their coping mechanism resorted to harassment and other negative practices through the use of weapons. We (SLYEO) are of the strongest belief that instruments like the Convention on the Rights of the Child and the International Law of Youth Rights must be used **(enforced) to curb these ugly incidences. Children must be molded for positive citizenship while in their stage.**

The bunch / bulk of children in Sierra Leone today have being opened to criminalized tendencies and this puts the country's future at a high risk.

3.0. Health is a development issue. In **our "Precious Resources: Adolescent in the Reconstruction of Sierra Leone Research Report, a process which followed focus group discussions, surveys of top priority concerns personal interviews and case studies (methodolo&nes), the lack of health facilities was ranked 3rd on the top - ten priority concerns. We have held advocacy sessions on these issues at local and international levels with UN Officials and policy makers (in New York, Washington DC etc). These can be found in the research report , a process that was conducted by the adolescents themselves. A copy of this report is now faithfully tendered to the TRC Secretariat.**

Education and sensitisation campaigns/programmes are part of our on-going process to fight against HIV/AIIDS at National and International levels. The notion that "Health is Wealth" rings true in our society before and after the war. There was and still an evidence of a declining health situation after the war. SLYEO has facilitated the establishment of an NGO / CBO Networking

Alliance in Tonkolili Northern Sierra Leone to pilot these programme.

For the past three years, SLYEO Executive Co-ordinator has been the Sierra Leone Youth Representative to the Commonwealth Youth Forum. He **attended and participated in a number of fora including the Commonwealth Youth Programmes Africa Center and Regional Advisory Board meetings in Ghana, Zambia and Cyprus. These fora dealt extensively with HIV!AIDS . Prior to a Commonwealth Youth Forum held in Lusaka, Zambia in 2001, a consultative meeting was held in Freetown with youth groups/Agency to input into mechanisms that will reduce/prevent the widespread of this epidemic. Ideas and strategies formulated and agreed upon by the participants in this session was compiled and submitted as a country report on behalf of the Youth of Sierra Leone**

A sub-regional report of the forum held in Zambia on the theme: HIV/AIDS And Young People: The Realities and Challenges for Africa was reproduced and circulated to the wider Sierra Leonean populace. A copy of this report is also tendered to the TRC Secretariat.

4.0. The economic, social and political well being of children and young persons have and still continues to be problematic. Streetism has become conspicuously challenging for children and young persons. The bulk of children and young persons do not have access to social and welfare protection. The evidence of this can be seen in the streets of every town in Sierra Leone where children have been transformed to street beggars, petty traders etc. This carnage has displaced, and misplaced lots of children. Most have migrated to diamondferous areas where they work round the clock in pits for diamonds for either Lebanese or other selfish Sierra Leoneans. A policy on Just Mining must preclude children's involvement in such practices and this must be enforced by child protection agencies and government.

We have being part of the campaign for Just Mining in Sierra Leone and remain committed to its dictates.

4.1 Culture and traditional practices in Sierra Leone does not permit girls to choose their

own husbands. The dangers of this is that having lured them into marriage to older men (may be four times their ages), they can hardly avoid the risk of dating their younger male folks. In most cases, these issues become exposed, and heavy fines are levied upon the younger folks When the war reach some sections, some of those younger folks who have had anger and resentment were quick to join the fighting forces with the aim of seeking revenge . Reference can also be made to a case in point which refers to a chiefdom (MalalMara) in the Tonkolili District were SLYEO operates.

A young lady who was betrothed by the Paramount Chief was snatched by the boys of the then commander (Mustapha Johnny alias John 3:16). SLYEO made **frantic efforts to bridge that gap in a situation where the PC was prevented from going across into the other section (Mara) for close to six years.**

We succeeded using an indigeneous approach to bring these people together face to face through a Research and Mobilisation process. The process included community and inter - chiefdom football derbies, cultural / Bubu dance and other forms of social activities. This culminated into a week tour of SLYEO with the Paramount Chief within his own chiefdom. At the end a series of meetings/workshops were conducted by SLYEO for the PC and his subjects, the rebels, the SLA, CDF, UNAMSIL, District Officer, Police, Teachers, Youths, Women and other Stakeholders as a way of expediting /facilitating their participation in Conflict Management and Prevention.

We trained and recruited 19 Literacy Facilitators, 23 Agro Para-Extensionist, 4 Community Based Monitors and a Gender Officer to team up an work wityh our Project staff in their own communities. This is a means of providing control and a feeling of ownership in the minds of our beneficiaries.

Immediately after the signing of the Lome Agreement, SLYEO and the Ministry of Education Youth and Sports in collaboration with other agencies including World Vision, UNICEF,UNDP, Action Aid, WHO and others organised the first Freetown Youth Festival which was popularly referred to as YOUFEST 2000 with its motto: Recreation for Peace Building, at the National Stadium for 7 days. At the opening the government presented a statement of intent, presentation were made by other functionaries and a position statement was also delivered by a SLYEO representative.

SLYEO in collaboration with World Vision also organised a Peace Gala and Cultural show in the seven villages in the Mountain District in the Western Area.

In collaboration with TBS (The Best Squad), SLYEO organised a Peace and Reconciliation Carnival at the National Stadium for NGOs, Business entitities, etc.

5.0 Added to these, SLYEO has collaborated with CARITAS and NGO/CBO Networking Alliance in Tonkolili District to organise programmes like the celebration of the Day of the African Child. Primary as well secondary school children were invited and trained prior to the date in social drama. Role plays, songs, stories and skit were performed before an audience chiefdom representatives (Malal-Mara, Kholifa Mabang, and Yonni Chiefdom). Postals, handbills, and pictorials were printed and distributed to create awareness. Public lectures for school children are conducted periodically as well as weekly programme on the Radio Gbafth in Mile 91. These programmes focus on other pertinent issues like control measures/ prevention of Bushfire and Grasshopper, TRC and Special Court.

Although SLYEO does not deal with health issues professionally, yet it advocate for the prevention of the spread of infection among the general populace, by providing information, education and means of protection. At the organisation's expense, SLYEO supplies condoms to

young people in Mile 91 at no cost. We hold advocacy/ debates with schools and communities on;

Rights to privacy

- protection against mandatory testing - HIV status kept confidential

- Rights to liberty and freedom of movement

- protection against imprisonment, segregation, or isolation in a special hospital ward

Rights to education/information

- access to HIV/AIDS, STDs prevention education and information

Rights to health- access to health care prevention services, including STDs services and condoms

Non - discrimination

- protection against discrimination

These among other are things that we advocate and lobby for on behalf of our youth constituency, more especially as they are most vulnerable .

Recommendations

Collaboration with child protection agencies.
Collaboration with youth serving agencies
Advocacy on policy review and implementation
Support services to NGO's that have the capacity to deliver •••
Resource mobilisation

THE MULOMA KIDS' CLUB KAILAHUN

The Muloma Kids' club came into existence in Kailahun District when a number of children in Daru town thought it fit to come come together and form a club to assist themselves and the community.

PRESENTLY THE Club is existing in about seven chiefdoms in the district with a membership of about four hundred children and towns in the district.

Activities

The kids club is involved in the following activities in child protection issues namely, identification of child protection issues affecting children in their various communities e.g. Rape, early marriage, agricultural activities, school competitions, HIV/AIDS awareness raising, follow-up on fostering and family tracing.

Achievements

- Influence SC-UK to build a resource center in Daru
- Identification of adopted children within the community
- The club succeeded in minimizing child abuse in the community e.g, early marriage, rape, exploitative labour.
- Influence parents to send the girl child to school
- Break the difference between ex-combatants children and the community children in various communities.
- Influence school authorities to accept ex-combatant children in schools and skills training centers
- Help in the formation of other Kids' clubs in other parts of the district
- Help in the formation of three girls' clubs in the district
- Participate in the sensitization of HIV/AIDS

Problems

- Lack of materials to take up their activities e.g, mobility (bicycle and stationery)
- Lack of public address system e.g, megaphones
- Some members in the club who lost their parents during the war lack school materials and school fees.
- Parents sometimes fear to allow female children to participate fully for fear of pre-marital sex
- Lack of posters and literature to take up their sensitization programme on HIV/AIDS
- Lack of funds to run their activities effectively
- Some members learning skills training lack start-up kits

Issues affecting children in the Kailahun District

General security

- Frequent attacks – the frequent attacks within the borders of Kailahun district prevent from going to school, and sometimes these kids are abducted. As such, since they are not trained fighters they are killed in combat.
- Children are abducted and raped. Girls are still in the hands of their former 'commandos', because they cannot be accepted by their parents
- Girls have developed relationships with their so-called commando husbands which they can nolonger destroy because they have two or more kids for these so-called commanders. Besides their children are regarded as commando children and can only be cared for by their commando fathers. Parents often reject the responsibility for these children.
- Girls are raped, impregnated and abandoned.
- During the process of disarmament, the RUF fighters left their so-called wives in the bush and came out to surrender, as such these girls were not cared for by the DDR programme. The RUF husbands benefited from whatever was provided by the DDR leaving their so-called wives without benefiting, because they failed to turn up for disarmament. These so-called wives are presently suffering in the Kailahun district

Education

Lack of trained and qualified teachers because of the location of the district. Some of the reasons for the lack of teachers are:

- **Lack of housing facilities**
- **Cost of living is very high**
- **Absence of social amenities**
- **Poor road infrastructure**

Poor learning environment – children are over crowded in classrooms. This often leads to disciplinary problems.

Some school buildings lack good roofs. They are normally covered by tarpaulin. Sitting accommodation is not adequate. Children are sent out school because school authorities can nolonger cope with the high number of children in a classroom, which sometimes lead to confusion among pupils.

Skills training centers and educational institution give priority to ex-child combatants who have destroyed the country. Skills training centers should accommodate not only the ex-combatants but the community in general.

Rape

Children are raped and the perpetrators are not prosecuted in any court of law, because such issues are not normally settled at family level. Rape is very common in Kailahun district because most of the commandos had many women at their disposal, now that they have lost the opportunity they have decided to take to forceful sex.

When a rape case is reported to the police the ask for money before preparing a referral to the doctors and the doctors cannot react to these cases in the absence of the police report.

Children in the Kailahun district therefore recommend the provision of machinery in order to perform their duties efficiently. Hospitals in the district are poorly equipped to provide for rape cases.

Health

Medical facilities are poor. Hospitals are ill-equipped

Transport facilities (ambulance) are not available. People are normally transported in 'hammock' to the nearest hospital. Some of the reasons for the poor medical facilities are thus:-

Poor road network

Security situation at the border

Lack of trained and qualified doctors

High cost of living

Area is underdeveloped

Lack of essential drugs in the few available hospitals

EXPERIENCES OF CHILDREN DURING THE WAR

Children were faced with multiple recruitment into armed groups

Rape

Early marriage

Single girl mothers

Prostitution

Poor medical facilities leading to high death rate

Child labour

Refugees

Displaced persons

No school facilities

Separation

Recommendations

1. **Government and UN agencies should encourage trained and qualified teachers (young graduates) by way of fringe benefits e.g, remote allowances, rent allowances and housing facilities**
2. **Government / UN agencies to increase the number of schools within the district**
3. **School furniture should be made readily available to the few schools that are existing**
4. **Preference should be given to teachers residing in the whole district when it comes to housing facilities**
5. Government and UN agencies should make sure that skills training centers are not only open to ex-combatants but also to the community people who have suffered a lot during the ten year rebel war

6. Government and UN agencies should increase the number of hospitals to meet the needs of even the remote villages within the district
7. Hospitals should be equipped with the latest medical technology through out the district, again essential drugs should be made readily available
8. Government, UN and INGOs should encourage trained and qualified doctors to reside within the district. This can also be done by way of special facilities given to doctors, e.g, rent allowances and other fringe benefits
9. Government and UN agencies should ensure that security within Liberia and Sierra Leone boundary is watertight and be monitored frequently. Security awareness campaigns should also be done to educate people.
10. The roads within the district should be up graded in order to facilitate the smooth movement of people and commodities
11. Government should put strong security mechanisms in place within the borders of Sierra Leone
12. Government and UN agencies should rehabilitate already existing school buildings within the Kailahun district.

MINISTRY OF YOUTH AND SPORTS

PRESENTATION TO THE

TRUTH AND RECONCILIATION COMMISSION (TRC)

BY

DR. DENNIS BRIGHT MINISTER OF

YOUTH AND SPORTS

18th JULY 2003

YOUTH AND THE CIVIL CONFLICT IN SIERRA LEONE

I must first of all express my gratitude to the Chairman and entire membership of the Truth and Reconciliation Commission for this opportunity extended to me to make a presentation on issues relating to the Sierra Leone conflict, particularly the role and/or position of youth in that context.

"Youth" today is now steadily moving up on the agenda as one of the most challenging issues in our national life, and it is hardly surprising that after the end of the war and the holding of the 2002 General and Presidential elections, His Excellency the President Alhaji Dr. Ahmad Tejan Kabba considered it necessary to create a Ministry specifically responsible for youth matters and sports. The proliferation of youth organisations and youth coalition groups today, are symptomatic of the high expectations, impatience and desperation of young people who now within the democratic framework have at their disposal (for expression of their grievances) channels that were not available to them in the very recent past.

Those who have preceded me here have given testimonies that have included illustrations of how young men and women came to be

brutalized or transformed into killing machines. They have spoken of the role of poverty, sectionalism, exclusion and power. I am also aware that coming in at this stage, it is difficult for me not to repeat some views or comments made or positions held by previous guests of this Commission. I have therefore considered it useful to structure my presentation on the basis of the use and abuse of ideology or pseudo-ideology in influencing the evolution of youth culture in Sierra Leone.

At this point I would request permission from the Commission for me to speak in my private capacity as a citizen of this country and not as a Cabinet Minister. The views I shall be expressing therefore must in no way be considered as policy.

COMMUNIST ATTRACTION

In the geo-political chequerboard of the post-independence era, African regimes and oppositions aligned either to the Western countries or to the Eastern bloc. Very early in our history, the main opposition party, the All People's Congress (APC) started dealings with countries in the Eastern bloc such as the Soviet Union, Bulgaria and, Czechoslovakia.

When the APC took over power in 1968 it did not take long to develop privileged relations with these communist countries, relations that to a large extent influenced the APC party structure in terms of an extremely powerful leadership cult, party colours, slogans and titles ("comrade") and methods of dealing with opposition. One of the highlights of the early seventies was the effort of the APC to consolidate political power. It is within this perspective that one can understand the importance of the APC Youth League. A considerable number of young men and women were offered bursaries, study

tours or training opportunities in places like the Soviet Union, Bulgaria, or even Cuba. Among those trained as doctors etc some returned to take leadership roles as activists in the vigilant and extremely powerful Youth League. These were the elite youth among whom were sons or nephews of the President, children of top APC dignitaries, on whose shoulders the continuity of the Party rested. Their situation was legitimised by the offer of posts in the Civil Service and elsewhere, but party business took precedence over the practice of a profession.

The role of these youths in the erection of a police state that reached its highest point during the one-party regime cannot be over emphasized.

The use of violence as a means of silencing opposition was legitimised and vigorously pursued by these elite party youth whose business it was to mobilize for missions of plunder, destruction and death, a less fortunate category of youth that came to be known as thugs. Probably, the most notable of these missions is the attack on F.B.C. campus at 10 a.m. on 31st January 1977 when thugs led by Youth leaders such as Christian Cole, Alfred Akibo Betts, Kemoh Fadika, etc ransacked the campus and brutalised students in the name of the party.

The patterns of recruitment used in the 70s (i.e. drugs, guns, money or the promise of it, and indoctrination with poorly assimilated ideologies) was a shadow of coming events. The stage for the militarization of youth in the 1990s by the RUF and CDF seems to have been prepared by the APC youth activities of the 1970s.

The APC machinery that relied on the retainer ship of thugs-on-call and female yelibas/praise singers at the court of the Party was robust and had to be supported with money, lots of money. And indeed, either through corruption, gifts or bogus contracts a lot of money circulated in the system that was unearned, money that was never based on a real exchange of goods and services. This created a false impression of "good times". This state of affairs would have very serious repercussions on the psyche and behavioural patterns of youth in the future as they increasingly became captive to handouts and the use of shortcuts to wealth instead of developing the culture of hard work and achievement.

All this happened within the general framework of the concept of "national cake"; an innocent expression which on the surface implies an egalitarian distribution of national wealth but which in effect has gastronomical implications that portray the business of governance as an act of eating or better still chopping.

To sustain this false sense of wealth and "a good life", beneficiaries of the system reckoned that detractors had to be crushed; so large numbers of youth were left impoverished, unskilled and in a permanent state of "usability", ready to be transformed into machines of terror and death. Their numbers grew as steadily as they were marginalized and neglected within a collapsing economy.

LIBERATION THEORIES

While the elite APC youth were enjoying the things of political privilege, a new kind of youth activism was being born in the college campuses of the 1970s. This new category of youth activists was characterised by its down-to-earth perception of realities, its closeness or kinship with the under-class, and its vigorous abhorrence of state violence, suppression of freedom and corruption. Student leaders of this period delved into various philosophies of liberation and acquired heroes and spiritual mentors such as Che Guevara and Fidel Castro. Black militancy was also in vogue and so we read Eldridge Cleever, Malcolm X, Frantz Fanon and Steve Biko. Jean-Paul Sartre and Albert Camus brought in the modern French revolutionary messages. We listened to Bob Marley and Peter Tosh. Students read extensively and intensively outside their course work in order to be able to cope in the long philosophical college room discussions that lasted far into the night.

International Youth influences such as the Woodstock flower generation and the 1968 French student's strike freshened the revolutionary thinking of student leaders and helped to establish the smoking of marijuana as

common campus practice. Strangely, this habit helped to create linkages between students and some of the "lumpen" youth in town.

Another significant influence was the presence on almost all campuses of students from Zimbabwe, Namibia and South Africa who used to be freedom fighters and were versed and tested in liberation ideologies. Names of powerful crowd pullers and compelling orators such as Trust Maposa and the Taruvinga brothers still come to mind, and there were always some Zimbabweans in the student executives.

With the advent of the Hindolo Trye Government in 1976, student thinking and campus climate was ripe for major protests and confrontation. The Hindolo Trye camp had settled for the motto: "The Self' implying the importance of self-esteem and dignity, the awareness of one's rights which should never be put under bondage of any sort. It also implied the right to liberate oneself or for the collective self to undertake its own liberation.

During the 1977 students' demonstrations against the APC regime some people in power took the convenient position that "the whole thing" was being stage-managed by the political opposition. This was false. The revolutionary thinking that had developed on campus had little or no accommodation for the political class, whether government or opposition. Even college administrations suffered permanently from the unrelenting confrontational stance of student movements that saw themselves as crusaders with a mission to uproot a rotten "system". This system was, Government, College authorities, the Apartheid regime, Orthodox religion etc. Reggae culture and music played a crucial role in revving up the spirit of protest among not only students but also the large mass of disadvantaged youth, who had found common ground either in their poor backgrounds or in their marijuana smoking habits Youth had their regular doses of musical hits such as: "System dread," "Legalise it," "Crazy baldheads," "War," and sang with feelings of revolt lines such as "system dread! I say change it! The people them sad, I say change it! The youths them getting mad!"

By the early 1980s two significant developments had taken place: firstly, the APC had succeeded in suppressing all forms of organised opposition by introducing the one-party regime. It was therefore very easy for it to undertake unchallenged extremely costly and suicidal projects such as the hosting of the OAU conference in 1980. A second important development was that many of the revolutionary student leaders had graduated from college and were either teaching in schools all over the country or lecturing at the university. The bonds of college student and high school pupil solidarity that had emerged from the 1977 "No College! No School" protest could now be deepened within a context of deteriorating economic and social conditions presided over by an increasingly indifferent and insensitive political class.

It was in this same context that the new Green Book philosophy of Muhamar Qadaffi was introduced, the latest in a long line of ideological teachings that had been fertilizing student activism. The Libyan ideology was compelling:- it had worked, and had created a new, proud and viable society in Libya; Libya was just one-stop away from Kwame Nkrumah's Ghana. So when the University sacked lecturers or expelled students who were part of the Green Book Study groups in 1985 the seduction of violent opposition to the **entrenched** repressive system **became irresistible. And so some youth activists, former students and others accepted the invitation to go to Libya.**

POPULISM

"Power to the people, wealth to the people", are all slogans that the RUF used to summarize their appeal for support and solidarity.

The deplorable conditions into which Sierra Leone had sunk, (i.e. lack of employment, low salaries, acute shortage of basic commodities, collapse of the educational system, poor health facilities etc) had produced a large mass of angry and desperate youth all over the country, youth who had absolutely nothing to lose. The whole political class had failed. Even young men and women in

the armed forces, some of whom had been recruited by patronage, were disgruntled. The ruling class more or less abandoned the provinces and turned inwards, attending to their own pre-occupations, retreating into their residences, and ignoring like ostriches, the shanties that were **steadily creeping up** to **their respectable neighbourhoods.**

This background is essential to an understanding of the speed and ease with which the RUF populist ideas engulfed a huge portion of the youth population of this country. What were these ideas?

Basically, the RUF preached that the wealth of the country belonged to the people - meaning the common man. But the ruling class, including politicians, chiefs, business people and intellectuals, had stolen the wealth while excluding and impoverishing the common man. This conspiracy of the well-to-do over the poor could only end by the use of force. The RUF presented itself therefore as an opportunity for those who were poor, or had been suppressed by local leaders in their towns and villages to reclaim and re-possess their property by violent means. They could now have direct access to the diamonds and gold, which, as they were taught, belonged to them.

Time has now proved to us that yet again, in this populist enterprise, the youth were basically used and manipulated to satisfy the greed and selfish ambitions of their leaders. They ended up being merely slave workers for the "popays" who held on to the gems promising to give them their share when they landed in Freetown to seize power. Power was seized for a while in 1997, but payday never came.

In this typical Orwellian situation, many rebels would soon begin to see through this great betrayal as their mood changed from frustration to exhaustion. I would like to submit that by the time the DDR process had gained momentum many of them had really wanted out.

However, let me return for a while to the populist thinking. We in Sierra Leone should not underestimate its pervasive influence on current mindsets among the less fortunate class of Sierra Leoneans.

Most of us are familiar with that interesting expression commonly employed by young soldiers or rebels during the AFRC regime when they justified their commandeering of vehicles, houses and wives of relatively well-to-do Sierra Leoneans: "Na we money!"

By implication people driving cars and living in nice houses must be robbers and enemies of the common man. Everybody going into public office does so with the express intention of stealing public funds. Such is the level of mistrust today of public officials and the ruling class, felt by large sections of the youth population. Of course, the incidence of corruption in society in the every sector, public, private, religious and other sectors only serves to reinforce this profound mistrust. This mistrust can easily transform itself into anger and bitterness. It is therefore crucial that as we work towards national recovery we bear these things in mind.

I **would like to end by making a series of observations relating to the youth situation in our country today, that I believe policy and decision makers must be mindful of, if the peace so painfully gained must be consolidated.**

The economic empowerment of our youth today must be considered as a priority and given the same kind of attention as rehabilitation or reconstruction of infrastructure and restoration of authority throughout the territory. Because we have a broken economy, the pace of economic revival can hardly catch up with the high expectations of the youth. Creative news ways of engaging them in gainful activities should no longer be seen as the business of the Ministry of Youth and Sports alone but as a national, collective emergency action involving all development partners. Without wishing to sound alarmist, I would like to submit that an

angry, idle and disenchanted youth population is not a good factor in any process of national recovery.

Having said that, one will have to deal with the mindset acquired by youth between the 70s and the 90s, especially during the era of military regimes: that is, the belief that there are shortcuts to prosperity, the denial of the culture of work and the paralysing faith in social parasitism. Contrary to the lyrics of that beautiful song by my friend and brother Steady Bongo , not all "youth men" really want to work. Many of those who manage to retain their jobs go in for other reasons except work. And it is not just the youth, it is the whole society that suffers from this problem.

Another observation relates to a certain perception of democracy that seems to be popular and visible even through the attitudes of people; that is, democracy is unbridled freedom, a kind of free-for-all system. Whenever there is a military regime, there is order and discipline but as soon as democracy is restored it is considered as a relief and a general licence for indiscipline. It is crucial that for young people who within a ten-year period lived in successive contexts of the law, a morality, absurdity, and peace, a whole re-education on the basic notions and practices of democracy be envisaged. I am happy that several NGOs have civic and peace education in their programmes.

The O.G. (Original Gangster) culture that is sweeping through our youth, especially the adolescent population, is cause for concern because of its content of hard drugs, violence, and sex. We know that it was during the war that Sierra Leone became a market for hard drugs and that the trade continues today behind the fayade of spare parts shops, video centres or even church missions located at specific areas in Freetown. The copying of back street American lifestyles constitutes a serious risk that needs to be addressed and it is really hoped that the gun and gang culture that normally accompanies the drug trade will not be allowed to take root in this society.

However, it will be misleading to say that the Sierra Leonean youth are without hope or a future. Our youth population displays very talented young men and women everywhere. In **sports, Eunice Barber rose to world class in athletics; Mohamed Kallon and Paul Kpaka are defending the national colours of our country so well. And recently a totally homegrown team qualified for the U-17 football championship. In music Jimmy B, Vicky Amara, the late reggae Kabba have done extremely well. There is a group of young Internet practitioners, named "IEARN" who have just won second place in a world competition on LC.T. The talents undoubtedly are there, but what we need now is basically resources, encouragement and role models. Good role models are becoming hard to find and as I said before all the youths tend to see, real or not, are corrupt and unreliable people.**

I **believe that there is a need now for a frank generational dialogue to be engaged so that the perception of youths about people, system and things could be reorganised in the light of our efforts to bring a positive change.**

I **would end by highlighting the positive role that religion can play in shaping the lives of our young people today. Already, more and more young people are being drawn for spiritual solace and comfort to religious movements. The advantage here is to, among other things of course, restore a sense of what is good and what is bad in a society that had gone completely amoral. It is because this extraordinary potential that religion has to bring change, that one would like to see religious missions and groups in more positive socio-developmental programmes instead of the current overwhelming emphasis by some religious formations on prayer and worship.**

Indeed, finally, let me congratulate the entire Truth and Reconciliation Commission for the good job being done. I must confess that at some stage some of us were skeptical about the timeliness of the Commission's work and the willingness of victims and ex-combatants to come out openly with the truth.

Your tact, care and professionalism have established trust and confidence in your institution. It is therefore my prayer that your efforts will be a major contribution to the project of rebuilding this country and the creation of a peaceful, stable and prosperous Sierra Leone. I thank you very much for listening.

TO: THE COMMISSIONERS - TRC

FROM : THE RUFP

TOPIC: CHILDREN AND YOUTHS STATEMENT

CONTACT PERSON: MR. JONATHAN KPOSOWA SECRETARY GENERAL
15 LIGHTFOOT BOSTON STREET
FREETOWN.

Our Commissioners, fellow citizens, our facilitators, I wish to continuously embrace the far-sightedness and positive resolutions of the TRC. Under the auspices of the RUFP, I wish to express sympathy for the war that led to the mixed feelings of the children and youths during the one-decade war in Sierra Leone.

We are aware of the notion that Children and youths were cast out of their parents either forcefully or through conflict of motives by the parents (which, is which baby or child).
Some children were taken off due to the lack of food at homes of the parents. The lack of food affairs captured most fighters and civilians too.

Having heard my colleagues talk on the topic: Children and Youths, I am in deep regret for those that fell victims during and after the war.

The bench I am occupying right now, is a bench produced by God for me to speak nothing but the truth on what I know. Today, I am not here to only speak but to also teach how some of the incidents occur. I will also highlight issues on resolutions, suggestions and plead for mercy if necessary.

How were these children and youths captured?

Everybody was captured in one way or the other. Cpl. Foday Saybana Sankoh himself was captured by his creative thinking that only through arms the corrupt governments shall be washed away. Mr. Sankoh after some years started capturing members for his goal through motivations, sensitisations and mobilisations. For those

captured during the war, they were caught at various points or place.

At those places, some were suckers (taking breast) while some were left behind because the mothers and fathers were not able to carry all the children.

DEPRIVATIONS

RUFP is aware of the fact that most children and youths have been deprived either domestically or through other ways. Most children have left schools. Some do not fear their parents any longer. Considering the teachers in developed countries, they are to be respected by both parents and students.

Most children were affected through forceful jobs just to get their daily bread from those who captured them.

Some were looked at quantitatively (growth above age) and were given heavy loads to carry.

However, characters of these children could not be levied on the war. Some parents are born rude. With these characters, the children inherit it as the community prior to the war also played major roles on the ill practices of these young people.

Most of the children were already reluctant to take control from their parents before the incursion of the war. We need to accept the blames as good citizens.

Some children and youths lost their lives at food finding missions by either falling into armed bushes by enemies or an immediate attack on the food convoy.

EDUCATION/EMPLOYMENT.

The RUFP showers regret that the two major options: Education and Employment were completely erased during the war.

However, we are requesting that as the war is completely over, the employments and education of our young folks remain a primary issue for

all citizens. We need to encourage those that are capable. Today, we have in the world doctorates that people feel they are liabilities.

> All the victims are to be encouraged so long as they fell victims of the war. They should go to school. Amputees have requested on so many occasions but the responds are always very little.

For education, we need to force all school going children if we need good future for Sierra Leone.

HOW DO WE AVOID RE-OCCURRENCE?

Personally, I will suggest that we include cell classes within the working groups of the TRC to educate the children on the chaotic effects of war in the universe. We can do this through professionals, the military, Ministry of Health and Social Welfare, Gender and Children'saffairs. We are to include the professionals who are easily controlled and who can also control their emotional poises with a brief psychological knowledge.

We should avoid the importations of war toys and encourage educational toys.

GOSL should arrest through police or communities children absolutely under **vagrance during school hours.**

Remember that not all children and youths handle arms but are all in Freetown stating nothing negatives on GOSL not doing anything. Those that fought and had not been reintegrated must be **forced to go back to their villages and do farming. The reintegrated ones should be encouraged** job wise.

Political parties should join hands to find solutions to problems that our children and youths are presently facing. They should stop roaming the streets of Freetown**.**

We as politicians have business people that can host our brothers and sisters as securities, store cleaners and or statistic positions to upgrade the business.

Remember that the more we go with the slogan "it is not my business", the more bandits we achieve.

Parents must also be rigid and not to pet them. They are of course your children. We are indebted to bringing up good children.

Submission made to the TRC by GCRV Network

presented by Rosina Conteh, Child Rights Coordinator CCSL

17th June 2003

Chairman and Commissioners of the Sierra Leone Truth and Reconciliation Commission (TRC), Senior Citizens of our Republic here present, Fellow Sierra Leoneans. I am here to share with you the work of the Gross Child Rights Violations (GCRV) Network.

The Gross Child Rights Violation (GCRV) Network was set up in April 1998 in response to the high number of violations against children during the war. The main aim of the programme was to set up a structure that would monitor and advocate fro the promotion and protection of the human rights of children in Sierra Leone.

With the approval of the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) and support from UNICEF, the GCRV Secretariat was established at the Council of Churches in Sierra Leone (CCSL). Council was then charged with the responsibility of coordinating the activities of a network of NGOs, grassroot members and line ministries that work towards promoting and protecting the rights of children. All reports on violations/abuses of children's rights are to be channeled through the secretariat where the information including statistics should be collated for dissemination among partners both nationally and internationally. Reports containing issues of vital concern are usually raised up with the appropriate authorities to effect changes in the lives of the children.

Another responsibility of that secretariat is to monitor, document and report on GCRV throughout the country.

There are currently six monitors based in all four regions (2 in the North, 2 East, 1 South and 1 Western Area) to serve as focal points for reporting violations/abuses. The monitors report on the violations of children's rights are brought to their attention by family members, children themselves, partners and newly established Child Welfare Committees on monthly basis.

During the last quarter of 2002, GCRV Secretariat after series of consultations with UNICEF agreed on a new strategy on protecting children's rights. It was agreed that community members should be fully involved in the protection of children within their communities. Series of workshops were held throughout the country and issues discussed included what are gross child rights violations, how such violations hamper the healthy development of the child and the community and how they could be prevented or minimized. Chiefs, religious leaders, teachers, market women, children and other community members participated in the workshops.

Feedbacks from communities confirm GCRV's statistics that the level of child abuse is high and is on the increase. Every community has stories of children being beaten mercilessly, sexually abused, and exposed to drugs and alcohol abuse.

Others are used as child labourers, street beggars and some forced to work as prostitutes against their will. The shocking fact of these violations in post war Sierra Leone is that they are committed by individuals that children trust – family members, neighbours, relatives and family friends.

So what is the appropriate response to this huge and worrying problem?

GCRV Network believes that while it is fundamentally important for child protection agencies to ensure that a child who has fallen victim to abuse access medical, psycho-social and legal assistance, it is equally more important to work on strategies that aim at preventing the abuse occurring in the first place. The old adage 'Prevention is Better than Cure' is GCRV Network's mantra for this year.

In this vein, GCRV Network has set up sixteen Child Welfare Committees throughout the country. Each committee has been trained on child rights, gross child rights violations, the need for monitoring and reporting all child rights violations using the CRC as a yardstick.

Committees comprise of chiefs, Christian and Muslim leaders, teachers, market women, youth representatives, children and NGO workers.

In most communities, representatives from the FSU, the Ministry of Social Welfare, Gender and Children's Affairs, the armed forces and the prison service pledge their support and regular attendance in advisory capacity at committee meetings.

VIOLATIONS AGAINST CHILDREN

Before the war

Before the war the GCRV programme was not in existences. People might not have been aware of or willing to bring to the public notice some of these violations, where to report and who should advocate for them. Many children must have suffered in silence.

During the war

During the 10 year civil war, there were lots of atrocities perpetrated against innocent civilians by the fighting forces. Women and children were the most affected. Most children became of violations such as : sex slavery, forced recruitment, amputation, child labour, child pregnancy, abduction, prostitution, economic exploitation, murder/killing, illegal detention etc.

Atrocities perpetrated against children by adults and sometimes children themselves are enormous. They included sexual violence, abduction, forced recruitment etc.

both government and rebel forces used children to fight a war, which was not of their (children) own making. In 1994, due to persistent advocacy, government was forced to demobilize all child soldiers (vigilantes) from the war front.

Between 1998 and 2000, over 4,000 cases of war related violations were documented by the GCRV Secretariat with the help of other NGOs. Reports showed that thousands of children were abducted from their homes especially in the Western Area of the country during the January invasion and taken to unknown destinations where they were abused in various ways – some used as spies, sex slaves, combatants, labourers etc. many children lost their lives and some of the girls were impregnated and are now mothers with children they cannot care for. Hence the issue of girl-mothers today who are children themselves that need the love and care of their own parents.

At Present

Since the end of the war, the problems facing the children of Sierra Leone have changed rather than diminished, whilst children are nolonger at risk of abduction and recruitment, statistics show that in post war Sierra Leone children are at a higher risk of domestic violence, sexual abuse and sexual exploitation than they were before the war.

Everyone, either directly or indirectly is guilty of abusing or violating the rights of children in this country : viz

- **Delays in passing bills into law has rendered the CRC dysfunctional. Many people refuse to avide by the provisions of the CRC because it has not been incorporated into our national laws.**

- **The government has not been able to adequately cater for the needs of children, hence the high number of street children in the country and the high rate of prostitution among teenagers**

- **The continued imprisonment of child offenders alongside their adult counterparts only helps to increase the crime rate as such children tend to imbibe more negative attitudes while in prison. This contravenes the juvenile justice code, which makes provision for special treatment of children in conflict with the law.**

Delays in court proceeding undermine efforts to convict alleged perpetrators of children's rights. Out of a total of 64 cases of gross violations charged to court by January 2001 and December 2001, only seven were committed to the High Court. 38 cases were active in court while 26 remained dormant. The victims and their relatives must have probably lost interest due to long periods of

adjournments, out of court settlement, witnesses refusing to testify in court etc.

Between January and December 2002, over 1,645 cases of neglect/abandonment, rape, economic exploitation, violence related injury etc. were reported at various FSU branches in Police Stations throughout the country. Despite efforts made by CPAs, the rate of domestic violence, sexual abuse, economic exploitation, child labour against children is still high. Every week GCRV Secretariat and other partners document some cases of violence against children.

For the period 2002 and 2003, GCRV's reponse to these problems is twofold. It focuses firstly on child protection and secondly on the prevention of abuses.

The Convention on the Rights of the Child lies at the heart of the GCRV programmee. In 2003, GCRV's focus is in producing resource materials on the CRC for distribution in schools, communities and amongst child protection partners.

It intends to continue its awareness raising, campaign, publicizing child rights issues on the radio and television network, organizing rallies on gross child rights abuses especially sexual violence against children in the four headquarter towns and producing quarterly newsletter that highlights child protection concerns. It also plans to train its staff and partners on the National Laws as they relate to children, international human rights law and the effective use of the CRC in monitoring and prevention initiatives.

These broad categories of beneficiaries of this project have been identified and they are: (a) Children in Abusive Situation
(b) Communities at chiefdom level and wards in the Western Area
(c) Network Partners.

Impact

• The monitoring and documentation has helped to determine the high rate of violations perpetrated against children during and after the war.
• Community sensitization has raised public awareness of the need to protect and promote children's rights. Awareness raising activities carried out by GCRV through Jingles, radio TV discussions, posters, workshops, meetings in schools and market places, have yielded highly positive results with communities (Western Area and the Provinces) responding promptly in providing information on cases of child rights violations whenever they occur. Parents, guardians,

children, concerned neighbours, visit the GCRV Secretariat almost on a daily basis to report such violations.

Evidence of this could be found in the statistics collected. See attached Appendix.

In 2001, a total of 967 cases of violations were documented.

In 2002, the number rose to 1,645, a direct outcome of the sensitization exercises carried out in the communities The setting up of the CWCs has further enhanced information sharing, networking, monitoring and reporting of gross child rights violations. The establishment of the CWCs, which serve as watchdogs in the various communities, is also helping to lower the rate of violations perpetrated against children. People now talk openly about these violations and are willing to report such cases whenever they occur. In this way potential perpetrators are kept in fear of the consequences of committing such abuses.

- Community members are now directly involved in monitoring violations against children's rights and ensuring that punitive measures are meted out to the perpetrators.
- Positive actions taken to protect victims who seek legal redress by providing them with legal representation. Medical assistance is provided to victims of sexual violence.
- Advocacy with the Office of the Chief Justice has led to sexual offences being prosecuted in closed chambers

Constraints

- At the moment Sierra Leone has no clear-cut definition of a child. Various acts exists for various offences relating to children. These are sometimes so confusing that they hardly leave room for full legal redress. The most controversial of these is the customary law as it relates to marriages. It offers no age limit or clear definition of a child. Children as young as ten years are given in marriage in many local communities with impunity.

- In most areas of the country children are left in the streets uncared for. Some are sent to the streets to sell instead of being in school, thus denying these children especially girls their right to education. This has been and is still the reason why there are so many cases of rape and other forms of child abuses. Sending children out to sell exposes them to the danger of becoming sexually exploited by adults.

- Unnecessary delays in court proceedings through long adjournments often undermine GCRV Network's effort in seeking redress for rape victims through the court.

- Many rape cases are settled out of court either as a result of some financial benefit from alleged perpetrators or in the name of maintaining good relationship within family circles.

- Free medical support for victims of rape is not readily available. There is a very limited number of agencies providing assistance to a huge caseload of rape victims. Health institutions with the exception of Connaught Hospital demand fees from rape victims for medical examination. Where the parents are poor, victims suffer. This often leads to the loss of physical evidence to corroborate charges preferred against perpetrators in court.

- Victims as well as their parents, out of fear of stigmatization and ignorance often refuse to report cases of rape to the police on time for necessary action to be taken. This leaves the victim suffering in `silence' and perpetrators going unpunished.

• The absence of proper 'remand homes' or 'approved schools' for child offenders leads to the incarceration of child offenders together with their adult counterparts in the same cells. This is a breach of the Code of Conduct of the Juvenile Justice System.

RECOMMENDATIONS:

The TRC should encourage the Government to take the following actions:

1 Incorporating the CRC into our national laws.

2 Media houses must be more sensitive in reporting cases especially cases of rape where names of victims were mentioned in newspapers.

3. Government to strengthen line ministries to enable them play more leading roles in the protection of the rights of the child.

4. Government to set up an Independent Commission on the rights and protection of the child.

5. In order to build confidence and security for the child offender/victim we recommend that an independent counselling body/unit be set up prior to Juvenile Court sittings.

6. Recommend that a provision be made for the safeguard and protection of children during armed conflicts. The use of children as combatants should be made a crime against humanity.

7. Recommend the provision of legal aid for child victims and offenders.

8. Recommend legislation dealing with a minimum age of marriage to cover all forms of marriages in order to protect children from early marriages.

9. Special training of the Police Force and the Judiciary on the protection and rights of the child and how to deal with cases involving children.

10. TRC should put a mechanism in place that will prevent future wars in the country.

11. Those found guilty of committing atrocities against children must be brought to book.

NATIONAL GROSS CHILD RIGHTS VIOLATIONS STATISTICAL REPORT JANUARY-DECEMBER 2002

)ns	Janu ary	Febru ary	Mar ch	Im! May	Jun e	July	Augu st	Septem ber	Octo ber	Novem ber	Decem ber	Total
~exual Abuse ial	107	77	44	31	27	26	33	42	33	22	1 1 21	4a4,
larriage	-	4	9	9	10	21	-	13	3	-	6 12	8 %
mic Exploitatio	20	41	18	2	9	7	16	11	7	1	9 30	
'regnancy/ Mothers					7	-	20		-			
_abour												
e	g			4								
ce Related Injury							'I			4	-	-
:t/Abando ned	32	22	. E:I	1"	12I	8~	151					
ring												
Trafficking												
lbuse	r	-		__		-	-				----	
ion	;,5			,			26	e	_	I 2f	~0	-.
rlKilling	1	3	-	I 1	1	2	1	1	-	2	1	
	269	189	171 1	, 91	90	781	256 1	194	72	461	41 148	1615

co[AnL0!niUu[xLS IN S/FKKA 1,B0NEKK!rMn`N S7AT!5TICACREPORT 0FDOCUMENTED NAT/0NxCGROSS CHILD RIGRTSVIOLATIONS JANUARY-DECEMBER }V01

"'ESTERN AREA			NORTHERN			SOUTHERN				EASTERN				
6-9	10-	15-	65	6-	10	15	0-	6-	1	15	0	6-	10	15	
	71	17			37	18	1	6	31				8		292
		2	7 --	6									2	4	82
													1		103
													3		14
												126	23		
													1		96

1 16 12

3 452296

THEMATIC EVENT-SPECIFIC AND INSTITUTIONAL HEARING ON YOUTH

1.0 INTRODUCTION

Mr. chairman, Commissioners, the Forth Estate, Distinguished ladies

and gentlemen

I am Thomas Ngolotamba Katta, the National Coordinator for The Centre for Coordination Youth Activities – CCYA in Sierra Leone.

This Centre was established in September 1998 as a non-political, non-profit youth serving Agency working towards youth empowerment through efficient and effective coordination and capacity buyilding of youth groups and organizations utilizing participatory intervention while cooperating and collaborating with youth promoting organizations in and outside Sierra Leone.

Our target groups are Youth and Women. We operate a field office in Port Loko at No. 7 Kambia Road.

Our organization is a coalition member of the National Forum for Human Rights NFHR, Network on Collaborative Peace building NCP in Sierra Leone.

1.1 The nature of work we do can be categorized as follows:

A. HUMAN RIGHTS

We monitor Human rights issues around youths and women. We also do Human Rights Education in schools and youth communities.

We have been involved in the activities of the Transitional Justice mechanisms – the Truth and Reconciliation Commission and the Special Court and our organization is a member of working groups of these institutions in Sierra Leone.

- **Done several sensitization workshops on TRC/Special Court.**

B DEMOCRACY/GOOD GOVERNANCE

We are involved in education and training on Democratic issues and Good Governance. With support from the National Democratic Institute NDI and in collaboration with Search for Common Grounds – Talking Drums Studio (SFCG/TDS), we trained youths in Sierra Leone to monitor the elections, campaign for violence free elections and also mobilize youths to register and vote. This ensured youths actively participating in observing all stages of the election process including the pre, post election period and polling day to ensure a non-violent free and fair election atmosphere.

We still continue to be committed to the local Governance issues and will be doing a training on that before the end of the year in all chiefdoms in Sierra Leone.

C. CONFLICT RESOLUTION AND PEACE BUILDING

We are involved in identifying early warning signs as means of averting conflicts

We do Conflict Resolution through Dialogue and Confidence Building

•Involved in a three days youth peace symposium in Makeni during RUF occupation in collaboration with CCP, DDR and UNAMSIL as a means of creating sustained contact between the warring factions, - June 2001

•Involved in building confidence between the Dollar boys and the National Union of Nigerians in Sierra Leone after the death of Jam Jalloh, a youth engaged in petty trading - July 2002

•Training for Kono District youths on Youth Leadership and Social Change, a confidence building method through training in capacity building and coalition building – March 2003

D YOUTH REPRODUCTIVE HEALTH AND HIV/AIDS/STDS AWARENESS CAMPAIGNS

We are involved in HIV/AIDS sensitization in youth communities and secondary schools in the Western Area and Northern Province

•Peer educators club in 11 schools in the Western Area funded by WCRWC

•HIV/AIDS sensitization and micro credit scheme for poor rural women in Port Loko district for 100 young women – funded by CARE Int. through the Canadian fund for local Initiatives

•Working with commercial sex workers (young girls) in the Western Area

E FOOD SECURITY AND ENVIRONMENTAL CAMPAIGN.

Working with youths in Kafu Bullom, Dibia and TMS chiefdoms in Pork Loko District on Food production and environmental safety practices campaigns.

•July 2002, 500 acres of food crop production – rice, corm and groundnut

•Support given to 300 youths with planting materials this planting season

•Supported onion production by youth in the Kafu Bullom chiefdoms

•Provided food for agriculture to youth farmers from WFP

F TRAINING / APPRENTICESHIP / INTERNSHIP

Youth are trained in life skills such as tailoring, construction/building or sent into programmes organized by partners as apprentice to learn. Also from institutions like NIC, IPAM, MMCE&T,

FBC and Foreign institutions students come into the centre to learn from our participatory interventions. They also write dissertations on topical issues related to youth work.

G RESEARCH AND ADVOCACY

We are involved in a lot of research dealing with the welfare of youth in Sierra Leone and the sub region.

- Last year we did a participatory Research study with Adolescents and youths in Sierra Leone – Precious Resources: Adolescents in the reconstruction of Sierra Leone – funded by WCRWC

- We also release a magazine on quarterly basis called the "Youth voice" as our advocacy medium.

- We are one of the lead organizations advocating for enactment of a National Youth development Policy and the establishment of Independent National Youth Council

- Created a data on over 300 Youth Organizations and their development activities within their areas in the Western Area

H GENDER EMPOWERMENT PROGRAMME

We work with women's groups in the Western Area and Northern province. Already we have over 22 women's groups in Port Loko District and are currently undergoing training on HIV/AIDS sensitization and Micro credit scheme.

2.0 VIOLATIONS AGAINST YOUTHS

Following Sierra Leone's independence from British rule in 1961, politicians preached well being for all, but the country remained one of the world's poorest, and few youth could find ways to create change.

For decades, all young people hoped for was the fulfillment of their basic rights – a chance to go to school, to get health care, to find jobs, to participate in the life of their communities, to be respected and listened to by stakeholders in government and to live without insecurity.

But the political system was undemocratic, and resources and power remained in the hands of a few.

Youths became import only when there were elections and they were dumped after excellent thuggery and barbaric lives.

We have seen the children of government officials attending expensive private schools while most of us could not even go to school say a young RUF fighter.

In the 1970s the All Peoples Congress APC one party system was dictatorial, totalitarian and repressive.

Youths and students called for reforms that could lead to better education for young people and a better standard of living for all. Sierra Leone rich with mineral resources- Diamond, Bauxite, Titanium – and plush with beautiful coastal water and verdant, fertile countryside that could provide for everyone but yet these hopes are still in oblivion.

Because students and lumpen youth demonstrated in 1977 – APC became more lethal and arrested a lot of students and youths and detained them, victimized some of their family members and banned student and youth activities. This led to a lot of disillusioned young people whose hopes were dampened with no prospects and few alternatives, to join a “movement” against the government.

Students were now getting scholarships depending on their allegiance with the APC one party system and the country was governed on the ticket of “WHO KNOW YOU” . Several other students were sent out of college every year as a result of Administrative victimization.

The young people see the decade long war in Sierra Leone as fundamentally about adolescents and youth – their issues and their involvement. Rebel groups, which some young people joined as a last resort in their struggle to change the political system, perverted the course of non-violent student/youth Activists, who had championed reforms,dragging young people into conflict and compelling them to commit atrocities against each other and their communities. Young people on both sides of the conflict became perpetrators and victims of the war, while the spoils of the war, diamonds in particular, remained controlled by adults who had no intention of fulfilling young people's rights.

Youths have been violated all through out before, during and even after the conflict. This is a worrying situation right now because the politicians still continue to give lip service to the issue of concern to young people. There is still need for the consolidation of peace since disarmament is surely not everlasting peace.

Also the absence of a National Youth Development Policy – neglect of youth issues in this country by almost all governments exacerbated the involvement of young people into the war and the reckless disregard of their welfare especially around the issues of Education, poverty and living standard energize them to become more violent. Regardless of age, gender, location and experiences with fighting forces, young people are concerned about the lack of educational opportunities, poverty and lack of healthcare, employment and other basic necessities. These are the same issues young activists had spoken about generations before and that youth organizations speak out about today.

Recognizing that they were at the center of the war, youth believe they must be at the center of peace making and reconstruction. Without better support and respect for their rights, young people will become a major source of new unrest.

3.0 ASSESSMENT AND IMPACT

•HARD CORE CRIMINALS (MIGHT MAKES RIGHT ASSERTING POWER AND STRENGTH)

As the concept of “might makes rights” ruled the wartime period, many young people engaged in stealing and looting as a matter of course and the siege that constituted their normal life. Today, without livelihood possibilities, positive support for change or a functioning police structure, many young people still depend on stealing as a way of life. Sexual violence, another form of asserting power – derived in part from a lack of control – was wide spread in the conflict and continues as social protections including cultural m=norms prohibiting such behavior, have broken.

•PROSTITUTION/SURVIVAL

Young people say that girls and women especially, are engaged in prostitution in large numbers before and after the war. Many resorted to prostitution mainly out of necessity, describing their inability to find support without submitting to the power of males who control resources, loss of self-esteem and hopelessness have also driven girls to prostitution, compelling them to place their lives at risk or otherwise confirm their felling of degradation and worthlessness. Some believe that the proliferation of commercial sexual violence perpetrated against girls and women during the war perpetuating a state of mind and on explosion of willing customers, including peacekeepers.

•DRUG USERS/ADDICTS

“Ghetto life” described how they fought their troubles by smoking marijuana and taking other drugs like sedatives, capsules, crackers, cocaine,etc. This was a legacy of successive governments that had nothing to offer youths but to convert their 'energies' to cause havoc during their political campaigns and after that they are dumped and forgotten about. It them became a rally point for youths to mediate over their predicaments.

•**EARLY MARRIAGE/ECONOMIC SECURITY**

Young people say girls especially marry when they are young in order to find economic sustenance and survival. This may also be connected to the initiations into traditional societies, elderly males in these communities help to pay their ritual costs and in turn request their hands in marriage. Such options may be well received by the young girls and their families, with few resources or other options. Culturally riage also might provide young girls with a sense of belonging and a re-establishment of tradition.

All these have negative effect on the youth and stray with them for a long period of time.

4.0 RECOMMENDATIONS

•The GOSL must strengthen Nations legal frameworks to protect the rights of children, adolescents and youth and should immediately pass into law the National Youth Development Policy, and also enact child's rights law and eliminate gender discrimination under the law

•The GOSL and others working on judicial and legislation reform should make a priority improvement on protection from sexual violence and exploitation and forced marriage under Sierra Leone law. They must also work to ensure women's rights to own property.

•The GOSL should ensure equal access to education, livelihood opportunities and property ownership for girls to help prevent sexual exploitation.

•The GOSL and the International Community should establish and support a special fund for war victims as stipulated in Article XXIX of the Lome Peace Accord (LPA).

•Donors should fund youth groups and Agencies directly, and International NGOs, Government Ministreies and UN Agencies should work with them on programming and capacity building. Holistic programmes must be giving priority for adolescents and youths that address the range of education, livelihood, psychosocial, participation, health and protection of their rights.

•The 1991 Constitution has a lot of ambiguities that militate against the ordinary citizens and therefore needs urgent reforms. E.g. Where the Constitution restrains taking the Government to Court for any action that might cause problem to the people... this law encourages impunity for Government officials.

•Government should create avenue for youths to get a lot of recreation – games and sporting activities that will engage them. There is also need for extra moral studies for adolescents and youths in Sierra Leone.

PRESENTATION BY HON. VICTOR REIDER ON THE THEME - MILITIAS AND ARMED GROUPS- TO THE TRUTH AND RECONCILATION COMMISSION. 19/6/03.

BRIEF HISTORICAL BACKGROUND.

The fratricidal war that lasted for almost eleven years in our Country was an effect of cumulative causes.

It would be recalled by honest Sierra Leoneans that by the mid 1980's, after the Organisation of African Unity (O.A.U.)meeting held in Sierra Leone, the Political and socio-economic situations were such that there was bound to be a change, either through the Siaka Stevens regime's willingness to adopt reform (which was not forth coming) or the regime risked having itself kicked out of power. In the absence of the former, the latter became inevitable.

Hence, it wasn't a surprise that the N.P.R.C junta government had such massive spontaneous support on that faithful day April 29, 1992 when a handful of Young and inexperienced Officers of the National Army marched on their benefactors and seized control of power.

For the same reason, when an ex -Corporal of the former Republic of Sierra Leone Military Forces, Foday Sankoh announced in 1991, that the then President Joseph Saidu Momoh should either allow Multi-Parry Democratic Elections or face an attack in 90 days. Most Sierra Leoneans (who were already saying in especially public places such as pubs, transports etc that only war will solve our Country's woes.) breathe a sigh of relief expecting that at long last someone was standing up to what was then perceived as an all powerful oligarchy whose foundation was built on mal- governance, corruption, ineptitude, greed, tribalism sycophancy etc.

This was the State of mind of the majority of Sierra Leoneans, who had to suffer under one of the most autocratic and ruthless regimes in the Continent. Specialised in the silencing of every opposition, the A.P.C. government conducted it's first elections in 1973 . In almost a11 areas especially the Northern region, the A.P. C. Candidates through institutionalised violence were returned unopposed after their Sierra Leone Peoples' Parry (S.L.P.P.) opponents were kidnapped and locked up in unknown locations during Nominations.

In the absence of political competition and or tolerance, one would have looked forward to the Judiciary as perhaps an area of hope being the arm of Governance that should have mitigated and ensured that justice was done. Unfortunately, Siaka Stevens did not stop at creating a puppet Executive entirely at his

service, he infested every facet of the lives of our People and Country. Every structure of State was rendered impotent or redundant, particularly the Justice system.

The late Mr. Stevens who by 1971 , three Years after his ascendancy to power, wielded the authority of an Executive President, having transformed the state of Sierra Leone into a Republican status, had the prerogative to appoint Judges to the superior courts including the supreme court of Sierra Leone.

Mr. **Stevens was by this authority able to appoint men of mean character, men who were content to satisfy their greed at the expense of the Nation and People. Men who killed their consciences at the beck** and **call of Siaka Stevens, himself poised to destroy every thing of virtue and value in our beloved Country as long as it ensured his stay in power.**

Judges appointed to such high offices any where in the World, are expected to be above board. Unfortunately, Mr. Stevens' appointed Judges were reduced to mere sycophants, who went out of their way to obtain A.P.C. Party cards to satisfy one of the criteria to become a Steven's Man. Under the circumstances, it was insanity to expect Justice. Thus, Mr. **Stevens effectively silenced justice. In its place came the . . culture of fear and silence. The Avenue for every form of redress including political redress was stifled.**

Consequently, as elections' violence and mal-practices, assassinations of perceived dissidents , state sponsored robbery, the whole sale loot of our resources (diamonds, gold etc) by politicians whom it appeared had the blessing of the Executive, became the order of the day. There was nowhere to turn to.

The scenario became limited to two choices:

you **either join the looting and destruction of the State that was set in motion by men who had no regard for the welfare of the vast majority of our People whose living standard was deteriorating by the day or you respect the call of your conscience. I chose the latter.**

However, even before the 1980's some of our compatriots (the so-called technocrats) who are still shamelessly hovering around , opted to join the gang of State criminals especially from Fourah bay College which was supposed to be the citadel of learning.

Hence, it became very convenient for them to say 'if you can't beat them join them', even when the suffering masses were groaning. It also became fashionable for them to say that every body was one Party, implying that everybody was A.P.C. I beg to differ. I know and I am convinced beyond doubt that A.P.C. was not the Nation of Sierra Leone and therefore could not have been a Nationality. Therefore, I like others with conscience or rather who did not allow material lust to cloud their Consciences refused to compromise and be categorised as A.P.C. by succumbing to the path of destruction as set forth by the Late President Siaka Stevens and his successor Mr Joseph Saidu Momoh.

THE SOCIO-ECONOMIC SITUATION

Except for those who directly or other wise benefited from the wanton economic destruction caused by the plunder of the State of Sierra Leone during the A.P.C era, but for the bulk of the People; the Period of A.P.C. 2 decades rule created the objective conditions for the Criminal war that was carried out by the so-called Revolutionary United Front (R.U.F).

Before the advent of the A.P.C in 1968, the Sierra Leone economy was relatively among the best economies of some of the emerging new states from Colonialism. Certainly better off then Singapore and Malaysia in South East Asia, Colombia in South America and Trinidad and Tobago in the Caribbean. It is in record that Sierra Leone supplied the seedlings of the thriving Pa1m kernel oil trade for which Malaysia is renown today. And about the same period, Sierra Leone exported food and cash crops including our staple food rice.

However, the reign of the A.P.C was marred with scandals of corruption such as the sales of ship load of Fertiliser by a government Minister. The out bust of the infamous Squandergate and vouchergate etc. The shortage of basic commodities such as rice and fuel that became the fastest way to enrich government ministers and Public Servants. This situation

deteriorated to an unbearable state where it became survival of the fittest. And such words as "ose den tie cow na dae e go **eat grass" became a belief and a way of life for many Sierra Leoneans . In the process, the predators became so used to eating the grasses that it became very difficult for them to stop until they were toppled.**

It became so bad as a result of corruption that many of our Young People ended up in cells in Europe and America awaiting deportation either due to illegal entry or for crimes committed in their search for survival as it was literally impossible for them to survive in their Country of Birth - Sierra Leone. They became the replica of the Trans-Atlantic Slaves albeit willingly.

At the same time, children of the members of the clique in Power were in the best Institutions of Learning abroad, although a good number of them ended-up being drug addicts. Because they had too much money to spend, they looked for where to spend some and drugs became the most attractive since it offered the pleasure only lazy People like the Gentry can enjoy. Easy come Easy go.

They were the sons and daughters of the Rulers of Perhaps the most potentially Wealthy State in Africa south of the sahel. The land of iron and diamond which by that time had become known as one of the . . bastions of Institutionalised corruption in Africa, where the bulk of the wealth of the Country was in the Hands of foreigners who had no interest in the welfare of the state and it's People. Where misappropriation of Public funds was greeted with admiration from above and apathy from below. "God dae" became the only consolation for many Sierra Leoneans who when they attempted to speak were arrested by orders from above.

<u>INTOLARABLE SOCLAL CONSEQUENC</u>ES

This whole country was reduced to one big hell on Earth, where it was impossible for the average Sierra Leonean to have two meals a day let alone three. Where Education became an out right privilege enjoyed only by the affluent. Where prostitution became the means of support for families that were lucky to

have girl Child. Where it was a fortune for public workers to receive salaries after three months and for private sector operatives to make do with coins for legal tender transactions in the absence of notes in the currency circulation of the country. Even to have the coins one had to pay commission to Bank officials. Every thing was in short supply to facilitate corruption.

The love that existed hitherto when every body was some body else's keeper disappeared leaving in it's trail hate, which has today reached the point where we now refer to it as pull him down (P.H.D.)syndrome.

As is obvious, philosophical statements are coined to suit every age of man the World over. In Sierra Leone it wasn't different. Thus, it was Mr. Stevens the architect of the destruction of the State of Sierra Leone who in trying to justify the superiority of Wealth over Education said "den sae Bailor Barrie you sae Davidson Nicol."

When Mr. **Stevens and his cohorts were propagating these negations they may have parochially understood them to mean politics. Hence, to blatantly lie, deceive, steal and keep our people ignorant became simply POLITICS for them. Politics was reduced to the manipulation of the People to submission. It became common place to see politicians encouraging young people into drug addiction and alcoholism as long as they can support them to return to power to continue the loot of the state.**

But should we blame the Young ones?, when those who preceded us and us who lived before them offered nothing to them that they can be proud of ?.It is a good thing to ask what one does for his Country but one is firstly born into a world, that world received us based on what others have contributed to making it good for us. Therefore, we are equally under obligation to leave our contributions for others so that they too should be able to build on it for the unborn. Failure to do so becomes a shame!. And it leaves a situation of backwardness to those yet unborn.

The question then is what have we left for those after us and those to be born? In an answer to this question, I at a tender age vowed to make my modest contribution to humanity and avoid being a useless consumer.

It was against this background, that I became identified with what could aptly have been described as the left in the Politics of Sierra Leone because of my consistent criticism of the then A.PC. regime in relation to the welfare of the People of Sierra Leone.

MY CONSCIENCE.

An Expression of Conscience in my opinion is the highest level of conviction and the raison d'etre of my living. This is a very strong belief which I held and continue to hold and if I am to be understood in my sincere attempt to espouse the truth of what I lived and knew about militias and armed groups within the context of the sierra Leone war, I must be understood from this premise.

Let me firstly take this opportunity to register my thanks and appreciation to the People and Government of Sierra Leone, the International Community and the Chairman and Members of the Truth and Reconciliation Commission for providing the opportunity to us (especially some of us who may have been wrongly portrayed by our detractors whose speciality it is to malign others and in the process distort history), to speak the truth as it happened. I must confess that I have patiently looked forward to this opportunity in order to set the records straight.

<u>MY EARLY YEARS</u>

Born to Mr & Mrs Jabez Adjei Reider in Freetown, where I spent all my boyhood years, I attended the Mereweather Road Municipal School and the Prince of Wales Secondary school respectively between 1963 and 1976.

Following the Students' unrest across the Country in 1977 and it's failure to address the totalitarian and undemocratic rule of the Steven's regime, I officially joined the Sierra Leone Peoples' Party where I worked directly under the late Alhaji Sanusi

Mustapha and became the official Party's polling agent at Model Secondary School polling station in favour of Mr.Eutace King the then Candidate in the General Elections in 1977.

Also as a direct consequence of the students' unrest, a good number of Students and Youth activists dispersed all over the world into different countries for fear of the almighty hand of persecution of the A.P.C .regime. As one such Youth activist, I had the privilege of benefiting from a scholarship granted to me by the Government of the Republic of Guinea where I offered a course in History and philosophy at the Institute Poly Technique Gamal Abdel Nasser currently the University of Conakry.

Meanwhile, among the comrades who remained in the Country particularly those at the University of Sierra Leone-Fourah bay College. an organisation was formed to be known as PAN AFRICAN UNION (PANAFU). Among the founding members of PANAFU were Richie Olu Gordon, Cleo Hancils, Jef Bowley -Williams to name but a few and some Youth activists including myself, Sahid Kamara, etc all of whom became members of PANAFU.

PANAFU'S OBJECTIVES

One of the major objectives of PANAFU was to rally support of progressive Sierra Leoneans with the aim of politically educating the oppressed people with a view of providing a sound ideological alternative to what was then the undemocratic and repressive regime of the APC Oligarchy.

IDEOLOGICAL FOCUS.

The Pan African Union (S.l) was created on a marxist- Leninist ideological platform Hence the setting up of a number of ideological study cells within Freetown and later the provinces to Politically train potential cadres. One such cell was meeting at 71 Blackhall road. This was the cell that operated between 1986 and 1987, from where Mr. Foray Sankoh was recruited by Panafu.

EVENTS LEADING TO 1987

In 1985, some Lecturers and Students were expelled from Fourah bay College . This group of disgruntled students had forged a link with the Libyan Arab Jamahiriya where they had to travel to a couple of times. After the expulsion, the Students' group eventually resurfaced in Accra - Ghana where they were absorbed into the University of Lagon.

By **1987 the link between the Students in Accra and Tripoli had reached a point where an understanding was established between the two parties to offer Political leadership training to Sierra Leoneans in Libya. It was then that a delegation of Students from Accra met some Sierra Leoneans from PANAFU in Conakry to discuss matters relating to the subject matter.**

ULTERIOR MOTIVES

It would appear that these delegates from PANAFU had an ulterior motive for agreeing to whatever the proposal was, for no sooner the first batch of Sierra Leoneans left for Tripoli via Accra in June 1987 than they reneged on the very understanding which they forged.

A NEW PHASE IN THE STRUGGLE FOR FREEDOM FROM OPPRESSION.

I wish those who went to Conakry on behalf of PANAFU were serious about what they did. Or should I say, I wish they knew how important it was to have believed in the suffering People of Sierra Leone and themselves enough to have the courage to translate theory into action and avoid mere Revolutionary phrase mongering to enhance their personalities. If they were sincere and did not antagonise those whom they voted to go on that selfless trip to Tripoli, an **ignorant Man like Foday Sankoh would never had plunged this Nation into one of the most brutal wars in the history of humanity.**

Unfortunately, six months later in February, 1988 when the nominees to Libya returned , the same Delegates who initiated the programme with the Alie Kabbah group, incited the Younger activists in PANAFU against the former.

Consequently, in a meeting following the arrival of the nominees, the majority of Members especially the younger ones, having been instilled with fear voted against the continuation of the Libyan programme. And in that meeting the new arrivals having been betrayed, were further threatened with Police action. The meeting ended in a note of mutual suspicion and hatred between the initiators of the Programme and those who

went on the request of the Organisation -PANAFU. Thus, prematurely ended an important phase in our Political Struggle

MY ACTIVITIES DURING THE PERIOD OF THE WAR.

Even though I knew that Foday Sankoh was one of those who were recruited by PANAFU later, yet I was surprised to have heard Sankoh giving an ultimatum to Former President Joseph Saidu Momoh that in 90 days he was going to attack the security apparatus of the Momoh regime if the latter did not concede to multi party democracy.

From that moment, knowing fully well that Sankoh did not have the capacity to understand the nature of the struggle let alone lead, I realised it was going to be a disaster. I still could recall that shortly after Sankoh shot the first shot in March 1991, Richie olu Gordon met me at my Wilberforce Street (SPARTA BUILDING) office and required to know my assessment of Sankoh's act of invasion. And I told him categorically that the Struggle of our People has been bastardised, a view I think he shared.

It is on record that I have been among the few out spoken critics of the criminal war that was perpetrated by the so-called Revolutionary United Front **R.U.F.** against the People of Sierra Leone. The S.L.B.S Radio and Television have evidences of this fact.

"Whoever takes up arms against the People without adequate Political education is a potential criminal" this was what the late Thomas Sankara had to say about unprepared self styled revolutionaries. This statement holds very true for Foday Sankoh particularly and the rest of the members of the **R.U.F.** in general.

Sankoh took upon himself to hijack the effort of some of the selfless sons and daughters of this Nation who were capable of putting an end to oppression, poverty, inhuman degradation etc caused by the close to 25 years of A.P.C. misrule.

It is a fact that as I mentioned earlier, every true Sierra Leonean was yearning for positive change. Like in every society where sane People live, it is obvious that oppression of any form and or kind will be challenged inevitably by selfless People who have

love for others. These fine minds of every society are those who are ready to make the necessary sacrifice.

However, they must be ready to study in order to know who the enemies and the allies of the People are, so as not to end up victimising the People they professed to liberate as was the case with the R.U.F. They must understand the International balance of forces in order not to jeopardise the aspiration of the People for Change. In short, they must be able to put the Struggle into the right perspective to avoid the prolonged and unnecessary suffering of the People. And this can only be achieved when the proponents of any change (what ever it is called) spend their time acquiring adequate political education.

This is not the type of education that one acquires in the classroom, it is borne out of the passion one has for his People. The extent to which you believe in the right of man every where to live in dignity and freedom. It is with this conviction alone that one is able to even lay down his life for his People.

This was what some of us expected before we were betrayed and a man who had no inkling of what it is to love one's People to the extent of dying for them hijacked and bastardised the aspiration of the People of Sierra Leone.

THE EVE OF THE RESUMPTION OF MIiLTI PARTY POLITICS

With the disintegration of the former Soviet Union in 1990, the wind of change rapidly swept across so called third world Countries especially those in the poorest Continent-Africa. For those who were familiar with international geo-politics, there was bound to be this chain reaction in Africa like elsewhere where Soviet subsidies were crucial to the survival of so called Soviet satellite States.

Therefore, with the advent of "perestroika and glasnost" heralding the surrender of the Soviet States to American imperialism, the World that was hitherto divided into East and West blocs geo-physically and politico-ideologically will be from then on answerable to the sole "World Policeman" Yankee imperialism.

Hence it wasn't a surprise that since most developing Countries that hid under Soviet cover to perpetuate one party dictatorship were now faced with a new situation, they reluctantly had to concede to the adoption of multi-party dispensation.

America was able to tie up human right's issues with Aids and or loans. And it became clear that those States that were to receive alms from her must conform with her new conditions, as there was no alternative power to turn to. **This was the external situation that obliged most developing Countries to adopt political pluralism including Sierra Leone.**

The internal realities also were very much ripe for fundamental political change, as I have repeatedly reiterated. It was in the midst of this wind of change that was sweeping across the world in general and Africa in particular that in October 1991 the then President Momoh announced the resumption of multi party democracy.

Following this, a group of Young men and Women who in their separate ways have been working for the change of the wretched situation in our Country, came together to form the National Democratic Party (N.D.P.)

I was among these patriots. The present executive secretary of the Truth and reconciliation commission Mr. Franklin Kargbo was also a member of this party It is a fact that what ever I have done in my life, has been done with conviction. I have always being very active in any organization and or group in which I functioned. And that was why my name was never heard in the R.U.F. not even as I vehemently opposed them through the war years.

With humility I want to say here that I am above the mindset of the R.U.F. To say the least no man rises above his mind. That was why when I heard Sankoh professing to be the Leader of such a grandiose task, I knew they had failed because his mind was limited to the personal grudge he had for the APC Government. No more, no less!

<u>FROM MULTI-PARTY DREAM TO MILITARY JUNTA.</u>

As the momentum in the new multi-parry dispensation develops, we were greeted with the inevitable on the Wednesday morning of April 29 1992 when the Guns that were supposed to protect the status quo was turn against it's protagonists.
The die is cast ! A **coup d'etat is announced. What to every body seemed an almost impossible feat has been carried out by some hitherto unknown young Soldiers who came from the war front with confused motives. Some said they were here to mutiny, others believed it was a coup. By the second day it was clear that the 24 years oligarchy has been brought down in less than two hours.**

ANOTHER FRONT OF STRUGGLE STARTED.
As I mentioned above, the euphoria with which the Coupist were greeted was enough evidence to justify the need for change, that change which some of us sought before it was hijacked by ill motivated People calling themselves R.U.F.
Alas! Another opportunity for another set of opportunists element who usually catch into every available situation to better their lot at the expense of the People and Nation.

Hence, we saw new faces of men with the same orientation as their predecessors forming the core of civilians who were to concertedly direct the affairs of the State with the Soldiers albeit for a little while. They were to make sure that what ever the good intentions the Soldiers had were betrayed. They were only interested in their pockets. It wasn't long before the People of Sierra Leone realised that that was not the type of change they anticipated.

By the Second year in their reign, the N.P.R.C Junta had ran into several difficulties including their inability to put an end to the War that has intensified during their tenure, the worsened state of the economy; resulting in the further depreciation of the standard of living of the mass of the People.
The rather reckless manner in which the members of the Junta were carrying themselves further aggravated the anger of the People. Their insatiable lust for young and productive girls whom they obliged into the negative attitude of skin bleaching since they preferred light skin girls.

It reached the point where it was obvious that they could no longer handle the situation . It was at the height of the N.P.R.Cs' failure to respond to the need of the People especially with regards to the war, that I in collaboration with other well-meaning Sierra Leoneans founded the National Co-ordinating Committee for Peace (N.C.C.P.).

This Organisation which was an umbrella of some 65 organisations including the Sierra Leone Labour Congress, the Sierra Leone Teachers' Union, The Bar Association, the Sierra Leone Professional Drivers Association, The United Indigenous Commercial and Petty Traders' Association etc to name but a few had as it's primary aim to explore all possible ways and means to bring the warring parties to the Conference Table and negotiate an end to the fratricidal war. I was elected the first and only Secretary General of the NCCP until it's demise in 1996 following the election of the Democratic government of His Excellency Alhaji Dr, Ahmed Tejan Kabbah. Later a similar structure the Co-ordinating Committee for Peace(C.C.P.) was set up to address the agreement signed in Lome.

In the thick of the heat when it was time to decide as to whether election should precede peace or otherwise, I represented the N.C.C.P. at the Bintumani 1&11 conferences August 15 to 17 1995 and February 12, 1996, respectively. . .

It is important to remind Sierra Leoneans that at the time the N.C.CP. was formed in the first quarter of 1995 it was an anathema to even conceive of the idea of asking the Junta to negotiate Peace with the Rebels let alone pronounce that in public. Many People lost their lives as a result of being labelled Rebel sympathiser much more to be called a Rebel. And here were some courageous Young Men and Women who fully cognisant of the deadly risk **they were taking yet, in the face of the ruthless Junta Government mustered enough courage to Say to Sierra Leoneans and the World that the panacea to the war was in negotiated settlement.**

The rebels too thought it was siding with the Government to ask for negotiated settlement since it was their belief that they had

an upper hand in the War having captured a large area of the Country's territory.

Thus, by the time the People through their various organisations decided that elections should be held irrespective of the territories under Rebel control, it became obvious that the interest of the bellicose forces synchronised. That is to say since neither of them wanted elections; the two became one in their opposition to elections before peace albeit for different reasons.

The Soldiers did not want Elections before peace because that would have guaranteed their stay in power, for as long as the war lasted they would have continued to be in power. They were not going to finish the war anyway, as its prolongation was serving their interest. They realised that they had become very unpopular and any elections would have seen their exit. That was what eventually happened when the People elected Alhaji Dr, Ahmad Tejan Kabbah at the Elections following their resistance.

The Rebel Outfit also realised that it would have been impossible for them to have participated in the pending elections let alone win. Therefore it was in their interest to have disrupted it so as not to allow any form of legitimate government that would have had sway over them in the event of any eventual negotiations.

Effectively, the two warring factions tried all they could including a palace coup that hosted former head of state Rtd captain V.E.M.Strasser on the side of the soldiers and on the side of the Rebel operatives, the' amputation of the limbs of innocent People intensified. At the end of the day however, the People won. A democratically elected Government was put in place.

<u>THE A.F.R.C. COUP</u>

When the A.F.R.C. coup occurred in may 25 1997, I had a Contract with the Government of Sierra Leone through the Ministry of Agriculture to renovate the Newton Government Agricultural Farm. We were at the end of the contract when the

coup occurred. This location was not spared by the marauders who descended on us that faithful Sunday morning.

This coup in my opinion, was a clear manifestation of grudge by a set of People who now believe that they alone have the right to decide the destiny of our People because they tote guns. That in just a little over a year after the return of civilian democratic rule, they should plunge this Country again into bloodbath was not only a surprise but also a rude shock.

As a matter of fact, this time around they had the misguided advice to bring onboard a rebel outfit with no political programme order than to come to Freetown and seize power. The rest we all know is history.

But the fact remains that the soldiers of the N.P.R.C. were no different from those of the A.F.R.C. and they knew those who chased the former out of power to usher in democracy. Therefore, even though I wanted to witness from start to finish the phenomenon of May 25, (yet after some persuasion from my wife who realised my staying around was not only risking my own life but also the rest of my family), I left for the Guinean border town of Pamelap with my family where we lived until the end of the A.F.R.C Junta rule.

DEMOCRATIC RULE RESTORED

With the restoration of democratic rule in march of 1998, I returned to my business and among the contracts that I did was the provision and supply of furniture to some Government quarters, payment for which lasted for over two years until after a Commission of Enquiry chaired by the current Speaker of Parliament Justice Edmond Cowan exonerated us.

After the restoration of sanity the predators came again in January 6, 1999, my shop which I had established at 19a Regent road narrowly escaped the madness of the marauders. And because I lived in the West End of the city, I did not see much of their madness this time around until they were overcome by the gallant loyal forces of ECOMOG.

A **year later in 2000, I was appointed to serve as one of the Sierra Leone Peoples' Party (S.L.P.P.) members of the Committee of Management of the City Council of Freetown. Within the two years period during which I served in the Council I was instrumental in developing and implementing the policies of that Institution.**

As the Chairman of the Municipal Trading Committee for the period under review, I was instrumental in facilitating the reconstruction of the Big Market, the Construction of the Low cost Housing Estate Market among others.

Following the death of the former Regional Organising Secretary of our Party (S.L.P.P.) in the Western Area Councillor John Gooding, I was appointed to act as the Regional Organising Secretary in February 2002 prior to the Elections in May. A position I still hold. I was then subsequently elected as the Member of Parliament representing the Freetown West-West District for the Freetown Central 11 Constituency.

I continue to modestly serve the People of Sierra Leone at the National Legislative Body - Parliament

<u>RECOMMENDATIONS</u>

I **have tried to limit myself to specific areas in order not to consume much more time. These include the Political, the Legislative, the Judiciary, the executive, the socio economic malaise the Youth crises, Education, Women and Children. Political**

1.1 To start with, the political class of Sierra Leone must be serious about its commitment to this Nation. We must firstly understand that the only way we can get this Country on it's feet is by making the sacrifice that will enable the rest of the Nation to depart from this perennial poverty. We should understand that until the general condition of Sierra Leoneans improve, no individual could consider him/herself affluent however much him/her may have extracted from the system. This was clearly manifested during the height of the fratricidal war when the AFRC/RUF Combined invaded the Capital City in January 6 1999.

It became evident that the simple possession of a television set (which was noticeable by it's antenna) was a cause for attraction by the invaders. In other words, it became a war of the "have not" against the "haves."

1.2 Having lived through some of the worse periods in our recent history, I want to reiterate here that the attempt that was made to bring down oppression, injustice, Institutionalised corruption, mass poverty and hopelessness should not be misunderstood nor put out of context. We were forced to live as mere underdogs by those who had no love for our People and Nation. That is why we should ensure by all means that such people or their kinds never hold positions of trust now and the future. This effort, save for the reckless hijacking of the process by the RU.F was purely Political.

1:3 This brings me to another dimension of the issue: The attempt by some People to give a false interpretation to our history by the impression that but for the Libyan Government, Sierra Leoneans were content with the dictatorial one party regime of Mr Stevens. That is to say, Sierra Leoneans would never had seen the need for change without the intervention of some super external force. This is insulting to our National integrity to say the least. Sierra Leoneans are poor as a result of the causes above mentioned, but that does not mean they are sub- human. Therefore, they can feel and think and know what is good and bad for themselves. So let it be known that any oppressive system where ever it is found, is bound to be challenged by those who are living within the given realities.

1.4 In my opinion therefore, in order to avoid the recurrence of this negative scenario, the first and perhaps the most important recommendation would be the need for an unprecedented Political will to be manifested by the ability to plan as a Nation and consistently carry out such plan to it's logical conclusion. It's is inconceivable to imagine any success without planning. Thus, the adage that "failing to plan is planning to fail". The same is true for the art of Governance even though there is the tendency of some who would want to make believe that the concept of a National Development Plan is Communist but even the best

of western Democracies can not deny the importance of a development plan. The approach may be different, but the essence is virtually the same. To enhance the welfare of the People. While in the West, planning is invariably determined by the market forces and the latter by the monopolists; the Monopolists themselves are obliged to work within the policy framework of the Government within which they find their prime collaborators. Although they would hardly concede to this fact but it is true for example that the American Government has Parastatals that cater for jobs for American citizens outside of the United State of America. These are policy guide lines that American Business interest over sea must observe especially in the area of strategic industries' Investments.

Therefore, for a developing Country like ours that depends on the benevolence of the International Community for over 60 % of its budget expenditure, not to plan is to continue to be beggars. Thus, we must have a National Development Plan that should be simple and straightforward and sub divided into short term, medium and long terms within every five year term of Governance. The plan unlike others in the past should take a bottom top approach. From the village to the Chiefdom unto the district, the Region and **then National. Every Ministry must be given a set target to achieve within the given time as required by the National Development Plan. This is how we may know those who are performing and those that are not. By so doing a lot more would be achieved.** In **effect, a National Development plan is imperative for a developing Country, Sierra Leone being no exception.**

Legislative

2. As a People we should never again accept a situation where any group, party, individual and or clique shall hold

this Nation to ransom under a monolithic political system. We must jealously guard our fledging Democracy by upholding the Constitution of the State. In this regard, we must have a very strong Legislature and should ensure that whatever is an encumbrance to the growth of such a legislature be reviewed. For example article 93 k of the 1991 Constitution and the aspect of the impossibility of independent candidature as provided for by the 1991 constitution. These and many others are defects in this Constitution that in my opinion must be Reviewed. We need a Constitutional Review with an immediate effect.

<u>Judicial</u>

3. I have dealt a lot with the weaknesses of the Judiciary earlier. This is one arm of Governance that must be given serious attention. It would be recalled that it was in league with the judiciary under the Late justice M.S.Turay as chief justice and Mr. Solomon Pratt then Minister of Justice and attorney General that the former President Siaka Stevens committed a rape of the then National Constitution through the imposition of a one parry constitution in 1978 following the student Country wide unrest in 1977. That is to say, the judiciary until recently had collaborated with the autocratic regime of the past to destroy this Country. Thus, justice was undermined to the extent that injustice became the hallmark of the then system. While these men were busy doing every thing to better themselves and their families at the expense of Justice, the general conditions of the Judiciary deteriorated so badly that most of their Colleagues were left with the sad choice of towing the line in the manipulation of the will of the People to suit the wimps and caprices of the Governors. Consequently, the human resource base of the judiciary dwindled, as sober minded legal luminaries left the Country for fear of persecution and their involvement in the flagrant corruption that was the order of the day.
To turn the situation around, the Judiciary must equally be strengthen by ensuring that the correct working environment

for the members is created. The Judges and Magistrates must be kept above board through the enhancement of their welfare. Following that, there must be a through and judicious review of the Sierra Leone Laws generally to strengthen those that time have rendered obsolete. Strict observance of the rule of law must be adhered to so as to guarantee that Justice is not delayed as this has been the most subtle way by which some actors of the Judiciary' have manipulated justice on behalf of the rich and the rulers.

Executive

4. The Executive so far under the leadership of His Excellency the President Dr. Ahmad Tejan Kabbah has done remarkably well. However, it must be noted that there is need to strengthen this arm of government through the complete separation of power. The 1991 Constitution made it very clear that members of Parliament can not at the same time serve in the Executive unless they resign their seat in Parliament. What the framers of the Constitution in my opinion sought to achieve is a complete separation of power unlike what obtained in the past. Of cause, in the past it was conceived that because members of Parliament looked forward to appointment from the Chief Executive and can revert to Parliament at their dismissal as Ministers, they compromised the integrity of the Legislature. Hence, the fundamental tenet of Democracy-separation of Power was undermined..

4.l In this regard, I am recommending that the Executive encourage the Judiciary and Parliament to enjoy the independence which is provided for them in the Constitution in order to strengthen our National Democratic culture.

Socio-economic

5. It is true that the World has become a Global Village to the extent that what ever happens anywhere may have a direct and or indirect effect on other areas of the Globe. It is equally true that Globalisation as an effect of the Global Village concept has had it's toll on the Peoples' of the World especially the working

masses. One of such effects is Trade Liberalisation. The latter has its attendant consequences in a World where double standards have become the modus operandi by which the richer Nations dictate the rules of the game. When Human rights for the Americans is different from human rights for others. Where farm subsidies in this part of the World is intolerable but acceptable in Europe and America.

Against this background, we in the Political Class must understand that in this business of governance; there is certainly no permanent friends nor are there permanent enemies. The important thing therefore, is to have and safeguard one's own interest i. e. the interest of one's People. Why do I have to raise this issue of interest?. This is so that we can understand the extent to which we have neglected and continue to neglect the interest of our People vis a vis their economic welfare and the devastating effect that it has had on their general welfare and also how that is related to the war that has just ended.

This is perhaps the only Country where the bulk of the economic resources are in the hands of Foreigners. Worse still for a consumer oriented economy where Trading is predominantly the main stay, it is unfortunate.

Although some members of the Political class of the past considered it wise to protect the helpless informal sector by an act of law (1969 NON CITIZEN TRADE AND BUSINESS ACT), yet over time out of greed and selfishness on the part of some section of the same Political class, most of the very People that were supposed to have been barred were given Nationality by naturalisation.. And since they became Citizen by naturalisation it became rather difficult for the police to enforce the law whose violation they also benefited from.
The irony is that while these proponents of the concept of Trade Liberalisation and Globalisation would want to make believe that the idea to protect our impoverished Traders is xenophobic, they would see nothing wrong with American embargo on Chinese goods entering the U.S.A.
My recommendation in this regard is for us to find ways and means by which our People can be protected and empowered

economically for the essence of good Governance is the all round improvement of the welfare of the People in general.

Youth crises.

6.l Adequate attention must be given to Young People in the area of education. The Type of education that is given to Young People must be such that it should be compatible and relevant to the creation of social wealth. Society must create an enabling environment for Young people to grow in fulfilment of their aspirations. In that regard sports and recreation should be a part of all levels of education curricular.

b.2 Government should institute a policy of Youth service training camps after the completion of higher education. This should be done as a way of exchange by which Youths would interact with their peers under healthy atmosphere. This should be done in such a way as to enable the Youths to train in areas other than their localities.

6.3 The Government should encourage more Community interest in the Education of Young people. The Leaders of Communities themselves should take special interest in the education of their communities' kids.
This approach will minimise the malaise of so called ghost Teachers and the perennial problem of salary backlog for Teachers. It will revitalise the former attitude of everybody being somebody else's *keeper.* The love that disappeared with the advent of extreme poverty will return to our People.
6.4 Finally the Youth should feel a sense of belonging and care from the elders most especially the Leaders at all levels of the Society.

7. Women and Children

These are two categories of People that are the precious gifts of every Society. We all known that for every Society to continue, the Women have to be willing to reproduce physically in the general sense and in the African context,

economically. And because we are in Africa, I will look at Women within this context.
Over 75% of production in Africa are agrarian. Consequently, the bulk of the wealth is created by over two thirds of the Population who mainly are the inhabitants of the rural areas. And **of this rural Population, the bulk of the mainly farm work is done by Women who in turn tend the Children after having bore them.**

Effectively, these Women are doubly exploited; economically and socially to the extent that we men tend to forget that we are responsible for the Child bearing of the Woman. Hence, as Africans it is not very common for the Men to tend the Children nor involve in domestic chores. We leave this burden to be carried by the Women exclusively.

For these reasons and many more, Government should have policies that will seek to take cognisance of these above realities so as to ensure that the seeming disadvantaged situation of Women is adequately considered.

Liberate Women and the Kids would have been set free. For even in the Animal Kingdom the Female tend to be more caring for the Young then the Men. Therefore, Women should be given more responsibility in areas of social interest, e.g. as Teachers, as Medical Doctors, as Politicians etc. Government should encourage a policy by which special attention should be paid to the children especially at the tender age of infancy. The fact remains that for every weak foundation the latter stage of the development of the children will be faulty. Therefore, Government must design a policy that will ensure and safeguard the future of the Children.

PECULIAR NATIONAL TRAITS.

I have paid particular attention to a phenomenon which seems to have baffled every well meaning Sierra Leonean to the extent that any body that walks into the Country for the first time need only to spend a couple of days to notice it. It has to do with the hatred that Sierra Leoneans have for each other on the one hand and the love for any thing Foreign on the other. This cuts across every facet of our Society. From the Politician to

the Civil **Servant, to the magistrate, to the Land lord etc. Every one of these categories of Sierra Leoneans will prefer to favour a foreigner anytime any day under any circumstance.**

No Sierra Leonean will compete with any foreigner for whatever thing and succeed to a public servant in Sierra Leone. Isn't this phenomenal? Some would say the public servant would prefer a foreigner to a Sierra Leonean because he would not trust his brother in a dubious deal. In effect, before dealing with his brother, he would rather prefer to connive with the alien and lose resources on two fronts: he ends up having peanut on the one hand for selling the Country to the foreigner and on the other hand rending his brother abjectly poor while the foreigner who has no obligation to the Country rich...

This explains why the economy of the Country is in the hands of foreigners. Why the best houses are rented only to foreigners. Why anything that is done by a foreigner including the flaunting of our laws is observed with a shrug of the shoulder while if a Sierra Leonean does the same that Sierra Leonaen will be denigrated by every other Sierra Leonean. It explains why it is very rare to see foreigners imprisoned in our police cells and or prisons. This equally explains why a Lebanese man can disfigure a Sierra Leonean maid servant with impunity and - jump bail. And that the surety can freely continue to live normally as if nothing has happened. The only Country that I know of, that a foreigner can rape a teenage girl, then spray some unknown. liquid into her Virginia and go Scot-free. This is a unique Country. Where only Foreigners can ride in the best cars without alarm, but if a citizen rides in a similar car; every effort would be made to bring him/her down. Indeed this is a unique Country. Where if any body does some thing good for the poor, there are all attempts to destroy. In this Country, no one survives if he is against all of the above i. e. against the status quo.

If we are serious about truth and reconciliation these are some of the challenges that the TRUTH AND RECONCILIATION CONMISSION would have to squarely face.

Mr Chairman, Ladies and Gentlemen I rest my submission and truly wish the Commission success in all it's undertakings. I thank you!

SPEECH DELIVERED

BY

HONOURABLE ELIZABETH ALPHA-LAVALIE

DEPUTY SPEAKER,

PARLIAMENT OF REPUBLIC OF SIERRA LEONE

AT THE HEARING OF THE

TRUTH AND RECONCILIATION COMMISSION

ON THURSDAY, 19TH JUNE, 2003

Speech Delivered by Honourable Elizabeth Alpha-Lavalie, Deputy Speaker, Parliament of the Republic of Sierra Leone, at the Hearing of the Truth and Reconciliation Commission on Thursday, 19th June, 2003

Mr Chairman, Distinguished Members of the Truth and Reconciliation Commission, Government Ministers, fellow Parliamentarians, Members of the Diplomatic and Consular Corps, Heads of Departments, Observers, all protocols observed.

I am greatly honoured today for the opportunity accorded me to deliver a statement at the continuing historic hearings of the Truth and Reconciliation Commission of Sierra Leone. Permit me, Mr Chairman, to say that the current effort is yet another important milestone in our drive as a nation towards consolidating the hard won peace. It is a moment of reflection on the things we got wrong and a moment of rethinking that these things must be put right.

Indeed, it is often said that only gods and fools do not change. As Sierra Leoneans, I know that we are no gods. We are also no fools. Hence, this is our moment to change; change that must be for the better and not only for the sake of changing. This change is to be predicated on a very basic lesson of history; and, that is, that we need to have a retrospective insight into our immediate past, evaluate our current situation and use our experience to fashion a peaceful, just, democratic and civilized nation worthy of emulation the world over.

In this connection, the present hearings could not have been more timely. They are necessary for stock-taking; they are necessary for genuine contrition on the part of those who wronged us; they are

necessary for the aggrieved to forgive the perpetrators; they are, therefore, necessary if our present and future are to be any meaningful than our dreaded past.

Fellow citizens, distinguished ladies and gentlemen, I crave your indulgence to allow me take a symptomatic approach to this presentation. I shall first give you a phased, historic and analytical showcase of the antecedents of the war, the war itself and the concomitant wanton destruction of life and property. Finally, I shall proffer some recommendations on the way out of this ugly episode.

PRIOR CONFLICT SITUATION

Since 1970, Sierra Leone was experiencing a history of political misrule for decades under various governments. With bad governance, social and political injustice was the order of the day. Mismanagement of resources was predominant. Unemployment was at its highest. Youths were supplied drugs to exhibit violent conduct during elections. A climate of malcontent and discontent engulfed the country.

A direct consequence of this economic, political and social injustice was the advent of the *Ndorgbowosui* conflict in Southern Sierra Leone in the 1980's. Though confined to Pujehun District, the disruptions of this uprising rang the alarm bell for the then All Peoples Congress (A.P.C.) government to pull back and reconsider her method of governance and avoid a catastrophe. But the lessons of the *Ndorgbowosui* movement did not mean anything to those in whom state authority was entrusted and widespread corruption in all aspects of life pervaded in society.

ARMED CONFLICT IN SIERRA LEONE

March 1991 saw the advent of the war in Sierra Leone. The RUF rebels supported by mercenaries from Burkina Faso and Liberia entered the South Eastern parts of Sierra Leone. Properties were destroyed, civilians killed and youths abducted in large numbers to be recruited into the rebel forces. The then Government was either incapable or reluctant to prosecute the war. Phrases like *"Dis na mendeman war. Leh den kill dem sef'* permeated the city, Freetown, whilst the war raged on and village after village, town after town in the eastern and southern parts of the country fell under rebel control. Reasons given for the war by the RUF was to oust the repressive regime of the A.P.C.

At a mammoth meeting at the State Avenue about one month after the REVOLUTIONARY United Front (R.U.F.) insurgence started, President Momoh

confessed his government's inability to prosecute the war. He, therefore, advised the chiefs and other traditional leaders to organize the civil population into vigilantes to defend their localities (villages, towns, sections, etc).

These local communities were supplied with cartridges for their local guns. The vigilantes were later integrated into the military to help prosecute the war. The method of recruitment left a lot to be desired and the consequence may have been the birth of an unprofessional national army.

At the very early stage of the war, it was discovered that senior military officers were in league with the rebels and Charles Taylor; who was then fighting his own rebel war to oust the Liberian Government of Samuel Doe.

THE NPRC ERA

On 29th April, 1992, the National Provisional Ruling Council (N.P.R.C.) overthrew the corrupt A.P.C. Government. Amongst the excuses given for the coup were the non-payment of soldiers' salaries, and the lack of a political will to prosecute the war. The junta promised to put a speedy end to the war.

But the war still raged on and civilians were killed and abducted, girls were gang rape and forced to become wives of rebels; vehicles were ambushed and other valuable properties were either looted or destroyed. The civil population seemed at the mercy of the rebels. Town and village chiefs were deposed or killed and replaced by rebel representatives. Families were disintegrated and married homes broken. There was total breakdown of cultural and traditional norms. Rebel ideology governed these towns and villages.

THE BIRTH OF THE CIVIL DEFENCE FORCES (C.D.F.)

In desperation, the civilians organized civil defense structures to defend their towns and villages, their properties and families, and their wives and children. This received the approval of the military regime - the N.P.R.C. Government. These civil defense forces teamed up with soldiers. They were instrumental in guiding soldiers through terrain unfamiliar to them. The period of union between the national army and the C.D.F. has been referred to as Phase One of the war.

The coalition of soldiers and CDF was very successful. We saw progress in the war. The rebels were now on the run, surrendering towns and villages to government forces and retreating to neighbouring Liberia. Amnesty was declared by the then Head of State, Captain Valentine Strasser for one month (30 days) in November 1993 so that the rebels can lay down their arms. This was met with

civilian protest because they expected the government to prosecute the war to its logical conclusion; then that they had the advantage over the rebels.

The C.D.F. comprised the following entities

1 . The Tamboro from Koinadugu District;

2. The Karmajos from Kenema, Kailahun, Bo, Moyamba, Bonthe and Pujehun Districts;
3. The Donsos from Kono District;

4. The Gbethis from Tonkolili and Port Loko Districts;

5. The Hunters from the Western Area;

6. The Kapras from Bombali and Kambia Districts, and

7. The vigilantes from the Youths nationwide.

The C.D.F. were drawn from professional local hunters and warriors who claimed to have mystical powers. They were recruited through the recommendation of their village chiefs, town chiefs and headmen, in the case of the Western Area. One criterion for recruitment is that they should be of good character in the community. They were then registered and issued identity cards.

These men had the blessing of their community and government. The community contributed through a tax levied on each household. This ranged between Le500-Le1000 per household. During the farming season, the community volunteered labour for absentee farmers who were on mission of defence.

This was a sort of self-defense mechanism adopted by the people of Sierra Leone. The government provided logistical support in the form of cartridges, medicines feeding and transportation.

On 25$^{t"}$ December, 1993, the R.U.F. rebels attacked Segbwema in Kailahun District and Nomo Farma in Kenema District, and massacred hundreds of unsuspecting civilians who were celebrating the Christmas season. A new turn to the rebel war evolved. We dubbed this Phase Two.

In this phase, the civilians were targets of both the rebels and soldiers. Rebels claimed that the civilians were disclosing their whereabouts to soldiers and soldiers accused the civilians of being rebel collaborators. This brutality and savagery mainly directed towards civilians generated an unprecedented level of hatred and mistrust among the people. Soldiers were accused of being in league with the rebels to wreck harvoc on the civilian population - killing, maiming looting, raping and burning villages. Soldiers were called *Sobels* (soldier-rebels). The slogan "watch you Neba" meaning "watch your neighbour" was used to show how the people had lost faith in the soldiers for security. They pressed on the government to provide logistical support for the C.D.F. so that
they can continue to defend their land property and families. I want to emphasise here that civilian were forced to organize the C.D.F. as an instrument in self defense and in defense of their families where they found out that the military government had lost the will to prosecute the war and were then compounding their agony. As the war intensified and it was more and more evident that the soldiers who were supposed to protect the civilians were now hand in glove with the rebels there was the need for the civilians to strengthen the defence of their localities. More men were needed. They looked up to the *karmohs* who initiated people to acquire mystical powers that the professional hunters and warriors have. A new-breed of C.D.F. was born.

PHASE THREE OF THE WAR

The situation in the country was worsened when a loose coalition of elements of the national army, the Armed Forces Revolutionary Council (A.F.R.C.) and the Revolutionary United Front rebels seized power on 25^{t}" May, 1997 and again on 6^{t}" January, 1999 on a mission to shot their way to power caused mayhem nationwide. There was spontaneous opposition to the junta rule and a state of civil disobedience existed.

During the junta's oppressive rule in 1997, with indiscriminate killing, summary executions, rampant looting armed robbery, massive destruction of social amenities and a countrywide insecurity led to a state of social chaos and anarchy. This era saw the advent of massive amputations.

Whilst we were in exile in the Republic of Guinea, it was reported that the C.D.F. were siding with the government of President Tejan Kabbah and were loyal in defending their country. They were putting up strong resistance to the junta in the provinces and working with the ECOMOG troops.

In February 1998 there was an intervention by the ECOMOG troops. The Junta was ousted and the democratically elected Government was restored. There was then a total lack of confidence in the Sierra Leone military. ECOMOG, the few loyal troops and the C.D.F. provided security for the country until a new army could be reconstructed.

During November and December of 1998, there were persistent threats of insurgence and it became evident that ECOMOG troops could no longer defend the capital city, Freetown. As if there was a collusion to see the city fall, rebels of R.U.F. and West Side Boys (a group of renegade soldiers that held out in a hill 39 miles outside Freetown) continued to pose a continuous threat to the stability of the country. In all these situations, the C.D.F. always acted as a stabilizing force.

Like President Momoh before him, the ECOMOG General in charge of defense of Freetown confessed he was unable to defend the city and advised us to retreat to our towns and villages and mobilize the C.D.F. to come and retake Freetown, as it was imminent that the city was soon to fall into the hands of the rebels. Again the people turned to the C.D.F. to defend their homeland against anarchy and wanton destruction of life and property.

The C.D.F. were airlifted from various localities into the city and were based at Lungi, Jui and Brookfields Hotel in Freetown. This was because the roads were constantly prone to ambushes by the West Side Boys - remnants of the A.F.R.C.

It was, however, discovered that ECOMOG and the Chief of Defense Staff of the Sierra Leone Military were reluctant to equip the C.D.F. to defend the city. Rather, youths were haphazardly recruited into the military; an act oblivious of the conditions of recruitment agreed upon. These new recruits were not disciplined and included elements of the R.U.F. and the West Side Boys.

Mr Chairman, distinguished ladies and gentlemen, it is therefore not surprising that when the city was attacked on the 6^{t}" of January, 1999, only a couple of ECOMOG soldiers, the O.S.D., a few loyal troops and the C.D.F. were at hand to defend the city.

RECOMMENDATIONS

At this moment, kindly allow me space to and time to proffer some suggestions for consideration in mapping the way forward. My intention is not to put forward

an exhaustive profile of what needs to be done to redress the misfits in our society. The intent is to give a humble contribution that may be useful in charting the way forward.

Let me start by mentioning Article 28 of the Lome Peace Agreement which states: "Given that women have been particularly victimized during the war, special attention shall be accorded to their needs and potentials in formulating and implementing national rehabilitation, reconstruction and development programmes to enable them to play a central role in the moral, social and physical reconstruction of Sierra Leone".

Expected TRC to be more gender sensitive. I thus recommend the following:

- To equip women with requisite skills for improved participation in all spheres of life
- To revisit women's human rights situation e.g. aspects of the Sierra Leone constitution which discriminate against women especially as regards to inheritance, adoption and marriage laws. CRC and CEDAW should be legislated into Sierra Leone law.
- Address poverty issues with proper law enforcement for defaulters. Micro-credit schemes, skills training and business management are to be instituted nationwide as part of government's poverty reduction strategy.

Education given that women constitute about 80% of illiterate adult population, their lot should be improved through civic education, advocacy and lobbying with the appropriate authorities for their needs to me addressed more coherently.

Welfare

- Vulnerable groups such as victims of sexual abuse,
- Children
- Commercial sex workers
- Girls child mothers

STREET CHILDREN

Address issue of street children, which has become the bane of our society. Children have been orphaned and abandoned. These are very vulnerable and are open to abuse. They could be used as slaves, robbers, drug pushers, etc.

Child-care centers, medium/ long term (in the pattern of SOS children and villages), should be established to address this issue particularly for children with no families.

Children at these centres will attend school; learn skills until they could be appropriately placed either in Forster Homes, substitute families or as a last resort, for adoption. There should be adequate budgetary allocation to the ministry of social welfare Gender and Children's Affairs to address the welfare issues of the disabled and the Aged and amputees.

Further assistance should be given to strengthen NACWAC to help NGOs to build up existing childcare centers to take the children off our streets. To economically strengthen foster families and organizations. To institute outreach programmes for recreational facilities for children in each chiefdom.

YOUTHS AND WOMEN

To further address the issues of women and youth for participation in the reconstruction, short-term effective skills training programmes should be instituted in every chiefdom headquarters, so that even the villages can fully participate in development programmes. Encourage their involvement into income generating activities e.g. Backyard gardening, farming, production technologies in handicraft.

Establish youth and women cooperatives in every chiefdom. Not forgetting wards in western area. Soft loans should be provided for women and youth who are now household heads to rebuild their homes. This will address the problems of war widows.

SECURITY

Mechanisms should be put in place to give early warning signals so that these could be addressed. The structure of civil intelligence should be strengthened.

Recruitment in the military -There should be a laid down policy, which must be adhered to. This should incorporate the equitable recruitment by geographical arrears so that personnel from one geographical area do not dominate the military. Paramount chiefs, headmen/women for western area, and community elders should attest to the suitability for recruit as regards behaviour. The military should be professional; i.e., military personnel should be given the opportunity to be specialized - for e.g., army engineers, etc., plus combatants. The military should be disciplined and well-equipped.

Nepotism in recruitment should be avoided and the issue of the proliferation of small arms must be addressed.

The boarders of Sierra Leone are porous. There is the need for territorial force to secure the boarders. To maintain law and order, the police force must be well equipped and trained. There is also the need to train National (Local) Administration Police Force particularly in chiefdoms without the presence of the regularly Police Force.

GOVERNANCE

One of the factors responsible for the deteriorating situation in Sierra Leone was Bad governance. Therefore I recommend that Democratic Governance must be encouraged. Resources for rebuilding social infrastructure must be equitably distributed and areas of health, education and social welfare are cases in point. The Anti-Corruption Commission should be more effective.

CIVIL SOCIETY

In all this Civil Society of Sierra Leone should act as guarantors of the peace process. Therefore, it should continue to be actively engaged in reinforcing initiatives to enhance the processes of peace, reconciliation and Good Governance through advocacy campaign; workshops and seminars; sensitization through electronic and print media; through CBO's National and International NGO's and Inter-Religions Organizations.

PARLIAMENT

As representatives of the people parliament should uphold the constitution amend laws that are discriminatory against women and children and promulgate laws that seek to enhance the powers of women in governance. Enact legislation into Sierra Leone laws to give effect to treaties, charters and conventions that

have been ratified for example the convention on the Rights of the child, child trafficking (CRC), convention for the Elimination of all forms of Discrimination Against Women (CEDAW). Enact laws to address the issues of the disabled, the aged and amputees, and advocate for Civil Service Reforms. Ensure equitable distribution of resources through budgetary control to enhance democratic good governance. They should work in close collaboration with the Executive and Judiciary though at the same time been observers the separation of powers.

TRC

The Truth and Reconciliation Commission (TRC) should be instrumental in advocating for implementation of the afore-mentioned recommendations. They will go a long way to consolidate the Peace. If we are to attain and heal the wounds in moving towards reconciliation, the needs of the victims and perpetrators alike should be addressed.

RECOGNITION AND GRATITUDE

Taking a clue from earlier gestures, this exercise of reconciliation and peace-building will be more meaningful if the C.D.F. and loyal Republic of Sierra Leone military personnel are decorated. This is an instance of reward for defending the citizens of this country against the mayhem, carnage and merciless brutalisation of the R.U.F. and A.F.R.C. Junta.

May God in His Mercy bring total peace, reconciliation and development to our beloved nation, Sierra Leone.

I am grateful to all of you for your valuable time.

GOVERNMENT OF
SIERRA LEONE

Office of the Ombudsman

Telephone . Office : 224702
Tetefax : 224702
Mobile: 076 630 001
076 610 166
Email: ombuds@sie

84 Pynde Freeto Sierra West

19th June 2003.

Mr. Frank Kargbo

Executive Secretary

The Truth and
Reconciliation
Commission

C/o Brookfields Hotel
Freetown

Dear Sir,

RE:- 1ST ANNUAL REPORT OF THE OFFICE OF THE OMBUDSMAN OF THE REPUBLIC OF SIERRA LEONE.

It gives me great pleasure to forward to you the following documents:

(a) A copy of the Annual Report of the Office of the Ombudsman for the year 2002.
(b) Information Pamphlet.

(c) A copy of the Statement made by the Ombudsman to His Excellency the President of the Republic of Sierra Leone.

Thanking you for your co-operation and goodwill at all times.

Yours sincerely

Francis A. Gabbidon

STATEMENT

1. Your Excellency The President, The Honourable The Vice President, The Attorney-General and Minister of Justice, The Honourable The Minister for Presidential Affairs, Colleagues, it gives me great pleasure to be here today to present the First Annual Report of the Office of The Ombudsman in Sierra Leone for the period Ist January to December 2002.

2. This Report is submitted pursuant to Section 15 of the Ombudsman Act 1997. Your Excellency, your Government passed the Enabling Legislation and eventually appointed me the Ombudsman for this vital and important Office.

3. In the current global trend towards greater democracy, respect for Human Rights, Transparency and the Rule of Law, the Ombudsman is undoubtedly one of the key Institutional Pillars of good governance. And by virtue of the Constitution and the Ombudsman Act, we have been playing a critical role in helping to deepen

democratic culture, investigating mal-administration and injustice, peaceful settlement of disputes between citizens and Government Agencies and the Observance of Human Rights.

4. It has not been easy since the Office was established, but we can humbly say that we have been gradually consolidating our role especially in the investigation of Complaints and Grievances by Members of the Public against Government Departments, Statutory Corporations, Institutions of Higher Learning, The Police and The Army.

During the period under review, we received Complaints and Grievances from all parts of the country. We Investigated 460. There are 30 still under Investigation, 85 were found justified and 345 were found unjustified.

Your Excellency, several informal Complaints of a non-jurisdictional nature were received by our Office, although they are not included in the Statistics, they proved beneficial especially in so far as we were able to intervene to avert potential problems by dealing with them.

We only have an Office in Freetown because of limited funding. It is necessary that Provincial Offices are established in Bo, Kenema, Makeni and Kono at the earliest opportunities, so that our brothers and sisters in the Provinces will have access to our services, and this lack of access was shown recently when many citizens from the Provinces travelled all the way to Freetown to refer Complaints to our Office during the Elections for Paramount Chiefs. The existence of Branch Offices in the Provinces would have prevented the inconvenience, money and time spent in coming to Freetown incurred by the Complainants.

We are grateful to Government for the allocation of a 4 Wheel Drive brand new Vehicle to our office, which has helped us greatly. We look forward to another one to be based in the provinces when the offices there are established. Even though we have no Offices in the provinces, the limited publicity we have done so far has made many people there aware of the existence of the Office and individuals and tribal authorities regularly come to our Office to seek advice or refer Complaints.
Your Excellency, we have produced an Information Pamphlet, which I will soon present to you also which explains in simply language, basic facts about our office. This will now be distributed to schools, colleges, shops, supermarkets, libraries hotels and Town Halls for people to pick up and keep as personal copies to enable them to know what we are doing and how we can help them.

We will also very soon appoint a Public Relations Officer to liaise with the Print and Electronic Media, but I have also prepared a Plan to give Talks to schools, colleges, Religious Institutions and Civil Society Organizations about our Offices in Freetown and the Provinces. The plan includes a monthly Press Briefing about our activities without disclosing confidential information.

Members of my staff and I are regularly invited to attend and present papers at various seminars, Workshops and Meetings to explaining about the Role of Our office and our duties. I recently did so at Fourah Bay College, The University of Sierra Leone. A Training Programme was sponsored by the Commonwealth Secretariat for some of our Personnel last year with a Training Officer from the Ombudsman's office in Uganda, who spent 2 weeks in Freetown doing the Training. This was very helpful and beneficial to those who participated.

Our Office also held a very successful 4 days Workshop in Freetown co-sponsored by the Commonwealth Secretariat and the African Ombudsman Association on the Theme ' Developing the Role of the Office of the Ombudsman in Sierra Leone' from 23rd to the 27th September 2002. The Workshop was opened by the Honourable The Vice President who graciously attended and met the participants, especially the Ombudsman of Botswana and the Ombudsman of Ghana, and Dr. Victor Ayeni of the Commonwealth Secretariat.

The Workshop attracted Government Functionaries, Civil Servants, Parliamentarians, Civil Society Members UNAMSIL, The Police, and The Armed Forces. In June last year, I was the only African Ombudsman invited to attend and participate at a similar Workshop held in Trinidad and Tobago by the Carribean Ombudsman Association.

Your Excellency, Our Office has now been accepted as a Member of the African Ombudsman Association and The International Ombudsman Association based in Ontario Canada. from which we hope to derive many benefits and support. Last year, we also received Invitations to attend Training Programme and Workshops in South Africa, Seychelles and Senegal, but could not attend because of limited funding, this was regrettable as these Meetings helped considerably in Networking, Capacity Building, Exchange of Information and Strategies.

Indeed, the present strategy adopted by Offices of The Ombudsman worldwide is a proactive and preventive approach, in other words, you do not necessarily have to wait until mal-administration or injustice takes place. If you see or observe early warning signals or symptoms, an Ombudsman is now expected to intervene to prevent its occurrence. This approach was confirmed when I attended the Carribean Ombudsman Association in Trinidad and Tobago.

Our Office works very closely with the Anti-Corruption Commission and we exchange ideas and information, and refer necessary cases or complaints to each other. We hope to extend and strengthen this relationship to help in the fight against Corruption and graft. In January this year, Mr. Collier the Chairman of the Anti-Corruption Commission and myself as Ombudsman of Sierra Leone, were invited by the African Development Bank to attend an important Meeting in Addis Ababa, Ethiopia to exchange ideas, discuss and deliberate with Colleagues from other African Countries on the fight against Corruption in Africa by scrutinizing the Draft of the Convention by the African Union in its fight against Corruption in Africa. The Meeting clearly showed that the fight against Corruption could not be left solely to Anti-Corruption Commissions in Africa but must also include other partners such as the Ombudsman, the Auditor-General, The Public Account Committee of Parliament, The Police and other Oversight Institutions.

It might interest you to know your Excellency, that after the Meeting in Ethiopia by Mr. Collier and myself, representatives of other countries including Nigeria, Malawi and Kenya expressed a desire to visit Sierra Leone to examine our Legislations and structures of the Anti-Corruption Commission and the Office of the Ombudsman to see how our Institutions work. I believe this was as a result of the presentations Mr. Collier and myself made respectively at the Meeting. Indeed Mr. Collier was selected by over hundred and twenty delegates to give the Vote of Thanks at the end of the Meeting and I was asked to propose the Toast to the African Development Bank and the African Union at the final end of Dinner Ceremony.

Later in the year, The Government of East Timor invited me to join a group of other Ombudsmen to help in drafting the Legislation for their newly established Office of the Ombudsman and Human Rights. As I could not visit East Timor, I e-mailed my own contributions which they later acknowledged to have been useful and helpful.

At home Our Office continues its good working and amicable relationship with the Office of the Attorney-General and Minister of Justice and hope to strengthen it as we go on. The Attorney-General and myself regularly discuss issues, exchange ideas and information and matters of interest concerning Public Administration, Good Governance, the Rule of Law and Human Rights.

Our Office also works closely with the Sierra Leone Police in exchanging ideas and information and we not only Investigate Complaints against Police Officers, but also refer Cases to the Police which could also constitute Criminal offences for onward Investigation and prosecution if necessary. Minor Complaints from citizens about the Police referred to us are forwarded to the CDIID for Investigation and remedial action if necessary.

I am now in the process of submitting to the Law Reform Commission some of our Laws and Statutes which I believe need urgent revision or reform or even complete repeal to meet present day political and socio-economic changes in our society that affects Public Administration, the Rule of Law, Accountability and Transparency. A reasonable number of these Laws and Statutes need urgent reform and I have had fruitful discussions on this issue with Dr. Peter Tucker the Chairman of the Law Reform Commission and Mrs. Yasmin Fofanah the Secretary.

One area of concern is the question of Pensions, Gratuities and Terminal Benefits for Civil and Public Servants. Citizens Generally, Retired Civil Servants and Public Officers regularly expressed their frustration and difficulties they have to undergo in their dealings with the Establishment Secretary's Office, the Ministry of Finance, and their respective Ministries in getting their Pensions paid. There are generally Complaints of the inordinate delays encountered in receiving these Pensions. They complain that sometimes it takes years before they are able to receive their Pensions or Benefits, and in a few cases, some Retired Civil Servants have in the past died or left the country in frustration because of non-payment or delays in receiving their Pensions. Our Office always intervenes when we receive such Complaints, yet the process is so slow and it takes a long time to get replies from the Establishment Secretary's Office who complains that the delay in getting replies is due to the nonchalant attitude of the affected Ministries. I regretfully state that this situation has not improved and is still not one our country can be proud of. I have recommended in my Annual Report to Government that a Committee made of the Financial Secretary, the Establishment Secretary, the Secretary to the President and the Secretary to the Cabinet should meet as soon as possible to consider what strategies or remedial action could be put in place to cut down unnecessary delays and non-payment of Pensions and other relevant Benefits to Retired Civil Servants and Public Officers within a reasonable period.

Our Office in the past, worked closely with the Judiciary and there was mutual co-operation and support, regrettably, the present Acting Master and Registrar has written to Our Office rejecting our Mandate to Investigate alleged acts of Mal-administration by Magistrates and JPs to the amazement and surprise of my Office. He wrote ascertaining that he was writing with Instructions from the Honourable The Chief Justice of Sierra Leone.

We never had this problem with the Judiciary in the past when Mrs. A. Showers was the Master and Registrar, and under former Heads of the Judiciary. We expressed to the

Judiciary that we have a Mandate which includes their Department concerning matters of Mal-administration which amount to an injustice. We further stated that our relationship is complimentary and not competitive, but this approach has been rejected by the recent correspondences we received from the Acting Master and Registrar as relationship between the Judiciary and the Office of the Ombudsman. We are concerned with the numerous Complaints we received concerning inordinate delays in Judicial Proceedings, Bribery and Corruption by Court Officials and Bailiffs, unfair treatment, bias, and other act of Mal-administration by some Magistrates, JPs and Court Officials.
do hope that the relationship will get back on track and the amicable relationship that existed in the past will continue and strengthen.

We are of the view that the jurisdiction of the Office of the Ombudsman must be expanded as is now the position in other Commonwealth Countries where the Office is established. The areas referred to are the following:

(1) Human Rights Violations.

(2) Matters affecting the Environment.

(3) Privatized Institutions where the Government has Shares .

(4) Disputes between the Private Sector and the Government, and Government Agencies in Commercial and Business matters.
(5) The Rights of the Handicapped and the Disabled. (6) The Rights of Women and Children.

Your Excellency, there is no gainsaying that contemporary society today is confronted by new challenges as we enter the new millennium and with regard to our country as we enter this period of consolidation of peace, renewed stability and socio-economic development, The Office of the Ombudsman in discharging its Statutory Mandate effectively and nationally, and to add value to national efforts towards democratic governance, needs its overall capacity to be enhanced. This is more so if the Office is to effectively grapple with the daunting challenges of poverty, illiteracy, injustice and corruption. It is a fact appreciated both locally and internationally as Government has been making strident efforts to deal with these problems, but the overall strategy includes us also and we also have to join in the fight against these social ills which at times are caused by mal-administration or could result in mal-administration.

Let me finally thank the Government for the financial and other support allocated to our Office in gradually getting it established. But we would also use this opportunity to request that the Government intervenes with the Ministry of Finance to ensure that allocations of monies and resources by the Ministry of Finance to the Office of the Ombudsman is given its necessary priority so that the Office will consolidate in Freetown and expand to the Provinces, if our country is to experience the benefits and advantages of the establishment of such an Office. It gives me great pleasure and pride to present to you Sir firstly The First Annual Report of the Office of the Ombudsman and secondly an Information Pamphlet for the citizens of Sierra Leone to enable them to know about the Office of the Ombudsman. I thank you Sir for your patience, in the delay by our Office in producing this First Report, we can assure you that we have learnt a lot by this First one and the next one will be ready in December 2003. I also thank you for listening and May God Bless Us All and our Beloved Country Sierra Leone. I thank you once again.

Republic of Sierra Leone

Office of the Ombudsman

What is the Ombudsman?

Is a high level official

Is independent of Government and any political party.

Receives complaints from aggrieved persons against Government agencies or officials

Has the power *to:*
investigate

recommend corrective action

- issue reports
- enforce orders.

How does the Ombudsman work?

Anyone can complain to the Ombudsman, who will **then** investigate the **complaint.** The Ombudsman gives the **citizens** adequate opportunity to test the legality and fairness of any administrative decision. Think of the Ombudsman as a referee who can look at all sides of the problem.

Who can be investigated by the Ombudsman?

Government at all level. This includes Central and Local Governments;

Any person performing a public function, e.g. The Security Services like the Army, Police Force, Prison Services etc.

Corporations or Companies where the State is involved, e.g. The Sierra Leone Ports Authority, Civil Aviation etc. Sierratel, Road Transport Corporation.

What can the Ombudsman Investigate?

a Functioning of the Public Service Commission

Injustice

Corruption

Abuse of power

Discrimination

Maladministration, mismanagement and unfair treatment.

How does one complain to the Ombudsman?

You can lodge your complaint at the Office of the Ombudsman. There are staff members who will listen to a complaint and will request for supportive documents to enable them to conduct investigation. Or you can write to us and send it to:

The Office of the Ombudsman

84 Dundas Street

Freetown Sierra Leone

Tel: 224702

Fax: 224439

E-mail: ombuds@sierratel.sl

How much does it cost to get help from the Ombudsman?

Nothing. Services are free and available to anyone who has a problem as set out above.

Will anyone else hear about my complaints?

No one will hear your complaints, except the Ombudsman and his deputy. Confidentiality is guaranteed. All interviews are done in camera.

PRESENTATION ON MILITIAS

AND ARMED GROUPS

DR. ALBERT JOE EDWARD DEMBY

FORMER VICE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE

TO THE TRUTH AND RECONCILIATION COMMISSION

AT THE

THEMATIC, EVENT-SPECIFIC AND INSTITUTIONAL HEARING SESSIONS OF THE TRC

Freetown June 2003

PRESENTATION
ON

MILITIAS AND ARMED GROUPS BY DR ALBERT JOE EDWARD DEMBY FORMER VICE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE TO THE TRUTH AND RECONCILIATION COMMISSION

AT THE

THEMATIC, EVENT-SPECIFIC AND INSTITUTIONAL HEARING SESSIONS OF THE TRC, JUNE 2003

My name is Dr. Albert Joe Edward Demby, son of the Late Paramount Chief Alfred CenawaDemby of Gerihun, Baoma Chiefdom, and Bo District, in the Southern Region of Sierra Leone.

I qualified as a Medical Doctor in December 1969 and returned to Sierra Leone in March 1970. I worked in Freetown, Kenema, Kailahun and lastly Kenema Government Hospitals up to 1975, when I resigned and opened my private clinic. I worked continuously in my clinic in Kenema from 1975 to March 1996 when I was appointed as Vice President of the Republic of Sierra Leone.

The general situation in the country started to decline in terms of governance in the early 70s. There was dissatisfaction everywhere in terms of employment, social amenities and political activities, which culminated to a one party rule and Republican Status. Party politics and party affiliation gave people all the advantages to live a comparatively better life.

In 1989, the Liberian civil war started, which greatly affected this country, especially those of us living near the border with Liberia. Streams of refugees poured into this country and at that time there were no refugee camps, no NGOs and we did not hear of UNHCR. We assisted these people by providing them with shelter, food, medicine etc. By 1990 we were told that Sierra Leoneans were training in Libya to come and overthrow the A.P.C Government. Students spoke of Green Books, Democracy and, news of their friends being recruited to go to Libya for military training. Within the country also the talk of and yearn for multiparty system of Governance began.

Then came the sad news in March 1991 that Sierra Leonean Rebels from Liberia had invaded this country led by one Cpl. Foday Sankoh.

We in Kenema also realized that our Army was small and ill equipped as was told by the soldiers themselves. Hence within a short space of time the war had moved very fast into the country. Our first-hand information of the nature and seriousness of the war came from a Foreign Catholic Priest who was stationed in Koindu - Kailahun District. He narrated his ordeal during his face-to-face encounter with the rebels in his mission house, where he was surrounded and captured by the rebels one night. He was even while at Kenema very timid and anxious to leave the country. He said that he was only allowed to leave because he was a foreigner, but he saw the corpses of many of those he had known in Koindu Town. He emphasized that it was a real invasion that intended to stop at nothing except the overthrow of the A.P.C Government. He said that they spoke in fine Liberian ascent and not a single Sierra Leonean language. They told him that they had come to destroy, while those after them will do the repairs etc. Also that they were hired for three months and within that time they should capture Daru (Moa Barracks) and hand over to Sierra Leonean Rebels.

Few days after his narration we began to see streams of Sierra Leonean displaced people arriving in Kenema from Kailahun and Pujehun Districts, each with awful stories of their ordeal at the hands of these rebels. Those who stayed for few days with the rebels said that they told them that they had come to liberate them from the A.P.C misrule, etc. This they demonstrated by wearing palm leaves on their wrists signifying that they were SLPP supporters. But that with time, their true colour of cruelty was revealed; when they started to rape, loot, abduct. Murder, slaughter their animals, burn houses and appoint their chosen chiefs etc.

While our rebel war was in progress, the Liberian Refugees organized themselves into a fighting or armed group, as most of them were former Liberian Government Soldiers who had escaped into Sierra Leone during the Liberian Civil war. Their group was called ULIMO. We accepted them as our soldiers were few and have not been exposed to rebel war. The APC Government gave them recognition and supported them. They then fought side by side with our Army. But later, we noticed that they were at the same time very wicked as they began to kill other Liberians who were from other ethnic group with the pretence that they were NPFL rebels that had invaded this country. So any one with Tattoo mark on his body was killed. They infact introduced the term "washing" i.e. to kill him by the riverside and throw the body into the river.

The APC Government brought in the Nigerian Army to help fight the war and we heard about them deployed in Pujehun. Later they also invited the Guinean Army that went to defend the Moa barracks. Thanks to the Guinean Army who successfully beat back the advancing rebels into the Moa Bridge and killed their commander, "Rambo". Thus, their timely intervention saved the Barracks from falling into Rebel hands.

On the political front, the cry for multi-party election and democracy became louder the more. Finally, the APC Government gave in to multi-party election but with a hidden agenda. They began to register only in the Western and Northern Regions with the excuse that there was war in the South and Eastern parts of the country. Also many APC prominent people were not in favour of the return to multi-party system and not ready for election at that time. It should be noted here that since the 1967 General Elections, all the elections under APC were full of the reign of violence and intimidation etc. The situation by then was better imagined than described. I was arrested and detained at the Police station, for my membership of the SLPP while a Government Medical Doctor in 1972 and in 1986 for leading the SLPP election campaign for late Mr. B.S.Massaquoi in Kenema. I was forced to resign from the civil service in 1975 because I was always in trouble with the APC Government, as they knew that, my parents were SLPP founding fathers.

In early 1992, information was rife about the involvement and connivance between the top APC members and the rebels. This was demonstrated by the APC Government's failure to supply adequate logistics to the war front. They continued their election arrangements while the war was spreading deep into the Southern and Eastern parts of the country. They claimed that it was not a serious war, but it was the Mendes fighting one another, and they called it "Mende War". This statement and other happenings in the country angered us

the South-Easterners and we became more confused as to the cause or essence of the war.

To our delight a messiah came i.e. the coup of 1992, which stopped the APC plan against the South-Easterners. We danced and danced for the end of the APC misrule and hoped that the war will then end. But still with the fall of the APC Government, the war continued after few months of lull. We were told that the rebels and the New NPRC Government failed to agree on an accord.

By the end of 1992 when the NPRC was now in power, the Rebel war had engulfed the whole of Kailahun and Kono Districts. About the same time, Lt. Tom Nyuma, the then Secretary of State, Eastern Region addressed us the elders in a meeting in Kenema Town. At that time, Kenema Town had hosted most of the chiefs and elders from Kono, Kailahun and other parts of Kenema Districts that were under Rebel control. He told us that a decision had been taken in cabinet to request us to mobilize our hunters called Kamajor to help the regular Sierra Leone Army to guide them in our bushes etc. He said, "America did not win the Vietnam war because they did not know the terrain". The SLA encouraged and recruited youths called VIGILANTES- employed as CARRIERS and INFORMANTS, most of whom eventually turned out to be CHILD SOLDIERS in both the SLA and CDF. We then formed the "Eastern Region Defense Committee" the membership of which comprised of all Paramount and Regent Chiefs, S.D.O, Chairman Kenema Town Council, Senior State Council and other prominent people from the three Districts - Kenema, Kono and Kailahun. The Late Dr. Alpha Lavalie was appointed Chairman and myself, Dr. Demby as Treasurer. Also a similar message was sent to Koinadugu District. They also mobilized their hunters that are called "Tamaboros".

The militia stayed in their villages and were only mobilized and brought to Kenema on the request of the Brigade Commander for a particular mission. We funded this militia by providing transportation and short gun cartridges while they had their short guns. Occasionally Lt. Tom Nyuma did help with money and cartridges. But once they were with the Army, it was the responsibility of the Army to take care of them until the end of that mission. The initial cooperation between the militia and the Army was very cordial. The Kamajors and the Tamaboros helped the Army to liberate Kono and Kailahun and the war almost came to an end in December 1993. We even held a victory meetinv at the Kenema Praying Field where plans for a victory parade were arranged.

With that euphoria, the Army relaxed, and neglected their forward position especially at Normo Farma i.e. Sierra Leone - Liberia Border Town. So while the commander, Capt. Gbonkeleke and some of his officials were in Kenema arranging for a Christmas party, the rebels attacked and a large cache of arms and ammunitions were captured. The war then did not only progress, but also escalated.

Before December 1993, some of the Kamajors had learned the use of Automatic Weapons and were even allowed to use the captured weapons. They joined forces with ULIMO who had now been recognized and were supported by the NPRC Government and the three forces became allies. Later, the once cordial relationship between the soldiers and the Kamajors became sour, due to what they saw as unpleasant happenings while they were in the bush, between the rebels and the soldiers.

These strange relationships resulted in the loss of many lives of their family members, looting of their properties, arson and even threats to kill them if they revealed what was happening in the bush. Many of the Kamajors later refused to go with the soldiers again and openly told us their plight. Some ULIMO fighters also told us that our war was very complex. With the type of co-operation they saw existing between our soldiers and the rebels, to the extent of supplying them with ammunitions and other logistics. In fact it was difficult for them to identify the real rebels and this made most of them to return to Liberia for fear of their lives. The civilians who escaped from the Rebel held territory also narrated similar stories of the co-operation and that the soldiers were more wicked to them than the Rebels.

From 1994 onwards there was no improvement in the war as our fighters were only on the defensive. They only reacted when places were attacked .I think this information was passed to the NPRC, which led to the purging of the army, in which about 14 top senior Military Officers were retired. But this did not help the situation either as the war still intensified.

By this time again, the NPRC recruited a Mercenary group called the GURKHAS. At that time the war was around mile ninety-one in the Tonkolili District. Their stay in the country was for a short time as they left soon after the death of their commander. NPRC then brought another Mercenary group called Executive Out-Come to replace the Gurkhas. They were more experienced, trained and did extremely well. They fought along side the Army and the civil Militias. They remained in the country up to and after the 1996 General Election. The SLPP Government inherited them and continued to

support them until November 1996 during which the Abidjan Peace Accord asked that all Mercenaries leave the Country. That ended their contract and that of ULIMO.

Also by 1994 when the war had reached Bo District, I informed my Uncle the late Paramount Chief A.S Demby who was brutally murdered by the rebels in 1997, about the formation and success of the Militia in Kenema. We decided to invite Chief Hinga Norman, then Regent Chief of Jaiama Bongo chiefdom, adjacent to our Chiefdom and his elders. It was at this meeting in Yamandu that I introduced the idea of Civil Militia to Chief Norman and his Chiefs, and the essence of forming an alliance to defend our two Chiefdoms together, with the Army in the event of a rebel attack on either of the chiefdoms. We decided to train volunteer young men and asked Chief Norman to be in charge. I regret to report that the only group that went to Talu were those killed at Talu, which is known as the "Talu massacre" in which over 200 people were killed including my younger brother Arthur, and Chief Norman narrowly escaped the onslaught. So the idea was abandoned.

Then came the campaign and the General Election of 1995-1996. These rebel went all out to disrupt, creating lots of atrocities on the civilians. With the victory of SLPP, I was appointed Vice President. At about this time also the idea of the civil populace defending themselves and their towns and villages spread fast like bush fire and with successes against the rebels. Other chiefdoms began to mobilize their hunters and using their Tribal names to identify them. The Kamjors mainly from the Mende ethnic group in the South and Eastern Regions, the Donsos from Kono also from the East, the Tamaborors from the Korankor ethnic group and the Gbethes and the Kapras from the Temene ethnic group in the northern Region while the Organized Body of Hunters Societies (OBHS) represented the Western Area. It was the respective Chiefdoms that controlled their respective militias using volunteers. They were never recruited or conscripted. It was they that appointed their commanders from among themselves; some asking retired service men to lead them. The Kamajors, it will be recalled are from the South and East of Sierra Leone boarding Liberia. They were the first to be attacked, suffered the most and the longest.

They were the focus of the whole country, some using political or Tribal connotations to describe them or refer to them. At the same time, there emerged from among the civil populace, men and women with mystical powers. That they prepared herbs which when used in the war front, render them bullet proof. Whether it was true or physiological, many of the fighters joined this society and were initiated. They paid their initiators who also

seemed to have control over them. The news of these initiators also spread very fast and every Chiefdom in the Southern, Eastern and part of the Northern Chiefdoms recruited their own men and women initiators. It was also a voluntary initiation and certain prominent people in our society joined or allowed themselves to be initiated for self-protection. In some cases it was the Chiefdom elders and prominent people from those chiefdoms that contributed for their fighters to be initiated but not recruited. The Government was not responsible for either initiation or the recruitment and had no control over who was to be initiated as the people made private arrangement and paid for them. As stated above, every chiefdom, District, or Region appointed their leaders, Commanders, and Administrators using their native names, which led to confusion. Government then decided to group all of them and called them "Civil Defence Forces" (CDF) with the same alliance with the Sierra Leone Army (SLA).

The Kamajors were the prominent single group in the CDF because of the size of the area that was under Rebel control and the duration of their occupation. It should also be recalled that over 90 percent of the CDF were illiterate without any form of military training and discipline. These were Village men, women and Children who came together voluntarily to defend their towns against looters and invaders using any defensive weapon to beat back the aggressors. Their actions were in most cases predicated by the activities of their aggressors and should be seen in that light It was also very difficult for Government officers to adequately control most of their actions because of their large number, the remoteness of their places, and it was also risky to go there, as most of the areas were either occupied by Rebels or not under complete Government control.

When the different militias were brought under one name, that is the Civil Deference Forces (CDF), their activities and logistical supplies were like other allied forces, under the same control of the Chief of Defence Staff (CDS). At that time, which was after the return of the Government, following the interregnum, it was the late General Maxwell Khobe. Later I was appointed in my capacity as Vice President as Chairman of a committee that was responsible to seek the welfare of the CDF. The CDF operations were legalised and supported by Parliament and Government. And lastly Hon. R.E.S. Largao was appointed to head the affairs of CDF after me.

The committee appointed by His Excellency the President called the National Co-ordination Committee comprised:

1. The Minister of Finance
2. The Minister of Agriculture

3. The Minister of Presidential Affairs

4. The Minister of Information (Representative of the West)

5. The Deputy Minister of Defense

6. The Chief of Defense Staff

7. The Resident Minister, Eastern Province

8. The Resident Minister, Northern Province

9. The Resident Minister, Southern Province

10. Chief Brima Kargbo (Representative of the East)

11. The National Security Adviser

12. (Deputy Speaker of Parliament later became member of the Committee)

13.(Mr. Okere Adams later replaced the Northern Regional Minister)

A Deputy Secretary, who was the Secretary to the committee, headed the CDF office. The

function of the committee was to look into the welfare of the CDF. Government provided them

with logistics, which was issued to Regions by the Secretariat on the committee's guidelines.

Another Armed group called ECOMOG came to this country during the inter-regnum of May 1997-March 1998. They also fought side by side with CDF and loyal SLA. It was these allied forces that removed the JUNTA (AFRC/ RUF) from power. They remained in the country until the end of their mandate in 2001 and were also replaced by UNAMSIL who finally together with British Army, Loyal SLA and CDF ended the war.

Our gratitude at this point should go to late General Sam Abacha, Rtd. General Abdulsalamii Abubakar, President Olu Segun Obasango, late General Maxwell Kobe, and Rtd. General Victor Mallu, former Foreign Minister Chief Tom Ikimi and former High Commissioner Alhaji Abubakarr all of Nigeria, President Lansana Coteh of Guinea, President Eyadema of Togo, Ex President Alpha Konare of Mali, former British Foreign Minister Robin Cook, and former British High Commissioner Peter Penfold. His Excellency SRSG Oluyemi Adeniji and His Excellency Kofi Annan of Untied Nations for their tremendous effort and contributions in bring lasting peace to our country.

CONCLUSIONS

With the number of different armed groups that participated in this small country and under five different Governments, one should not be surprised at the scale of destruction that took place, especially when sophisticated amour such as Helicopter Gunships, Warships, Tanks and Armoured Personnel Carriers and Fighter Jets etc. were used.
We Sierra Leoneans have suffered so much that we are now ready to FORGIVE and OVERLOOK, but not to FORGET what happened. How can I FORGET the destruction of my five houses, three vehicles, my Office, my Lodge, and my clinic and the brutal murder of my brother Arthur, Uncle P. C. Demby and other family members and friends like B.S. Massaquoi and P.P. B. Kebbeh both of Kenema, my Nurse Saffa and my Driver Lansana?

That the steps now taken by Government and the International Community to create a conducive atmosphere, where in resettlement, rehabilitation, reintegration and reconciliation are taken place, are all steps in the right direction, that will bring lasting peace in this country.

Thanks for your attention.

THE DESTRUCTION OF KORIBONDO

My name is Dr. Albert Joe Edward Demby, Former Vice President of the Republic of Sierra Leone.

I have no knowledge and have never heard of the of the destruction of Koribondo in particular other than the general information of the destruction of towns and villages in the country.

I knew of the deployment of both the SLA and the CDF in Koribondo before the coup of May 1997. Whether it was at that time that the town was destroyed and by which of the fighting forces I cannot tell.

Thanks for your attention.

file

MORAL DECADENCE - A CATALYST FOR OUR WOES

Chairperson, Commissioners,
Distinguished ladies and gentlemen,
"There is so much good in the worst of us,
And so much bad in the best of us,
That it ill-becomes any of us

To fling stones at any of us"

This saying by Thomas Hardy aptly describes the theme of my presentation. There is no gainsaying that Sierra Leone is blessed with abundant and abounding resources, both human and material.

Our nation had been built upon sound foundations predicated on patriotism, respect for elders, honesty, integrity and tremendous sense of responsibility.

This was our outlook prior to and during the course of our attainment of **Independence** and **little afterwards. However, everything went haywire with the advent of materialism in the country. This unfortunate phenomenon reared its ugly head during the first Republic of the Siaka Stevens era. The new characteristic bred unwholesome quest for material acquisition breaking in the process, the backbone of our hitherto wonderful character of a prolific** value system. The dawn of this inglorious era turned us into material robots, intolerant of one another.

All of a sudden indiscipline crept into our body politic eating deep into the fabric of our hitherto morally sound and fundamentally upright society.

People in the position of leadership did not help matters by their indulgence in traits which negated their respective roles. Leadership became selfish, self-centered and impervious to reason; thus they cultivated the habit of intolerance to prodding, exhortation, let alone criticism, constructive as it may be. The followership, having no better disposition than lucre, became cynical, abhorrent to the status quo, disobedient, critical and at times rebellious as was the case with the Rebel War. In short, our institution of

family has broken down; respect for elders which used to be a cardinal principle in our society is now at its lowest ebb; honesty, where it does not pay, has becomes meaningless.

This has ensued a free-for-all which in turn has bred and nurtured in us, as a polity, the syndrome of:

"Everybody for himself,
God for us all,
The devil takes the hindmost".

Survival of the fittest, relegating our natural responsibility of being our brother's keeper, has become the order of the day. We are no longer ourselves. We have become out of sorts everywhere, at home nowhere. In trying to copy others blindly we have ended up being a poor caricature of what we are trying to copy. We must now try to be ourselves. We must revive our good cultural heritage.

Our traditions and customs must be upheld where they do not clash with our match to success.

Chairperson, Commissioners, distinguished ladies and Gentlemen, the aforementioned scenario, coupled with the inability of our system to put in his place a sound, sincere and veritable insurance for a public servant upon his leaving office, or the inability of our system to guarantee good medicare, reasonable cost of living and such other social security provisos, propel the average public officer be it civilian/military (in or out of office) to indulge in the wild and unbecoming rush for material things putting it mildly so to speak. This then makes the public officer the citadel of -

permit me to say so corruption, indiscipline and unpatriotic disposition.

Allow me to digress a little here. Have we ever paused to ponder on how our system expects the average Sierra Leonean to survive a situation where as a "Senior Public Servant" his/her emoluments are insufficient to take care of utility charges - water, electricity, telephone, etc., etc? I mean, after settling these from his/her monthly wages there is not a cent more left to even feed let alone pay for Medicare for self or family members, take care of transportation or pay school fees, talk less of buying a new dress for oneself or a family member. Surely the system must look at itself properly in the mirror and readjust according to the realities of our times. Things have really gotten so bad that the average Sierra Leonean is unable to have two meals a day whether the meal is square, rectangular or oblong. It is that bad!! **Let us all work towards making president Kabbah's wish, that by 2007 "no Sierra Leonean will go to bed hungry."**

With the above scenario, how can the cancer of corruption not set into our **polity** and **tenaciously become so malignant as to defy solution? The only answer is for people to indulge and delve into the arena of indiscipline and un-patriotism. How else do we interpret the actions of some people vested with positions of authority who**

flagrantly abuse them in such a fashion that negates civilized behaviour?

People in positions of trust sometimes employ such arrogance which tends to smear the already battered image of leadership. Coming lower down the strata we, as ordinary Sierra Leonean, have forgotten the meaning of words such as decency, tolerance, good **measure, patriotism, discipline, being our brother's keeper and even how to say `Thank You' for a good turn.**

Even the media which is supposed to be the fourth Estate of the Realm and by such vantage position be the watchdog of society has been caught pants down. The level of unpatriotic posture emanating from a section of the Sierra Leonean press provides the required fuel which the foreign media cashes on to ridicule, cajole and unjustifiably lambast Sierra Leone to our utter chagrin and cost.

The time is therefore now for us **Sierra Leoneans to resolve that our great country must be** rid **of the multifarious malaises and negative tendencies which have added up to earn us the intolerable attribute of a nation so richly endowed with ingeniously negative sets of people,** that led us to the eleven - year rebel war. Sierra

Leone must be taken out of the decay and stench of corruption, we must make a clean break from our negative past; act of corruption and misdeeds must be thoroughly investigated, revealed to public and accordingly rewarded either by way of criminal sanction or the loss of the particular public office, position or property. No one ought to be spared or turned into a sacred cow. As a people, we must identify our real enemies within and outside the country. We must also learn to tolerate one another. We cannot claim to be championing Human Rights if we are unable to even be our brother's keeper, we cannot sing the song of Press Freedom unless we are willing to match that freedom with responsibility.

Mr. Chairperson, Commissioners, distinguished ladies and Gentlemen, please pardon my having taken so long by way of introductory remark.

I pray that all of us called upon by the TRC shall speak with the usual civilized but reasonable and patriotic candour as to do justice to the confidence reposed in us.

May I implore Government at the highest level, to avail itself of the proceedings of the TRC and use the deliberations as a worthwhile compendium to commence the exigent but arduous journey towards making the much needed amends, bound to catapult our great nation into greater heights. It is only by doing this, that we will avoid the mistakes that brought us 11 years of mayhem caused by RUF/AFRC.

Inspite of everything, we should not lose hope. I have not lost hope; I am an optimist not a pessimist. God willing, we shall overcome. Once we realise our shortcomings we are on the way.

> "Whoso recognizes and confesses his defects Is hastening in the way that leads to perfection;
> But he advances not towards the Almighty Who fancies himself to be perfect"

But let us pray. Let us pray that all may love Sierra Leone like him or herself. Let us pray for good leadership, for the whole thing boils down to good leadership. The saying is: If any congregational prayer goes wrong it is the Imam, Reverend or Priest, leading it. May God grant, therefore, that we may continue to have leaders who will not lie; leaders who will not steal; leader with the fear of God; leaders who are not corrupt; leaders who have fire in their bellies but humanity in their heart; leaders who will look at the lot of the ordinary people with the eyes of a compatriot not with those of the privileged few; and leaders who will know when they are no longer equal to the exigencies of their nation and will have the prudence of handing over to others before they forfeit the admiration of their countrymen. Nations have become great by their patriotism. Let us be patriotic at all times and forever more. Amen! Amen! Amen!

Thank you all and

God bless Sierra Leone

Joe C. Blell

Deputy Minister of Defence

PRESENTATION BY THE CHIEF OF DEFENCE STAFF, MAJ GEN TOM S. CAREW ON THE THEME, "MILITIAS AND ARMED GROUPS" AT THE TRUTH AND RECONCILIATION COMMISSION (TRC) PUBLIC HEARING AT THE YOUNG WOMEN CHRISTIAN ASSOCIATION (YWCA) HALL, BROOKFIELDS, FREETOWN,-ON FRIDAY 20TH JUNE 2003

Mr. Chairman

Members of the Commission

Invited Guests
Ladies and Gentlemen

INTRODUCTION

1. I am exceedingly delighted to accept your invitation and I feel highly honoured to be granted the privilege of speaking at this public hearing of the Truth and Reconciliation Commission. In my view, ladies and gentlemen, the establishment of this commission is a historic chapter in the history of this country.

2. The TRC as we know was established, among other things, to promote healing and reconciliation and to prevent a repetition of the gross human rights abuses that accompanied the ten year conflict. Though not a cure in itself, but the TRC will, go a long way in promoting relief, and consolation for both the victims and the alleged perpetrators as well as to prevent a repetition of the abuse and violations.

3. Today, I will talk on the theme "MILITIAS AND ARMED GROUPS" Within the context of the ten-year conflict in Sierra Leone. In this presentation, I have deliberately left out the regular security forces, namely, the Republic of Sierra Leone Armed Forces. The Operational Security Division and all conventional allied forces ECOMOG and other outside elements like the Gurkhas. The Executive Outcomes, and others, which fought on the side of the Government throughout the period of the 10-year conflict. In making my presentation, I will do it in typical military style covering introduction, aim, scope and conclusion.

AIM

4. The aim of my presentation is to discuss the various local armed groups and militias within the context of the ten-year conflict in Sierra Leone.

SCOPE

5. My presentation will cover the following:

a. Historical background of the armed militias

b. Types of armed groups
c. Activities and roles of the armed groups

d. Conclusion

HISTORICAL BACKGROUND

6. The CDF originated as far back as 1991 when the NPFL/RUF war started. After the outbreak of the war, the strength of the Sierra Leone military was then very small and ill equipped. Furthermore, there was the urgent need then to have in place an auxiliary force to augment the efforts of the military. As a result of this junior army commanders at the front started encouraging able-bodied youths and middle-aged to form small groups of volunteers to assist them in military operations. These later developed into civil defence units. The groups, of curse, assisted the troops greatly in fighting and halting the rapidly advancing rebels in addition to the local defense of their respective towns and villages.

7. The significance o f the CDF because more apparent after the overthrow of the JS Momoh regime by the NPRC and the recruitment and full organization of the CDF became top priority. The person who spearheaded this and played a key role in it was the Under Secretary of State for Defence, Retired Captain Komba Kambo.

8. The first area where the CDF organisation started in earnest was the Koinadugu District. Where the TAMABORORS were formed and organised. Nothing the great success scored by the TAMABOROS especially in the liberation of Kono, which had them been under RUF control for too long, the Southern and Eastern regions also formed the KAMAJOR militia which later grew into a very dominant organisation countrywide.

9. When the SLPP came to power in 1996, it encouraged all these various civil militia groups to be organised and restructured in terms of hierarchy, administration and operations under one parent umbrella known as the Civil Defence Forces commonly referred to as the CDF. The motive was to see a quick conclusion of the war and the rapid restoration of peace and security throughout the country. The CDF

was placed under the command of Chief Sam Hinga Norman, who carried the title of Chief Coordinator.

CLASSIFICATION OF ARMED GROUPS

10. The militias and armed groups in Sierra Leone can be classified into 2 categories, namely, the pro-government forces and the anti-government militia groups.

a. **The Pro-government militia groups.** The pro-government militia forces are made up of the Civil Defense Forces (CDF). These came into existence after the advent o f the NPFL/RUF rebellion in 1991. In the early days of the war, civilians were recruited and organised into small groups or militias to compliment the efforts of the regular fighting forces. By regular forces I mean government troops of the Republic of Sierra Leone Armed Forces (formerly known as the Republic of Sierra Leone Military Forces), and the then Special Security Division (SSD) (now Operational Security Division (OSD) as well as the allied forces. The militias were i n all p arts of the war theatre as they were our local allies. It was from this rudimentary stage that the CDF grew into a big fully organised society at the national level. The pro-government forces included the KAMAJORS and DONSOS from the South and East. In the North, other militia groups were formed and this included the TAMABORORS of Koinadugu District, the KAPRAS of Tonkolili District, and the GBETHIS of Port Loko District. The Organised Body of Hunters Society (OBHS) formed in the Western Area is also included I this category.

b. **Anti-Government Forces.** The Anti-Government militia included the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC) and the West Side Boys (WSB). The RUF started the incursion, which sparked off the war on 23 March 1991. The AFRC was formed by disloyal and disgruntled elements of the Sierra Leone army who overthrew the democratically elected government on 25'h May 1997. In spite of the worldwide condemnation of the coup, the coup makers went ahead and established an illegal AFRC junta regime. In the aftermath of that unpopular and inglorious AFRC takeover, the coup plotters invited the RUF to join them to unleash more terror and mayhem on the people of this country. The Westside Boys were actually ruthless, notorious and hardcore AFRC elements who were as vicious and deadly as they were bloody and dangerous. After their invasion of Freetown and commission of arson and massacre on a grand scale, they retreated from

the city under fire and established a notorious rebel base right at the threshold of the Freetown peninsular at Okra Hills from where they continued their horrendous activities until they were annihilated by the British-led "Operation Barass". These anti government elements will be dealt with in detail during the course of this presentation.

ACTIVITIES AND ROLES OF THE ARMED GROUPS

11. **Pro-Government Forces.** The Pro-government forces are made up principally of the CDF. Their primary role was to assist troops defend their respective localities against the advancing rebels. Elements of the CDF militia assisted troops by serving as scouts or guides, assisting troops on patrols as well as carriers of troops ration and ammunition. It is interesting to note that the CDF took active part in the planning and conduct of combat operations against the rebels. For example, during the intervention operation to oust the AFRC junta in February 1998, the CDF played a key role in enhancing and complimenting the efforts of ECOMOG troops to successfully restore the democratically elected government. With time in recognition of the patriotic services of pro-government militias, a parliamentary act was approved which eventually placed all pro-government armed militias and groups under one parent umbrella organisation known as the Civil Defence Forces (CDF), with Hon. Chief Sam Hinga Norman as the National Coordinator. Let us take a quick look at each of these pro-government armed groups or militias:

a. **KAMAJORS:** The Kamajors were initially recruited within various localities of the war theatre to complement the efforts of government troops and to assist in the defence of their respective localities against the RUF rebels. Their primary roles included serving as guides to troops on patrols, protection of the localities, gathering intelligence on the enemy and serving as informants as well as the carriage and conveyance of troops rations and combats supplies which included arms and ammunition. They later greatly assisted ECOMOG in fighting against the RUF/AFRC insurgents. One of the founding members of the KAMAJOR militia is the late Dr. Lavalie who died in a landmine explosion at Mano Junction in 1994.

b. **DONSOS.** In the same way, the DONSOS were formed in Kono District in the East with the same aim to carryout similar complementary duties. The DONSOS, as the local hunters of that district assisted immensely in defending that general area.

c. **TAMABOROS.** The TAMABOROS hailed from Koinadugu District. In fact, the TAMABOROS were the first of the CDF elements to be recruited, organised and administered in a proper way under the supervision and coordination of retired Captain Komba Kambo. Like all other CDF groups, they were made up of traditional hunters and local civilian volunteers who were grouped together as a fighting body. The primary aim was to assist in the liberation and defence of Kono, which was then under rebel control for a long period. The TAMABORORS impressed this nation by scoring significant successes of the TAMABORORS earned the wonder and admiration o f the nation and this encouraged the formation of other militia groups who followed the good example of the TAMABORORS.

d. KAPRAS. The KAPRAS were organised and based in Yele in the Tonkolili District at the height of the 10-years crisis. Yele with its environs was one of the few rebel-free areas in the country t hat w as fully safe and secured under the sole control of the CDF. The Hon. Paramount Chief Bai Sontabe, was Very instrumental in the formation, mobilization and administration to defend the Yele general area and its environs, with some assistance from government and ECOMOG.

e. **GBETHIS.** The GBETHIS were also organised in the Kambia and Port Loko Districts. Mr. **M.S. Dumbuya, who was also the CDF Coordinator for the entire Northern Province, was the sole supervisor.**

f OBHS. The Organised Body of Hunters Society came into existence during the intervention of ECOMOG forces to restore the democratically elected government in 1998, as well as during the May 8 RUF uprising. They greatly assisted ECOMOG forces during that critical period of national crisis, when the national army was dormant.

12. **Anti-Government Armed Elements.** The anti-government militia included the following:

a. RUF The Revolutionary United Front started the incursion, which sparked off the war on 23 March 1991. The incursion led by retired Corporal Foday Sankoh was launched from Liberia with disgruntled Sierra Leoneans, hired Liberian and Burkinabe mercenaries with the assistance and support of Charles Taylor who contributed massively both human and material resources that fuelled the war in this country. In my view Charles Taylor was, thus, both the chief patron and protagonist of the ten-year conflict in Sierra Leone. In **the wake of the RUF rebellion in the country, massive scale of atrocities, mayhem, catastrophe, chaos, anarchy, and terror were**

unleashed on the civil populace, which inevitably led to the huge loss and destruction of human and material resources as well as the solid infrastructure across the country. The RUF's **main strategy was the adoption of heinous acts of barbarism, radicalism, banditry, lawlessness, terrorism, and massacre to achieve their selfish objective of seizing power by the barrel of the gun at all costs. The RUF started their campaign of terror and banditry since the APC days of ex-President JS Momoh and continued through the NPRC regime on to the SLPP government in 1996. This piece on the RUF will not be complete without shedding some light on the countless atrocities committed by the organization that was claiming to liberate the people of this country. At the height of their campaign, the RUF used the** strategy of avoiding military deployments and installations and instead resorted to targeting civilians and other soft targets. Their general motive was to render the country ungovernable, get the maximum advantage of committing acts of mass looting, rape, arson and mass abductions. These horrendous activities of the RUF were even extended to UN peacekeepers in year 2000.

b. THE AFRC. In May 1997, some disloyal and disgruntled elements of the Sierra Leone army in a rude and crude manner toppled the young democratic SLPP government, which w as t hen barely a year in office. The coup makers established an illegal AFRC junta regime. This was a big shock not only to Sierra Leoneans, but also to the whole international community. Needless to say, the period of the AFRC/RUF that culminated into the West Side Boys (WSB) was the darkest and gloomiest period in the entire history of this country.

The 9 months era of the AFRC was truly a period of hell for Sierra Leoneans and foreigners around the country. Senior military officers including myself were not spared as we had a hell of time with the junta who was suspicious of all officers. Thus, they nicknamed their illegal act as "Other Ranks Revo". For my part, for example, I was arrested, and incarcerated a t the Pademba Road Maximum Security Prisons for a long period. Eventually, I had to seek refuge in the Republic of Guinea. A host o f other senior officers were similarly maltreated and insulted in broad daylight on countless occasions.

c. The West Side Boys. The West Side Boys were a gang of ruthless, notorious and hardcore AFRC elements who were as vicious, wicked and heartless as the RUF. They were opposed to any move for a peaceful settlement of the 10 years conflict. They thus, choose to establish a notorious rebel base right at the threshold of the Freetown peninsular at

Okra Hills. The end of their existence and survival in the Okra Hills was reached when the WSB went out of the way and abducted some British soldiers on routine patrol around Okra Hills vicinity. When all forms of dialogue and negotiations failed to secure the release of the abductees, force was used, as this was the only language the bandits understood. The ensuing British-led "Operation Barras" that ultimately and absolutely put to rest the Westside nightmare, rooted the bandits, demolished the base, exterminated stubborn bandit elements and captured the key leaders.

CONCLUSION

13. Mr. Chairman, distinguished ladies and gentlemen, I have been discussing militias and armed groups in Sierra Leone and their respective roles in the decade long civil war. I started by touching on the significance of the TRC as an independent institution, which is supported both by the Sierra Leone Government and the international community. With a huge measure of international support and backing, it then comes as no surprise that members of the commission have prudently selected to ensure objectivity, neutrality, fairness, independence and impartiality.
14. I went on to discuss the various militias and armed groups that participated in the 10 years conflict in Sierra Leone and traced the historical background of each of them. I said that the armed groups could be divided into pro-government forces and anti-government elements. I also highlighted the activities and significance of the various armed groups under each category in the context of the 10 years conflict in Sierra Leone.
15. Mr. Chairman, esteemed ladies and gentlemen, I thank you for the honour of inviting me to make this presentation. I further thank you for your patience and attention. May God bless us all.

MAJOR GENERAL TOM S. CAREW, psc, fndu, OR
CHIEF OF DEFENCE STAFF
REPUBLIC OF SIERRA LEONE ARMED FORCES

Our Ref: 01 /0204/02

NATIONAL COMMITTEE FOR DISARMAMENT, DEMOBILISATION AND REINTEGRATION (NCDDR) (EXECUTIVE SECRETARIAT)

Tel: 229222

Fax: 232-22-228368

Email: NCDDR@Sierratel.SL

2 State Avenue Freetown
2 April 2003

The Chairman

The Truth and Reconciliation Commission Block A,
Brookfields Hotel
New England Freetown

Dear Sir

REQUEST FOR SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION (TRC)

I would like to refer to your request for submission to your Commission dated 25 February 2003 and to forward to you the attached. The NCDDR stands ready to support the work of the TRC as we gently strive to consolidate the peace in our beloved country. Please do not hesitate to request for any further information if the need arises.

Please accept assurances of our co-operation at all times.

Yours sincerely

Dr Francis Kai Kai Executive Secretary

NATIONAL COMMITTEE FOR DISARMAMENT, DEMOBILISATION AND REINTEGRATION (NCDDR) (EXECUTIVE,SECRETARIAT)

Tel: 229222

Fax: 232-22-228368

Email: NCDDR(a_)Sierratel. SL



PMI3 842

2 State Avenue Freetown

March 2003

SUBMISSION FROM THE NCDDR TO THE TRUTH AND RECONCILIATION COMMISSION (TRC)

Introduction and Overview

After the restoration of democracy in February 1998 it was envisaged that the war would soon come to end and moves were made by government to ensure that the civilian population as well as the former fighters were well catered for. This was with the aim of supporting the national strategy for peace, reconciliation, consolidation of the political process and security for a viable post-war national recovery programme.

The National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), was accordingly established by the Government in July 1998 with the mandate of ensuring that all combatants were disarmed, demobilised, and assured of a successful reintegration programme into society. Ex-combatants comprising members of the Revolutionary United

Front (RUF), former Sierra Leone Army (SLA) and the Civil Defence Forces (CDF) indeed constituted a considerable risk group, which deserved to be given targeted assistance if the peace process was not to be hindered. The Committee was chaired by His Excellency The President Dr Alhaji Ahmad Tejan Kabba with representatives from GOSL, UN, Donors, RUF and ex-SLA.

The implementation and supervision of the DDR Programme (DDRP) was placed in the hands of a National Executive Secretariat, which collaborated closely with other key stakeholders like ECOMOG, UNOMSIL, UNAMSIL, UN Agencies, DFID, World Bank, NGOs, CDF, AFSL, RUF, Civil Society and various communities to ensure the success of the programme.

The DDR Programme was implemented in three phases. During Phase I (September--December 1998) considerable effort was aborted due to heightened fighting in late 1998 and early 1999 which culminated in an attack on Freetown on January 6 1999. Subsequently, the Lome Peace Agreement was signed on July 7 1999.

Phase II was re-initiated and implemented within the LPA framework from October 1999 to April 2000. The process of disarmament and demobilisation was enthusiastically restarted with full participation of the international community and other various stakeholders. Nonetheless, the programme was halted in May 2000 when hostilities broke out among the fighting forces. This state of affairs continued until two ceasefire agreements were negotiated in 2001.

The period from May 2000 to May 2001 was regarded as an Interim Phase for the DDRP. It was characterised by Consultative Meetings to review the DDR Programme and agree on an acceptable way forward, negotiations with the RUF for the release of UN hostages, a ceasefire and discussion of framework on how to resume the disarmament exercise. Two ceasefire agreements were signed in Abuja (Nigeria) in November 2000 and April 2001, which eventually led to the establishment of a Joint Committee on DDR chaired by the UN-SRSG Ambassador Oluyemi Adeniji. The first meeting of this Committee was held on May 15 2001. Phase III of the programme commenced on May 18 2001 after the first Joint Committee Meeting and continued until January 2002 with the full participation of the remaining fighting groups, namely RUF and CDF.

On January 18, 2002 with disarmament completed all over the country, Government declared the eleven year rebel war officially over, while demobilisation of the newly disarmed ex-combatants continued in camps until February 2002. After completion of disarmament and demobilisation, the last important mandate of the NCDDR remains the economic and social reintegration of eligible and registered ex-combatants which has been over 70% accomplished.

Objectives Of The DDR Programme

Immediate and Medium Term

The immediate and medium term objectives of the DDR programme were:

To collect, destroy and dispose of all conventional weapons/ammunition retrieved from combatants.
Demobilise an estimated 45 thousand ex-combatants. (Eventually about 72,400 were disarmed) from all former fighting factions.

Long Term objective

To prepare and support ex-combatants for an eventual reinsertion and Socio-Economic reintegration into society.

ACHIEVEMENTS TO DATE

Disarmament and Demobilisation

The NCDDR accomplished individual and group disarmament of the AFRC, RUF, CDF and Paramilitary Units since January 2002. Although there were occasional disagreements among the parties, we were able to maintain a reasonable standard that protected the credibility of the processes in this country.

During the three phases of the disarmament and demobilisation process of combatants in Sierra Leone, the following specific achievements in terms of numbers of combatants disarmed are recorded as follows:

Category Disarmed	***Phase 1 Phase*** *11* (Sept-Dec (Oct.'99- ***1988) April 20001***	***Interim Phase (May 2Q00-17 May 2001)***	***Phase 111(18 May 2001-Jan 2002)***	***TOTAL***
RUF	*187 4,130*	*768*	*19,267*	*24,352*
AFRC	*0 2,129*	*445*	*0*	*2,574*
Dischargedl Ex-SLA	*2,994 2,366*	*593*	*0*	*5,953*
CDF	*2 8,800*	*524*	*28,051*	*37,377*
OTHERS (including paramilitary	*0 1,473*	*298*	*463*	*2,234*
TOTAL	*3,183 18,898*	*~ 2,628*	*~ 47,781*	*~ 72,490*

TOTAL DISARMED CHILDREN AND ADULTS

-~ PHASE PHASE II	INTERIM PHASE	PHASE III	TOTAL
CHILDREN* *189 1,982*	*402*	*4,272*	*6,845*
ADULTS *2,994 16,916*	*2,226*	*43,509*	*65,645*
TOTAL _j. *3,183 ' 18,898*	*2,628*	*47,781*	*72-149-0*

*Child combatants do not require weapons to join the DDR Programme.

TOTAL DEMOBILISED CHILDREN AND ADULTS

'PHASE I	PHASE II*	INTERIM PHASE	PHASE III	TOTAL
CHILDREN *189*	*1,182*	*402*	*4,272*	*6,845*
ADULTS *2,994*	*15,469*	*2,226*	*43,509*	*64,198*
TOTAL *3,183*	*17,451*	*2,628*	*47,781*	*~ 71,043 ~*

**1,447AFRC/Ex-SLA disarmed but did not demobilise because of desire to return to National Army.*

TOTAL DISCHARGED CHILDREN AND ADULTS*

	PHASE I PHASE II	INTERIM PHASE	PHASE III	TOTAL
CHILDREN	*189 1982*	*402*	*-----41*[272]	*6,845*
ADULTS	*1,414 15,469*	_	*43,509*	*62,618*
TOTAL	*1,603 17,451*	*2,628*	*47,781*	*~ 69,463 ~*

**Those who have gone through demobilisation with a DDR Programme ID Card and transport assistance. These are eligible for Short Term Reintegration Opportunities (STRO).*

3. Mindful of the fact that achieving 100% disarmament was unrealistic, NCDDR provided the Sierra Leone Police with technical and logistical support in the development of the Community Arms Collection and Destruction (CACD) Programme. This programme was designed to collect arms and ammunitions in the hands of individuals who did not qualify for the DDR Programme. This programme was also successfully implemented in the country.

4. In the area of weapons destruction, NCDDR worked very closely with UNAMSIL who contracted GTZ to destroy the disabled weapons by cutting them into pieces and recycling the cut pieces into productive tools. Some 25,089 weapons have since been destroyed through this process. An additional arms and ammunition destruction programme was implemented by UNAMSIL Forces in the various military sectors.
5. The most significant achievement of the disarmament exercise is the improvement of the security situation. During the process, erstwhile enemies through persistent negotiations at the level of UNAMSIL, GOSL, CDF and RUF built up confidence in each other, which led to accelerated collection of weapons and ammunitions. Subsequently, there has been marked improvement in the security situation, leading to the free movement of persons and goods, accessibility to areas hitherto out of bounds to either party, and more significantly holding of elections leading to the restoration and extension of Government authority in parts of the country formerly under RUF control.

Demobilisation involved the process of receiving, registering and re-orienting ex-combatants into civil society. The following are highlights of achievements in this area:

1. The NCDDR identified, established, staffed and managed 16 demobilisation centres located in every district prior to the commencement of disarmament in each. Some of these centres were established in logistically challenging environments with no normal access over a considerable period of time - especially Koidu and Kailahun in the Eastern Region.
2. In close collaboration with the Ministry of Defence, NCDDR established policy and operational linkages that enabled the recruitment of about 2,385 ex-combatants (ex-RUF, ex-CDF) into the military. This military reintegration was the alternative option open to disarmed ex-combatants.
3. For the child ex-combatants the Secretariat, in close collaboration with UNICEF and various child-focused NGOs, established seven Interim Care Centres managed by 5 Child Protection Agencies. Most of the children have been reunified with their families and

provided with reintegration support. The total number processed is outlined in the Table earlier given.

Reintegration

The DDR Programme is currently supporting the social and economic reintegration of ex-combatants by engaging them in productive activities beneficial to them and facilitating their return to their families and communities in a responsible manner. In order to fulfil the commitments made to facilitate the return to civilian life, NCDDR strategy includes the provision of the following to adult combatants:

1) Post discharge resettlement support to ex-combatants in the form of reinsertion benefits.
2) Short-term Reintegration opportunities, to enable them to sustain themselves with opportunities in short-term employment, acquisition of basic skills, basic inputs for agriculture, self- employment and formal education. These are provided under a Training and Entrepreneurial Programme (TEP).
3) Referral and counselling services to strengthen their relationships and increase their participating in family and community based activities.

Child Ex-combatants

Assistance to child ex-combatants is provided on the basis of a memorandum of understanding with UNICEF. The components include:

- Interim care services, followed by family tracing, counselling, primary health care and reunification.
- Reintegration opportunities for children in two programmes, Community Education and Investment Programme (CEIP) or Training and Employment Programme (TEP). The CEIP supports formal education or accelerated learning programmes in communities including ex-combatants. The Training and Employment Programme supports child ex-combatants between ages 15 and 17 that are not able to return to formal education.

These activities are in support of Government's strategy to consolidate the peace and national security.

Reinsertion Benefit

A reinsertion payment (or transitional safety-net allowance) to ex-combatants was conceived as part of the DDRP since 1998. Although it was suspended in May 2000 following breakdown of the peace process, donors endorsed Government's proposal to resuscitate the payment of ex-combatants at the Paris Donors meeting in June 2001 as part of the initial reintegration assistance to support the resettlement and maintenance of ex-combatants and families for the immediate period following demobilisation and discharge. This payment significantly helped to bridge the critical gap between demobilisation and reintegration, especially in areas that had been inaccessible to any form of services.

NCDDR initiated registration and payments in Phase III in October 2001. By the end of April 2002, a total of 53, 767 ex-combatants registered and received the cash benefit nationwide.

Reintegration Support (2000-2003)

The social and economic reintegration component of the DDRP for the ex-combatants has always been considered as the most important challenge for Government and all key partners in a post-disarmament and demobilisation phase. NCDDR commenced the delivery of reintegration opportunities at the beginning of January 2000, albeit an a limited basis.

The early phase of the reintegration programme (i.e. the first half of 2001) was fraught with considerable problems, including inaccessibility to over 50% of the country, limited economic opportunities, concentration of government and other NGO services to only the Western Area, Bo and Kenema Townships and focus on relief activities by all agencies. On the whole, security was very tenuous and fragile.

NCDDR used that period to further elaborate a framework of assistance, preliminarily determine beneficiary preferences and service delivery mechanisms for effective implementation. The instruments for appraisal of partners and projects were also established.

As of 5th March 2003, a total of 56,715 ex-combatants had registered for reintegration opportunities. A total of 23,693 have completed various reintegration programmes, while 12,164 are engaged in on-going programmes.

There is a remaining caseload of ex-combatants who are still to access reintegration opportunities.

Profile of Ex-combatants' Preferences and Assistance Framework

On the basis of the preferences revealed by the ex-combatants registering for programme opportunities and analysis of the in-country capacity, NCDDR identified five key support areas to them namely:

:Formal Education :Vocational and
Skills Training Agriculture
:Apprenticeship

:Public Works, Job Placement and Employment .
Others

NCDDR is continuously working with ex-combatants and partner organisations to explore all initiatives that provide meaningful support to ex-combatants. This profile changes over time as ex-combatants get more information on availability of opportunities. Therefore, it is reviewed on a periodic basis taking into consideration security and local economic initiatives.

A framework of assistance has been developed to guide programme and project development in the various sectors. This has been accomplished in collaboration with relevant line ministries to ensure that programmes in all sectors are within the technical guidelines of each ministry.

Social Reintegration

NCDDR continues to pursue the social reintegration of ex-combatants in order to facilitate their peaceful return to their original homes or localities of choice, and participate fully in all traditional and social events in the communities without inhibitions. This has quite sensitive and challenging, considering the level of atrocities of the war. The programme is contending with latent animosity against ex-combatants from the larger society.

The challenges are manifested in various forms. For example, ex-combatants are constantly reminded about the belligerent days and associated atrocities. This led to occasional

outbursts in the communities in the past and was compounded by the refusal of some ex-combatants to hand over premises to their rightful owners in some major settlements around the country.

There are still a few areas of concentration of ex-combatants in the country, which are receiving the attention of the authorities. These ex-combatants have refused to return to their home communities for various reasons, ranging from fear to shame. Some have lost all family and community ties that will support their resettlement into normal society.

NCDDR has employed various strategies alongside the opportunities generated for economic reintegration to provide pertinent information and raise awareness in the larger society about the need for peaceful co-existence with ex-combatants. Radio discussion programmes, soap operas, live drama performances, and documentaries, community sensitisation sessions by community-based organisations, press conferences and technical co-ordination committees have all been utilised for that purpose.

With the re-establishment of central and local authority and control in every district, some of the problems associated with ex-combatants excesses are being addressed. NCDDR will continue to work with these structures increasingly to ensure that longer-term solutions are applied to some of their social problems during the next one year.

Current Challenges

The current challenges of the NCDDR include the following critical issues that influence its service delivery rate, social cohesion in communities, and the stabilisation of security throughout the country.

i) implementation Capacity

Limited in-country implementation capacity and slow pace of deployment of existing capacity to the recently accessible districts remain two major challenges facing the delivery of reintegration services. Kailahun District in the Eastern Region has been mostly affected due to the increasing level of conflict in Liberia as well as being the last district for the completion of disarmament and demobilisation. The programme envisages increasing presence of service providing agencies as well as national recovery efforts as critical developments that will enhance delivery of reintegration assistance in the districts in the border areas.

ii) **Increasing Cost of Engagement**

One of the consequences of limited in-country capacity is the increasing cost of engaging credible agencies to deliver reintegration assistance. This is against the backdrop of limited funding and other measures of cost reduction in the scope of services, which the programme has initiated. Many of the agencies willing to operate in the Kailahun, Kono and Pujehun Districts either require large overhead cost which the programme is unable to provide or have not had a presence in the district for the past ten years and therefore require significant establishment costs.

iii) Slow **Expansion of Employment Opportunities**

Slow expansion of employment opportunities for trained ex-combatants remains a critical challenge in the implementation of reintegration programmes. Most excombatants who have been provided with short-term reintegration assistance are searching for opportunities for employment. Economic activities in the country need to expand sharply to provide for sustained opportunities in employment. The role of the private sector in job creation as well

as in provision of outlets for delivery of services must be a major driving force for successful reintegration in the long term.

iv) **Reconciliation**

Promoting and fostering reconciliation among the divergent population groups (internally displaced persons, refugees, ex-combatants) in communities in the country remains a crucial challenge that impacts on short and long term national recovery. In response to these concerns, NCDDR and its partners have facilitated the return of ex-combatants to their home communities and mediated for social acceptance through a network of referral and counselling officers, information dissemination and supporting community initiatives for reconciliation. Furthermore, NCDDR views ex-combatant participation in economic reintegration activities as an integral part of the daily socialisation process.

Phase Out Plan

NCDDR plans to complete the reintegration mandate by end of 2003. Registration by ex-combatants who need support has been completed and the validation and placement of the remaining ex-combatants into various opportunities will be the major thrust of the programme in the next three months. By the end of June 2003, all outstanding ex-combatants are expected to be placed in projects of their choice. The second half of the year will be a wrapping-up phase for the Executive Secretariat, while supporting the transition of the ex-combatants to normal society.

The specific strategies to be adopted to complete the process will include:

Flexible Delivery Mechanism: the programme focus for the next half year is to encourage deployment of agencies to regions and districts of high concentration as reflected in the registration figure as well as explore flexible delivery arrangement where difficulties are encountered in identifying credible partners. This may include the option of financing directly ex-combatant groups or associations in certain sectors without impacting negatively on programme quality.

(ii) **Cost-Sharing Arrangement with Other Parallel Programmes :** one of the major constraints for the programmes is the financing of the establishment cost for agencies identified for deployment in the regions and districts which have remained inaccessible throughout the conflict particularly Kono and Kailahun. Limited financing implies seeking out co-financing arrangement with programmes ready to support reintegration activities in these districts.

(iii) **Information Sharing and Linkages -** with potential and actual agencies involved in community reintegration and development programmes to consciously design and implement all inclusive programmes.

(iv) Gradual Withdrawal of NCDDR - withdrawal in a phased manner, starting in districts with less reintegration challenges in 2003. Referral and counselling capacity will be maintained at regional level to support more difficult cases.

Whilst planning an exit strategy, there are a couple of transition issues that confront NCDDR. Since the commencement of the reintegration programme, over 14,000 ex-combatants have already graduated from the short-term support projects. There will be over 56,000 by the time we complete the programme. Although same are participating in rehabilitation and reconstruction activities in various communities, unemployment among

them is a real possibility if our economy does not grow fast enough to create more durable opportunities.

In that regard, NCDDR will work within the framework of Government's National Recovery Strategy, which incorporates a broad range of multi-sectoral programmes implemented by other government agencies, UN agencies, NGOs and the private sector. Ex-combatants would need transition to such initiatives in a timely fashion in order to avoid disillusionment among them and the wider community who need similar services for sustainable livelihood. Supporting and facilitating smooth transition from targeted to community-based initiatives will be a major area of focus for NCDDR in the next six months. The existing linkages with NaCSA and other institutions with a more medium to long term mandate for community recovery programmes will be strengthened as part of this strategy.

Link To The TRC

The Truth and Reconciliation Commission was established as an accountability mechanism to consolidate the peace process. In pursuit of this goal the Commission is taking statements from community members including ex-combatants, to be later followed by voluntary public hearings. These initiatives are meant to reduce tensions in communities and foster reintegration and reconciliation efforts. The role of local actors and community organisations in explaining the function of the TRC as a societal healing mechanism is vital. NCDDR as part of its social reintegration mandate has worked very closely with such local actors, CBOs and communities at large to promote reconciliation between ex-combatants and the wider civilian communities. This is in line with efforts being pursued by the TRC to consolidate the ongoing peace process.

Conclusion

By all accounts NCDDR's programmes have been executed largely in the spirit of forgiveness and reconciliation that presumably make way for peaceful co-existence between former fighter and other members of society. In terms of the activities that characterised social reintegration efforts, NCDDR has actually played the role of forerunner to the TRC.



Your Ref: **TRCJFBK/20**

Our Ref: **01/0907/1**

NATIONAL COMMITTEE FOR DISARMAMENT, DEMOBILISATION AND REINTEGRATION (NCDDR) (EXECUTIVE SECRETARIAT)

PMB 842

Tel: 229222

Fax: 232-22-228368

Email: NCDDR@Sierratel.sl

2 State Avenue Freetown

9 July 2003

Mr Franklyn Bai
Kargbo Executive
Secretary

The Truth and Reconciliation
Commission Braokfields Hotel
Freetown

Dear Mr Kargbo

REMINDER ON SUBMISSION AND PUBLIC TESTIMONY AT HEARING

I refer to your letter dated 3 July 2003 (Ref. TRCIFBKI20) and should state that NCDDR was ready to testify at a public hearing on the theme "Militias and Armed Groups" on 20 June 2003. This date was postponed by a telephone conversation (Bishop Humper/Dr Kai-Kai) as it coincided with the state opening of the Second Parliament. ! am now forwarding to you as requested, ten copies of our presentation already prepared on "Militias and Armed Groups" for your Commission.

Meanwhile, the second presentation on the theme "Promoting Reconciliation and National Reintegration (including Reparations) is being prepared and ten copies would be forwarded to you soon. I would also like to confirm that both papers would be presented on Monday 4 August 2003 at a public hearing. Please receive assurances of our co-operation at all times.

Yours sincerely ~. ...



Dr Francis Kai-Kai
Executive Secretary



National Committee for Disarmament, Demobilisation and Reintegration (NCDDR)

(Executive Secretariat)

PRESENTATION
ON

MILITIAS AND ARMED GROUPS

TO
THE

TRUTH AND RECONCILIATION COMMISSION (TRC)

Executive Secretariat NCDDR
2 State Avenue Freetown
SIERRA LEONE

20 June 2003

On behalf of H.E. the President and staff members of the NCDDR-Executive Secretariat, I would like to take the opportunity to thank the Chairman, Commissioners and staff members of the TRC for their monumental contribution to the consolidation of the hard won peace in our beloved country, Sierra Leone. We had made a written submission to you earlier and I am here today to make a specific contribution on the theme "Militias and Armed Groups" in our conflict. NCDDR **is slated to do another contribution in the thematic area "Reconciliation and National Reintegration" on 4 August 2003. We are equally committed to be here to perform that national duty.**

INTRODUCTION

The NCDDR **was set up in July 1998 to address the concerns of all stakeholders for the orderly transition of combatants involved in Sierra Leone's decade old conflict from their state of war to a state of peaceful co-existence in post-war communities. The programme was carefully designed to focus on this overarching objective and it involved comprehensive disarmament and demobilisation of all combatant groups and provision of support for their social and economic reintegration.**

Our work with ex-combatants from all the factions over the last five years has given us a unique perspective of the various armed factions, which we are pleased to share at this TRC Hearing. Our presentation will cover three main areas:

a) Typology and characteristics of the Groups

b) Motivations of each Group

c) Problems encountered during disarmament and demobilisation. (A special presentation will be made on the theme: "Reconciliation & National Reintegration" in due course as already stated).

We shall conclude with an overall assessment of the disarmament and demobilisation of armed factions in the country.

TYPOLOGY AND CHARACTERISTICS OF THE FORMER ARMED GROUPS

From the inception stage of our institution in 1998, we had tried to determine the various groups to be targeted for the programme. Three main armed groups were identified, namely, RUF, AFRC/ex-SLA and CDF. Each group had its own characteristics, in terms of structure, recruitment procedure and geographic concentration.

The RUF was the major belligerent group in Sierra Leone's war. They were organised on the basis of an armed Guerrilla Group trying to gain territory and power forcibly. They had several companies, battalions and brigades all over the country. RUF recruited their membership forcibly through abduction of potential victims (mainly young boys and girls of school-going age and the unemployed youths in general). Their movement which originated from Liberia spread from Eastern and Southern Sierra Leone towards the Northern and Western parts of the country. Their activities covered over 90% of the territory of Sierra Leone.

The AFRC/ex-SLA were disgruntled former SLA mainly in Freetown, but also found in various SLA Units around the country. They rebelled against the state and staged a Coup d'Etat in 1997. They joined forces with the RUF to form a junta regime (and a people's Army) in the country and ruled until February 1998. Both groups were removed from power through an ECOMOG intervention. Internal disagreements in their leadership and ranks led to a violent split among them, with the RUF going back to the bush with some elements of the ex-SLA. The AFRC/ex-SLA had various unrecognised paramilitary elements associated with them at various times - e.g. the West-Side Boys of Okra Hills in the Port Loko District, children and other relatives of soldiers at and around the Military barracks in Freetown, convicts and ex-convicts from the prisons and a small number of civilian sympathisers. Although the Group was largely urban-based (Western Area and Provincial Units of the SLA), the membership resorted to bush guerrilla tactics when they were ousted from power in 1998. They went into disarray and split up into small but potent units that frequently disturbed the peace process in the Western flank of the country until the final disarmament phase in 2001. The overall motive of the ex-SLA elements was to return to the national army as a means to cover up their crimes and other misdemeanours.

The CDF was largely a group that came into existence spontaneously - largely to defend the communities ravaged by rebel forces. They were made up of civilians of various shades and occupations in both rural and urban areas. They were later organised at Chiefdom and District levels to defend their

communities against attacks from the RUF and later elements of the SLA ("SOBELS") and AFRC/ex-SLA. The concept of civil defence, largely based on traditional hunting organisation, spread across the country through various informal groupings of elders and traditional authorities. They adopted various names based on the part of the country they were organised (Kamajors in the South and East, Kapras/Gbethis/Tamaboros in the North, Donsos in the East/Kono and OBHS in the Western Area).

MOTIVATIONS OF THE GROUPS

These groups had different objectives and motives, which influenced the path and nature of the Peace Process in this country. The RUF initiated the rebel war with the clear objective of taking over power from the civilian authorities in Freetown. They went for power at all cost with the aim of changing the socio-political order in favour of the so-called "masses". This influenced the approach they adopted and the relationship with civilians wherever they overran and established their authority. The result has been a major disaster for every community in Sierra Leone over the last twelve years.

The AFRC/ex-SLA also wanted power as demonstrated by the Coup d'Etat they staged in 1997. They were influenced by the perceived "successes" of their bosses in the former NPRC - the military Regime that handed over power to the civilians in 1996. But more importantly, they were not satisfied with the perceived level of recognition accorded them by the civilian regime (vis-a-vis the CDF). Some were dissatisfied with their superiors and had the perception that the latter deprived them of every benefit meant for them. Most of the civilian elements in this group felt deprived and were almost always disgruntled at state authority. Some of them thrived on chaos and looting of properties during upheavals in the past.

The CDF, as their name suggests, did not espouse lust for power at the outset for themselves. They fought primarily and largely to defend their own communities in the early years of the war.

In the latter years of the NPRC regime, there were very strong suspicions among the populace that elements in the SLA were behaving like rebels (so called "Sobels") and even allegations of complicity. After the transition to civilian rule in 1996, the CDF later openly expressed political support for the democratically elected government following the Coup d'Etat of the AFRC in 1997. This remained the case until the disarmament and demobilisation of all warring factions between 1998 and 2002.

The CDF took over local administration in many parts of the country that they occupied in the war years especially after the flight of local chiefs to safety.

PROBLEMS ENCOUNTERED DURING DISARMAMENT AND DEMOBILISATION

The NCDDR encountered several challenges with ex-combatants during the disarmament and demobilisation processes. In the disarmament phase, we encountered difficulties with all the factions which contributed to a slow down and phasing of the process. I will summarise a few of these below.

i) **Securing the commitment and compliance with the provisions of**

the Lome Peace Accord of July 1999 from the fighting forces, especially the RUF, was an uphill task for all stakeholders to the peace process. This manifested itself in the refusal to completely cease-fire, provide information on troops and heavy weapons and their locations. This lack of compliance created problems for the peace process in general and planning and implementation of the DDR programme in particular. This resulted in a prolonged period of stop-and-go for the process as every opportunity was used during the lull in activities to re-group, relocate weapons and gain territory.

ii) **The lack of trust among the Leadership of the factions also posed a serious challenge. The feeling of mistrust**

was mutual among them and significantly influenced the level of commitment to any agreement reached, activities and deadlines proposed and adopted to advance the peace process at the National Committee meetings chaired by H.E. The President.

iii) **To obtain the accurate number of combatants on all sides was also a big challenge. We needed to know this to enable us plan and budget for the DDR Programme. Faction leaders generally exaggerated the number of their troops. The initial figure of 45,000 combatants was proposed based on assessments of the military strengths of the different groups by ECOMOG Peacekeepers in 1998. This turned out to be off target by the end of the disarmament phase of the programme. Over 72,000 combatants were disarmed by the end of Phase III in January 2002. (See table 1 for details).**

iv) **The command and control structure was very rigid among the factions, especially the RUF. This gave strong influence to some difficult and recalcitrant local commanders, who were used to block the smooth implementation of the disarmament process in some parts of the country.**

v) **Disagreements were experienced on a continuous basis, especially over the weapons criteria used by the** NCDDR. All **groups, especially the** CDF, **posed a big challenge as attempts were made to include more of their civilian followers in the process because of the perceived benefits associated with the** DDR Programme.

We shall now share some regional/district dimensions of the problems NCDDR encountered during the disarmament period.

a) **During Phase II of DDR Programme implementation (July 1999 - May 2000), following the signing of the Lome Peace Agreement, the lack of commitment and political will of the RUF led to major disruption of the Programme. This culminated in attacks on personnel and property at the Demobilisation Centres in Makeni and Magburaka in May 2000. During this period over 500 UN peacekeepers were taken hostage by the** RUF **in Port**

Loko and Lunsar. This brought about security setbacks for the programme and the peace process in general.

Phase III of the DDR **was launched on 18th May 2001 with thecommencement of disarmament in Port Loko and Kambia Districts. Subsequently,** the disarmament **exercise wasm implemented simultaneously in two districts at a time following this pattern - Kono and Bonthe, Koinadugu and Moyamba,**Tonkolili and Pujehun, Bo and Bombali and Kenema and Kailahun. The districts that posed greatest difficulties during the disarmament and demobilisation exercise are described below:

b) Kono District and Tongo Fields area in Kenema District experienced delays in the commencement of the disarmament exercise with several intermittent deferment tactics adopted by particularly RUF commanders who repudiated orders for disarmament of their fighters. This delay largely had to do with strident mining practices and operations embarked on by RUF combatants and some CDF elements,

c) In Makeni, Bombali District, during the third phase of the disarmament exercise, the programme encountered major difficulties with RUF commanders when they refused to use a rehabilitated centre for demobilisation at the St. Francis Secondary School Compound. The programme was forced to identify and use an alternative site after spending huge sums of money for the previous rehabilitation work. The uncompromising stance led to over a month's delay in the commencement of the exercise in that district. The reality was that the high command of the RUF was now based in Makeni and for all practical purposes, they felt disarming their fighters at that stage of the programme would erode their power base. Consequently, they resorted to delaying tactics to slow down the process in that part of the country.

d) **Disarmament in Kailahun district, the last stronghold of the RUF also posed some major challenges prior to its commencement. RUF, still had unresolved political demands such as release of their Leader - Corporal Foday Sankoh, provision of RUF party offices at regional headquarter towns, active inclusion into the political process etc. They thought that giving up Kailahun District would be tantamount to their demise as a political-cum-military force in the peace process in Sierra Leone. The interpersonal wrangle between those RUF commanders willing to disarm and those who were unwilling heightened. This led to an open defiance to the authority of the then interim leader, Issa Sesay. Eventually the conflict was amicably resolved and disarmament started in early December 2001 with no major hitches till its completion about a month later.**

In **effect, every district experienced some delay in the conduct of the exercise and this had to do primarily with the rigidity in the application of the weapons criteria. Every faction wanted to have more of their combatants and followers registered into the programme without meeting the criteria laid down by NCDDR.**

Notwithstanding these setbacks as outlined above, **the disarmament process overall went on successfully. The process was enhanced by continued sensitisation at every stage by UNAMSIL and NCDDR**.

Demobilisation, as a process of breaking the command and control structures and civilianising the ex-combatants, was expected to immediately follow their disarmament. NCDDR also faced considerable challenges in this area. However, we were able to provide encampment for over 70,000 ex-combatants at district level for an average period of two weeks under considerable pressure. Apart from being fed and cared for regularly, we gave them orientation sessions in different aspects of civilian life as part of their preparation for return to their communities. This included sessions in Reconciliation, Psycho-

Social Counselling, Sexual and Reproductive Health, Civic Education, Personal Development/Job Finding Techniques and Re-entry Plan/Home coming. Before they left these camps, NCDDR provided the ex-combatants transportation assistance to facilitate return to their home areas or communities of choice.

During the period of demobilisation, we were able to learn more about the different groups. In **general, we are in a position to say that ex-combatants did exhibit aggressiveness, impatience, disrespect and high expectations for self-profit during and after this encampment phase. However, there was considerable variation among the groups in these aspects.**

The AFRC/ex-Soldiers were generally very violent and responsible for problems in camp management whenever their number was significant. Since they were uncontrollable, we had to frequently involve the military to impose some level of discipline, especially in the Lungi and Port Loko camps. Some of the more experienced and matured ex-soldiers in the ranks of the AFRC were however very eager to leave the camp and return to the army. They refused to complete the civilian demobilisation processes and referred to themselves as "service-continue personnel". These ex-soldiers therefore occupied the limited camp space permanently and slowed down the intake of disarmed ex-combatants and the disarmament process by extension.

The RUF ex-combatants were much younger, brainwashed and difficult to understand. They remained apprehensive in the camps, very disciplined, but sometimes confused. This was largely a result of their previous command structure and the harsh punitive measures meted out to them in the "jungle". They showed signs of war fatigue and willingness to be counselled. The majority were forcibly recruited as the RUF war machine rolled across the country. Most of the commanders refused to be encamped as they occupied homes of displaced civilians in most of the towns they controlled at the time. They however paid frequent visits to "oversee" the processes in the centres. These commanders also showed considerable signs of apprehension

about the future of the peace process, having given up their weapons of control.

The CDF joined the process from a position of strength since they were all in their normal communities and, above all, pro-Government. Apart from the very high expectations of gain they had from the DDR process, they used this advantage to attempt all kinds of tricks to influence the procedures. In some locations, they tried to inflate their numbers and dictate the pace of the process. However, our robust and neutral procedures could not be subjected to this kind of influence. We had occasional problems with the large numbers we had to process in a limited timeframe at the demobilisation Centres.

Let me end this part of our presentation with a summary profile of the militias and armed groups. The average participant is a male in his mid 20's and of rural extraction with some level of experience in traditional agricultural activities. He has a wife or partner and an education level characterised by low functional literacy and lack of the ability to write or read English language and minimal numeracy skills. In addition, he expects the DDR to be the single source responsible for his reintegration. (See Annex B)

THE STATUS OF DISARMAMENT AND DEMOBILISATION OF THE GROUPS

One question that has continued to exercise the minds of people within and without the country is whether all the groups have been successfully disarmed and demobilised. NCDDR and UNAMSIL are quite positive and unequivocal about the comprehensiveness of the processes and procedures we put in place and utilised to get all known armed factions and groups to give up their weapons and to dismantle their war formations. UNAMSIL and NCDDR declared end of disarmament in January 2002, prior to H.E the President's historic declaration of end of the decade old war on 18 January 2002. Following this declaration, we also supported the design and implementation of a Community Arms Collection and Destruction (CACD)

Programme. It was implemented by the Sierra Leone Police with support from UNAMSIL. This helped to mop up the remaining arms and ammunition that could not be used to join the DDR Programme.

On demobilisation, we have been under no illusion that this would normally take some time to effect. At the end of disarmament. all groups still maintained some level of command and control and others retained some communication equipment. This was made possible by the phased district-by-district approach we used to disarm and the concentration of former fighters in specific locations. The ex-RUF was particularly caught up in the North and East of the country, where most of them did not originally come from. The ex-CDF were in their home locations and the relationships and hierarchy among them remained almost intact. The ex-AFRC were mainly in the Western area and continued to have strong links to the national army and some disaffected civilians.

NCDDR and UNAMSIL have continued to monitor their situation since the declaration of end of the war in January 2002, while maintaining constructive dialogue with the leadership of the each disarmed group. In **collaboration with numerous partners, we have been vigorously providing social and economic reintegration support to individual ex-combatants from each of the groups across the country. These activities have contributed substantially in reducing the level of control over individual ex-combatants and in sustaining the peace generally.**

Political and social developments in the last one year, especially recent developments and events, do indicate that demobilisation is at an advanced stage in Sierra Leone The last presidential and parliamentary elections, the TRC processes, the Special Court activities and the extension of government authority law and order throughout the length and breadth of Sierra Leone are all factors that have helped to dismantle any residual command and control structures among the erstwhile armed groups. Reconciliation remain the key challenge at all levels.

CONCLUSIONS

Let me conclude this presentation by emphasising that the NCDDR **was set up to help transition the armed groups from their combative existence to civilian life. Indeed, we have largely succeeded in accomplishing this objective. We do not have any known organised armed group existing on the soils of Sierra Leone that is threatening the State and society.**

We have provided an annex that summarises key events along the road to complete disarmament and demobilisation of the militias and armed groups in Sierra Leone from 1998 to January 2002.

As ex-combatants are mostly youths, it was clear to us at the outset that they could not be purged and abandoned. Rather, they had to be rescued from years of wastage. NCDDR had to look for strategies to transition these people to normal society, keeping in mind that this same society has been devastated and further impoverished by the decade old war.

Our next presentation on 4th August 2003 will elaborate the short-term targeted socio-economic reintegration programmes developed and implemented for erstwhile militias and armed groups (ex-combatants) as NCDDR's **contribution to national reintegration and reconciliation.**

Finally, I would like to conclude this session by proffering the following recommendations for consideration by the TRC in the quest for long-term peace-building and reconciliation in Sierra Leone.

1. **There is need to take a hard look at our national army in its present form. This vital arm of national security is vigorously striving for professionalism and defence of our territorial integrity through intensive training and retraining**

programmes, broad based and neutral recruitment procedures and **investment** in **infrastructure and occasional community services. However, it has not yet gained the confidence required from the broad mass of people, who continue to remember the immediate past.**

The simple reason for this is that the national army has some officers and men in their ranks who were not only associated with the militias and armed groups, but also may have committed crimes against civilians that have neither been forgotten nor forgiven. It is our humble view that this situation be seriously looked at by the commissioners with a view to promoting genuine reconciliation of the Army with the people.

2. **Sierra Leone's post war political landscape is undergoing change and this will be the case for a long time in the future. However, we are of the view that those political parties that derive the bulk of their membership and representation almost exclusively from the armed groups and militias involved in the conflict should be encouraged to re-think. Perhaps they should be encouraged to broaden their membership. Otherwise, we see the potential for old wounds to persist and negatively impact on our body politic.**

3. Government has developed a very reasonable national recovery strategy and governance programme that are acclaimed by the people and supported by the international community. There is need to accelerate implementation of these programmes, especially those that will generate jobs for the unemployed, whose ranks are being swelled by former members of militias and armed groups. Their effective engagement is our present and long-term challenge

Thank you for your attention.

Faithfully submitted.

Executive secretariat
20 June 2003

17 NCDDR

TABLE I

DISARMAMENT & DEMOBILISATION STATISTICS

Category Disarmed	PHASE I (Sept – Dec 1998)	PHASE II (Oct '99 – April 2000)	Interim Phase (May 2000 – 17 May 2001)	Phase III (18 May 2001 – Jan 2002)	TOTAL
RUF	1871	4,130	768	19,267	24,352
A =01		Z129	445		=2, -5 74 1
DischargedlEx-SLA i	2194	1066	593		5 3~,
CDF 1	2	8,800	524	28,051	37,377

0770115 chuckng ~ paramilitary)			1,473	293	463 Z2a4
	TOTAL 1	3,103	18098	2,628	47,781 72,496

Total Disarmed Children and Adults

[ADULTS 2,i TOTAL 3,*Wild combatants do not require*

CHILDREN*

**1447 AFRCIEx-SLA disarmed but did not demobilise because of desire to return to the National*

Army.

Total Discharged Children and Adul

	Phase I	Phase II	Interim Phase	Phase III	Total
Children	189	1,982	402	4,272	6,845
Adults	1,414	15,469	2,226	43,509	62,618
Total	**1,603**	**17,451**	**2,628**	**47,781**	**69,463**

*T'hose who have gone through demobilisation v0th a DDR Prograrnne ID Card and tran9nd anistame. These are clioble for Short Terin Reintegration Opportunities (STRO).

Executive Secretariat 18 OIDDR

20 June 200' ,

Children

Adults L---TOTAL

Total Demo

2,9947F i 5,469'T-------2,tt-6T-43,~o9

17,451 2,628 47,7

Pha				
189 1,982		*402*	*4~72*	*6145*
994 16,916		*2,226*	*43,509*	*65,645*
183 18198		*2128*	*47g8l*	*72A90*

weapons to join the DDR Programme

ilised Children and Adults **4,272** **1845**

189 1 lost' ' 402 1

ANNEX A

NCDDR CALENDAR OF EVENTS

July, 1998 -

September-December 1998 -

January 6, 1999 -

7 July 1999 -

20 October 1999 -

May 2000 -

July 2000 -

November 2000 -

April 2001 -

15 May 2001 -

18 May 2001 -

October 2001-April 2002 -

January 2002 -

January 18, 2002 -

Executive Secretariat

NCDDR

20 June 2003

ANNEX A

NCDDR CALENDER OF EVENTS

July 1998 NCDDR established and an Executive Secretariat set up by Government

September -December 1998 Phase 1 of disarmament programme

January 6 Invasion of Freetown by rebel forces and disruption of disarmament programme

July 7 Lome Peace Accord signed between Government of Sierra Leone and RUF rebels.

20 October 1999 Symbolic Disarmament of all factions and launching of Phase II of the disarmament programme by H.E. the President

May 2000 Disarmament stalled when the RUF resumed hostilities.

July 2000 Consultative Meeting of stakeholders in Freetown to review the DDR programme.

November 2000 1St Abuja Ceasefire Agreement

April 2001 2nd Abuja Ceasefire Agreement

15th May 2001 1St meeting of Joint Committee (GOSL-RUF-UNAMSIL) on DDR at UNAMSIL Headquarters, Mammy Yoko Freetown.

18th May 2001 Commencement of Phase I I I of the DDR Programme. Group disarmament commenced in two districts simultaneously per month.

1. Port Loko/Kambia
2. Kono/Bonthe
3. KoinadugufMoyamba
4. Bo/Bombali
5. Tonkolili/Pujehun
6. Kenema/Kailahun
7. Western Area

October 2001-April 2002 Registration and payment of reinsertion benefits to 53,767 ex-combatants.

January 2002 Country-wide Disarmament and Demobilisation Complete.

January 18 His Excellency the President declared end of the Rebel War at a Symbolic Arms-Burning Ceremony in Lungi, Port Loko District. This ceremony was relicated in Makeni and the 19th and Bo and Kenema on the 23rd January 2002.

ANNEX B

SUMMARY PROFILE OF MILITIAS AND ARMED GROUPS (Ex-combatants

SEX

92% of the ex-combatants population are male and 8% are female.

AGE

The average ex-combatant is in the age range of 20 and 36 years

CHILDREN

9.4% are children (below 18 years of age)

ORIGIN

Mostly of rural extraction with some level of experience in traditional agricultural activities.

FAMILY DEMOGRAPHY

He has a wife or partner and dependants

EDUCATION

Has a low level of formal education with low functional' literacy and unable to write or read English language.

SKILLS AND EXPECTATION

Has minimal numeric and functional skills and expects DDR programme to be the single source responsible for his reintegration.

BACKGROUND NOTES - (TRC Presentation)

UNAMSIL's MANDATE

In June 2003, we see a country at peace. Last year, the country had its first peaceful, democratic election in more than a decade. Armed soldiers no longer lined the streets of the cities; opposing factions have been demobilized and, for the most part, disarmed. People are conducting business and going about their lives without fear, talking of a future of hope for the nation and for their livelihoods. And perhaps most telling fact is that the refugees who had fled Sierra Leone during the fighting are returning to their homes.

One of the major reasons for this transition from civil war to the present days of peace, stability and democracy is the success of the United Nations Mission in Sierra Leone (UNAMSIL), which was deployed in 1999, in extremely dire circumstances. Although this peacekeeping force faltered initially, it eventually became what is widely acknowledged as one of the UN's most successful peace keeping missions.

But let me say that "success" is a subjective term, and especially if we apply it to an ongoing mission. Nevertheless, even if we apply the term in a narrow sense: Prior to May 2000, the country was engulfed in civil war. In June 2002, there was no war, the country conducted its first peaceful democratic elections since 1996, and refugees who had left the country a few years earlier have begun returning home. In those terms, UNAMSIL has been a successful mission.

> We began with UNSCR 1270 - this set the force up to work alongside the MILOBs and ECOMOG.

> We then moved onto UNSCR 1289 - this introduced the concept of Chapter 7 operations and a robust set of Rules of Engagement.

> UNSCR 1346, - recognised that the RUF was no longer or had any legitimacy.

> UNSCR 1389, - required UNAMSIL to support the elections, and finally,

> UNSCR 1436, - sees a return to normal rule of law and has laid upon UNAMSIL the task of reducing the force size, with an increasing role for CIVPOL.

In all the above, UNSCR - 1289, was the key UNSCR; heralding a new philosophy to underpin a UN mission, it adopted a far more robust approach to security, invoking Chapter 7 of the UN Charter. It authorised new tasks, most notably:

> To facilitate the free flow of people, goods and humanitarian assistance along specified thoroughfares.

> To coordinate with and assist, in common areas of deployment, the Sierra Leone law enforcement authorities in the discharge of their responsibilities.

And most importantly it:

> Authorizes UNAMSIL to take the necessary action to fulfill the additional tasks set out above, and affirms that, in the discharge of its mandate, UNAMSIL may take the necessary action to ensure the security and freedom of movement of its personnel and, within its capabilities and areas of deployment, to afford protection to civilians under imminent threat of physical violence.

> In support of this resolution UNAMSIL was also issued a robust set of Rules of Engagement, which were designed to enable the Force to deal properly with the desperate security situation. In short, it was recognised that the UNAMSIL must enforce the resolution.

You will note that, although UNAMSIL may have moved from enforcing the peace, through to peacemaking and now, finally, to peacekeeping, Chapter 7 remains in being.

UNAMSIL has to keep its mandate if it is to deter a return to the past. It achieved deterrence by demonstrating that it has the military capability and the willingness to use it. Because the situation remains on a knife-edge; it is far easier to operate below the Chapter 7 mandate than it would be to apply for an extension of military powers should the need arise - which hopefully will not.

FUTURE FACTORS

As per Lakhdar Brahimi, Under Secretary General for Special Assignments in Support of the Secretary General's Preventive and Peace Making Efforts, "United Nations peace operations entail three principal activities: Conflict Prevention and Peace Making; Peace Keeping; and Peace Building. Long-term conflict prevention addresses the structural sources of conflict in order to build a solid foundation for peace. Where those foundations are crumbling, conflict prevention attempts to reinforce them, usually in the form of a diplomatic initiative. Such preventive action is, by definition, a low-profile activity; when successful, it may even go unnoticed altogether."

a. Peace Making. This stage addresses conflicts in progress, attempting to bring them to a halt, using the tools of diplomacy and mediation. Peacemakers may be envoys of governments, groups of states, regional organizations or the United Nations, or they may be unofficial and non-governmental groups. Peacemaking may even be the work of a prominent personality, working independently.

b. Peace Keeping. It is a 50-year-old enterprise that has evolved rapidly in the past decade from a traditional, primarily military model of observing ceasefires and force separations after interstate wars, to incorporate a complex model of many elements, military and civilian, working together to build peace in the dangerous aftermath of civil wars.

c. Peace Building. This is a term of more recent origin that defines activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on thosefoundations something that is more than just the absence of war. Thus, peace-building includes but is not limited to reintegrating former combatants into civilian society, strengthening the rule of law improving respect for human rights through the monitoring, education and investigation of past and existing abuses; providing

technical assistance for democratic development; and promoting conflict resolution and reconciliation techniques.

Sierra Leone is now at the juncture between peacekeeping and Mr. Brahimi's third phase of peace operations: i.e, Peace Building. It must be realized that "victory" means more than defeating an enemy. Victory means a long-term commitment to demobilizing and disarming combatants and then to reintegrating them into society so they would no longer pose a military threat to the stability of the country. Victory also means winning the trust and support of the civilian population and working with the civilian population to help them develop and restore good governance at the local and national levels.

TIMELINES

1991 - Start of Civil War. Foday Sankoh and RUF capture towns on border with Liberia

1992- Captain Valentine Strasser ousts President Momoh in coup. Announces plan for multi party elections

1995- RUF laid siege to Freetown

ECOMOG established to restore peace

May 95 - Mar96 - Executive Outcomes (EO), South African-based private military company, defends Freetown and trains elements of SLA

1996 (Jan) - Strasser ousted in coup by Julius Maada Bio

1996 (Feb) - Kabbah elected President

1996 (Nov) - Abidjan Accord signed with Foday Sankoh/RUF

1997 (May) - Kabbah deposed by J P Koroma / RUF. Kabbah flees to Guinea. ECOMOG deploys

1997 (Oct) - UN Security Council sanctions against Sierra Leone 6 months peace plan agreed upon by ECOWAS and Koroma (in Conakry) -- Called for supervision
of ceasefire by ECOMOG and UN observers

1998 (Feb) - ECOMOG drives rebels from Freetown

1998 (Mar) - Kabbah returns to Freetown

1998 (Jun) - Nigeria announces withdrawal from ECOMOG.

1998 (Jul) - UNOMSIL established for period of 6 months

1999 (Jan) - RUF/Sankoh seize parts of Freetown. 5,000 dead; tens of thousands dismembered/raped; 150,000 people displaced

1999 (May) - Lome Ceasefire Accord

1999 (Jul) - Lome Peace Accord: Rebels included in government and assured they (including Sankoh) would not be prosecuted for war crimes

1999 (Oct) - UN authorizes UNAMSIL (6,000 military personnel including 260 military observers)

1999 (Nov/Dec) - First UNAMSIL troops arrive: 133 Kenyan soldiers plus 4 ECOMOG battalions that were converted to UNAMSIL (Rest of troops arrive over period of months) ECOMOG troops are attacked outside Freetown

2000 (Feb) - UN votes to increase UNAMSIL strength to 11,000 and expands mandate to Chapter VII

2000 (Apr/May) - UNAMSIL troops are attacked in east. Several hundred captured. RUF captures 13 armored personnel carriers and begins advance on Freetown.

2000 (May) - Rebels surround Freetown. 800 Brits and 5 warships rrive to evacuate British citizens and help secure airport. Foday Sankoh captured.
UN votes to increase UNAMSIL strength to 13,000

2000 (Aug) - 11 British soldiers taken hostage by militia group called West Side Boys

2000 (Sep) - British Forces rescue UK hostages (Operation BARRAS)
- India/Jordan announce withdrawal from UNAMSIL (4,800 troops)
- RUF attacks in Guinea.

- ECOWAS deploys 1796 Peace keepers at border convergence of Guinea, Sierra Leone and Liberia.

2000 (Nov) - Abuja I Ceasefire Agreement

New UNAMSIL Force Commander (Opande) arrives in Sierra Leone

2001 (Mar) - UNAMSIL deploys to rebel-held territories UN grants increase in force level to 17,500 (includes 260 military observers and 60 civilian police)

2001 (May) - Abuja II Ceasefire Agreement
• Disarmament of rebels begin
• RSLAF begins deploying to rebel-held territories

2002 (Jan) - War declared over

• Disarmament of 45,000 rebels complete

• UN agrees to set up war crimes court

2002 (May) - Kabbah wins National Elections

DISARMAMENT, DEMOBILIZATION AND REINTEGRATION (DDR)

In February 1998, the Government of Sierra Leone, backed by the ECOWAS and the UN, instituted a framework to undertake the disarmament, demobilization and reintegration of combatants of the SLA, RUF, CDF and AFRC. DDR became part of the peace process in Sierra Leone.

a. The first phase was undertaken from September to December 1998. The DDR program to be implemented was initially designed to be executed by the Government of Sierra Leone with the assistance of ECOMOG and the UNDP, targeting all persons who belonged to any of the armed groups that participated in the civil war following the coup of May 25, 1997, a total of about 75,000 combatants (10,000 ex-SLA / AFRC; 55,000 CDF; 7,000 RUF and 3000 child combatants as well as 300 disabled). It targeted about 45,000 combatants (6,000 SLA; 15,000 RUF, 15,000 CDF, 7,000 AFRC and 2,000 paramilitary elements). Only about 3,200 combatants were disarmed, mostly ex-SLA / AFRC who surrendered to ECOMOG. The process was interrupted following the deterioration in the security situation and a rebel attack on Freetown on January 6,1999.

b. The second phase was implemented in the framework of the Lome Peace Agreement signed on 7 July 1999 and Security Council's resolution 1270 (22 October 1999) which established and mandated UNAMSIL to carry out the disarmament of combatants. Accordingly, the program was to represent a multi-agency effort, through an agreed Joint Operation Plan involving the Government of Sierra Leone, ECOMOG, UNAMSIL, UNICEF, the World Food Program and other agencies and donors. A total of 18,898 were disarmed. This phase was interrupted by the resumption of hostilities in May 2000, which also resulted in the taking of over 500 peacekeepers hostages by the RUF.

c. The third, and most significant phase, was undertaken from 18 May 2001 through to 6 January 2002. A ceasefire was signed in Abuja on 10 November 2000, and an agreement reached on 2 May 2001 between the Government of Sierra Leone and the RUF to resume the disarmament. Accordingly, the disarmament was simultaneously re-launched in Port Loko (CDF) and Kambia (RUF) on 18 May 2001.

UNITED NATIONS NATION UNIES

UNITED NATIONS MISSION IN SIERRA LEONE (UNAMSIL)

11th March 2003

Dear Bishop,

Subject: **Background to the Sierra Leone conflict**

I have been requested by the SRSG, Ambassador Oluyemi Adeniji to forward the attached document on UNAMSIL's perspective on the above to you as requested in your two letters of 29 November 2002 and 25 February 2003.

Wishing your Commission the very best in its efforts to achieve its goals and best regards.

Yours sincerely,

Peter Tingwa Chief, Political Affairs Section

Bishop J.C. Humper

Chairman
Truth and Reconciliation Commission

Freetown

The Sierra Leone Conflict

Sierra Leone conflict in continental context

1. The Sierra Leone conflict is one of the many post-independence conflicts afflicting several parts of Africa.

These conflicts have come about as a result of several reasons: artificial boundaries inherited from colonialists where same ethnic groups have been divided into several countries or dissimilar and mutually antagonistic people have been forced together; failure of the new states to democratise; bad governance; deliberate exclusion of others from resources and power; and general disappointment of the people with their lot when the good times promised to reign after independence failed to materialize.

2. Many of these conflicts are intractable (Somalia, Sudan, Rwanda, Burundi) as they are rooted in history, culture, tradition or religion. They also have wrought destruction and stymied the growth of those countries. In comparison, the Sierra Leone conflict is not one of the worst in terms of human and material destruction when compared to the others (Sudan, Democratic Republic of Congo, Angola, Somalia or Rwanda) where over one million lives were lost and untold material destruction was wrought. It is also not long in comparison. Additionally, in Sierra Leone, war has been forgotten. Apart from civil violence (strikes, riots), Sierra Leone has not seen concerted armed conflict since the 1898 Hut Tax Rebellion of Bai Bureh. Generations have thus grown without violence and the traditional culture of war has receded in the past. Moreover, natural resources are plentiful for any communities to fight over. This is, unlike in some parts of Africa (Sudan, Ethiopia, Somalia), where community wars have continued over scarce resources; thereby maintaining the culture of war. This culture prevents warriors from wanton destruction of human lives. For example, as a warrior, it is considered more honourable to kill the person than to mutilate him as had been the case in Sierra Leone. Finally, as is the case in most of the African conflicts, the causes of the Sierra Leonean are largely endogenous. External actors have, as elsewhere, only come in at later stages to exploit them for their own ends.

Causes of the conflict

3. The causes of the conflict in Sierra Leone could broadly be divided into endogenous causes comprising such factors as political, bad governance, corruption, the army and the involvement in the Liberian conflict. The exogenous factors include interference of non-Sierra Leonean individuals or other countries in the politics and diamond trade of the country. A brief outline of these factors are given in the subsequent paragraphs.

Political factors

4. Right from the word go, the exercise of politics by politicians was marked by lack of adherence to principles and objectives. Criss-crossing of floors and splintering of parties became a regular feature of the conduct of politics in the country. This led to proliferation of

political parties where at times, like in 2000, there were 22 political parties. It also created a conducive atmosphere for the bribery of politicians. In such a situation, party discipline became a major casualty and patronage flourished. Thus the political parties became morally weak and are already compromised when they take control of the government.

5. Democracy and smooth transfer of power was also afflicted from infancy when, in 1967, the military intervened in the process. Since then, the army considered itself material for the country's political leadership and became coup-prone, with all ranks aspiring for that leadership. This is unlike the other countries where the ambition to take political leadership resides mainly in the officer corps.

6. The institution of one party system in 1971 and the suppression of freedom under that system suffocated the growth of democracy and good governance. This suppression also nurtured the rebellious attitude amongst the youth, making it easier for them to embrace demagogues like Foday Sankoh who had promised to overthrow the system violently. Hence these disgruntled youth provided a ready pool for the rebels to recruit from.

7. The abolition of local government system and its replacement by officers appointed by the centre (Freetown) led to marginalization of the rural people. This, coupled with the centre's co-option of the traditional chiefs, increased the alienation. These two acts amounted to marginalization and made many rural people to be receptive to the propaganda of the rebels and more tolerant to their presence.

Bad Governance and corruption

8. The abuse of public trust in the exercise of authority, the fair distribution of resources, dispensation of justice and **efficiency in performance of duties were eroded as a result of the reigning patronage in the over-arching political system. As a result many people, even as of today, look back nostalgically to the colonial days. Under such circumstances accountability and transparency disappeared and were replaced by ingrained**

corruption centring on nepotism, patronage and theft of public funds. In view of this, a dichotomy developed between the marginalized youth and rural people on one side, and a few Freetonians on the other. These few Freetonians, comprising government officials, politicians, business people etc and working in cahoots with foreigners, diverted sufficient public funds to build expensive houses on dangerous hill slopes in Freetown; or purchased houses in London or America. In their world, success and status were measured by having a house/home or family living in London.

Neglect of the Army

9. In Africa, same as elsewhere, a leader neglects his army at his own peril. In Sierra Leone, having so much of its professionalism eroded by a bad recruitment policy based on political patronage, the army increasingly became alienated. By the time it was expected to contain the rebels, it was demoralized and poorly equipped. Hence, coup d'etat again became an attractive option. But as we all know today, that did not resolve the rebellion whose causes were multiple. Even now that peace has been restored, the issue of the army is not yet fully resolved.

Involvement in Liberia

10. **As is known, offering the use of ones territory for attack on another, allowing dissidents to form a fighting group or allowing a dissident group to launch an offensive from ones territory are hostile acts which usually invite retaliation. The offer of the use of Lungi Airport for ECOMOG operations in Liberia was considered a hostile act by Charles Taylor who interpreted ECOMOG's intervention as being aimed at robbing his NPFL of total victory. Even more grave in his view was President Momoh's action in allowing ULIMO to be formed in Freetown, and then allowing them to cross and attack his positions in Cape Mount and Lofa-Counties. The President unfortunately forgot to take any measures in case Charles Taylor retaliated.**

Hence when Taylor retaliated by sending Foday Sankoh and a few rebels into the country on 23 March 1991, the military was ill-prepared to stem the incursion.

Imported revolution

11. **As mentioned earlier, there are two external factors that caused the war: the exporting of revolution and its fuelling by illicit trade in diamonds and its trade. During the cold war years, the idea of *"revolution"* was embraced widely by the Africans but perceived differently. To some it was to introduce the socialist system, to others it was to overthrow a colonial or an older system. Amongst the young, it was especially appealing since it added a new dimension to the normal growing phenomenon of youthful rebellion. Peddled by Colonel Muamar Gaddafi, leader of Libya, several youth from Africa including Charles Taylor and Foday Sankoh, fell for it. They in turn took it back to their countries with the determination to bring it about. This, coupled with their disgruntlement, several youths in Sierra Leone were enticed to join the rebellion to bring about the revolution. In this, the President of Burkina Faso, Blaise Campaore became the link and conduit between Gaddafi and the would-be revolutionaries for both moral and material support.**

Vultures in the diamond business

12. **As mentioned earlier, diamonds and diamond trade were not the causes of the conflict in Sierra Leone but they fuelled it after it had started. The rebels came to find out that it could sustain them in terms of livelihood as well as the supply of arms. President Taylor also came to find that it was useful for him. While the traders, both local and international, found out that they could make enormous profits in the trade without going through the legal channels of regulations and taxes. For the rebels, the control of diamond areas, its mining and export soon came to supersede the revolutionary ideas for which the conflict began.**

Roles, actors, institutions and countries

13. **As can be seen in the above paragraphs, the Sierra Leoneans are the primary actors in the conflict. These include:**

the series of governments and political leadership who failed to tackle the factors which ultimately caused the conflict; the army and its other ramifications of AFRC, West Side Boys and demobilized ex-SLA who aspire for political power and who are ready to rebel against authority; the dissatisfied youth groups who swelled the ranks of the RUF and who still could swell the ranks of any new insurgency if their plight is not addressed; the ex-combatants of the RUF, particularly those who still regard Foday Sankoh as their leader; the CDF whose organisational structure remains intact and the risky idea of converting them to some kind of territorial defence force; and the civil society and the media who could continue to play watchdog roles in making sure that the other players fulfil their roles credibly.

14. **As could also be seen, external actors include: countries such as Libya which have the wherewithal to spend money on their objectives in this country; and the middle role players (conduits) like the Presidents of Burkina Faso and Liberia. On the conflict resolution side, the role players include the institutions of African Unity, ECOWAS, Mano River Union (MRU), other friends of Sierra Leone like Britain and the United Nations. In this regard, it is to be mentioned that ECOWAS, the UN and Britain played very significant roles in resolving the past conflict. Donors, multilateral or bilateral, also are key players who could ensure that the peace achieved is consolidated through support of sustainable development programmes.**

Preventing recurrence of the conflict

15. **In order to achieve this, all the causes of the conflict listed above must be addressed with a view to either eradicating or minimizing them. Ensuring security, providing good governance, fighting corruption, rehabilitating the economy and services, controlling the diamond business, respect for rule of law, human rights and fair and prompt justice must be undertaken. All these must be underlined by a determination to achieve national reconciliation in view of the acrimony and prejudices that have come to exist amongst the people as a result of the war. It is pleasing to note that efforts are underway on all fronts to address these issues.**

Assisting the victims

16. **All Sierra Leoneans are victims of the conflict. That is, if they have not suffered physically, they have suffered psychologically through trauma. For children, the post conflict suffering is worse because they did not only lose their learning years but for many of them their family ties as well. For the communities, many were rendered helpless and were forced to be refugees or internally displaced persons. Hence to assist all Sierra Leoneans, a comprehensive rehabilitation programme is required, very much like the Marshall Plan for Europe after the world war. Little contributions as garnered from appeals or round table donors' conferences would not do. Therefore, a substantial support to the current national recovery programme is a must. For the very helpless victims of the war such as the amputees, abandoned children and the aged, special long-term assistance programmes must be arranged. In this regard, it would be most appropriate to first rely on the African traditional methods of extended family and its support system. Relatives of these victims should be supported so that they can look after them. Institutionalisation of these victims should be the last resort.**

Reconciliation and reintegration of perpetrators

17. **Similar to the case of helpless victims, traditional and indigenous methods and practices should be adopted as much as possible for reconciliation and eventual reintegration into society. Usually in African traditions, when all or both sides have agreed to end a conflict, retribution is not foremost. It is forgiveness and forgetting that is sought, after all sides have told their side of the story and acknowledged their mistakes.**

This is very similar to what is currently being done by the TRC. Compensation may be made but not viewed as retribution.

Unearthing of bodies, the persons of whom are assumed to have joined to the ancestors down there, are unheard of. Hence for reconciliation in Sierra Leone, a judicious mix of the traditional ways and modern methods of TRC and Special Court should be employed.

18. **Reintegration of ex-combatants and reconciliation should go hand in hand. The current NCDDR short-term reintegration programme aimed at stabilizing this** volatile **and potential group as well as giving them employable skills. Several questions have been raised as whether this did not amount to rewarding the perpetrators instead of assisting the victims. This however is not the case as peace is not free. It has a price. Without this, idleness will follow and this will breed frustration; and as we know, frustration was one of the factors that caused the conflict.**

SIERRA LEONE CIVIL WAR
(THE ROLE OF MILITIAS & ARMED GROUPS)

INTRODUCTION

In appearing before you today, I am mindful of the nature of the work of the Commission, in particular, investigating the activities, people and events that have taken place within your Country in recent years. However, in asking me to speak before you today I would hope that you would recognise that for us, UNAMSIL, we were neither present nor established when many of the events that you are examining, took place. As such I would not comment on what made people do what they did or indeed why they did it. I would, however, only present the factual view of what happened and an assessment of things that have since changed.

I therefore intend to cover from my view, the Civil War, as a factual series of events focusing especially on the Armed Groups and Militias. And in conclusion, as a Soldier, I will highlight some key areas that I believe cover the "so what has changed, can it happen again" and "what elements in your society must you, as Sierra Leoneans address, if you are to prevent it ever happening again".

With this I straightway come over to the specific topic of today i.e, Militias and Armed Groups in Sierra Leone Civil War. Firstly, lets see which were the main militant groups in this war.

MILITIAS AND ARMED GROUPS

RUF - In the late 1980s, a number of radicals attracted to populist conceptions of political action were recruited in Sierra Leone to form the RUF in order to pursue the politico - economic objectives. Among its pioneers was Foday Sankoh

CDF - Although it is usually referred to as the CDF, implying a homogenous unit, but it was actually a conglomeration of a number of traditional tribal militia hunter groups. The most prominent of these were the *Kamajors,* predominantly from the south and east of the country and of the Mende tribe. Although there had been some

unity between these groups, they formally came together to form the CDF in June 1997.

AFRC - In 1996, President Kabbah announced his plan to reduce the size of the Armed Forces and intentions to select his Presidential Guards from the Kamajors. In May 1997, Major Johnny Paul Koroma of SLA, led a successful coup d'etat against the government. AFRC was formed. Resulted in complete break down of law and order.

WEST SIDE BOYS - AFRC supported the GoSL to fight against RUF during May 2000 crisis. But on 15 July 2000, AFRC and SLA got split at LUNSAR due to GoSL's marginalisation of AFRC members. The disaffected members of the AFRC formed the WEST SIDE BOYS (WSB) to pursue their objectives. So it was primarily a splinter group of AFRC.

A BRIEF HISTORY

Many of you will already be aware of the recent history of Sierra Leone. But it is important to highlight a few critical points from the 1990s because they provided the environment for many of the problems that we are currently seeking to resolve today.

The civil war started in 1991 when the Revolutionary United Front of around 100 men crossed into the country from Liberia. Led by FODAY SANKOH, the RUF began its campaign of terror during which about 50,000 people died, about half a million forced abroad as refugees and around the same number displaced within Sierra Leone itself.

In 1996, President Kabbah and his government were elected to a 6-year term in office. They tried to negotiate a peace settlement with the RUF. This aim was fundamentally undermined by the state of the Sierra Leonean Army. Over the subsequent years, SLA managed to lose the confidence of the general population since, it was no longer serving the interest of the people. To fill the vacuum left by a discredited army; there emerged civilian militia forces. which were later to be unified to form the Civil Defence Force or the CDF.

Facing this situation the government concluded a peace agreement in Abidjan in November 1996. But this proved to be a short-lived attempt.

In May 1997, there was a military coup by the Armed Forces Revolutionary Council (AFRC). The AFRC was formed out of the SLA. It also invited SANKOH to join the government.

In August 1997, ECOWAS sanctioned the use of forces in Sierra Leone, with the aim of reinstating the Kabbah government.

In February 1998, ECOMOG succeeded in expelling the AFRC and RUF from Freetown.

At this stage the UN first became involved; under UNSCR - 1181,-70 military observers were sanctioned. They were tasked with monitoring the security situation.

In January 1999, the RUF launched an attack against Freetown.

In May 1999, there was another peace accord, this time called the Lome Agreement. However, it was also similar in outcome like the earlier `Abidjan Accord'.

As a consequence there was UNSCR - 1270, which resulted in deployment of a UN force of 6,000. The UN's task was to focus on the process of Disarmament, Demobilisation and Reintegration and support to humanitarian agencies. Security was left to the 12,000 strong ECOMOG force.

As the Nigerians left in May 2000, the RUF seized the opportunity and took about 500 UN troops as hostages.

In May 2000, the UK launched its independent action, which ostensibly was to evacuate its citizens, but culminated, in September, in the well-publicised action against the West Side Boys, which as described earlier was an off- shoot of the AFRC.

There followed a period of instability which saw Guinean Troops in action against the RUF, but at least the UN hostages were finally released in Sep 2000.

The UNAMSIL mission was also subjected to significant enhancements by a succession of UNSCRs: culminating in March 2001 with UNSCR -1346. This increased the number of UN troops to 17,500. It also substantially strengthened the mandate given to us while at the same time Chapter 7 was invoked for UNAMSIL.

Now 1 come over to some details regarding emergence of these armed groups and militias.

THE EMERGENCE OF RUF

I do not intend to dwell on the well known genesis of the RUF or the early years of its ideological or military training. I will just suffice to say that ------

The RUF took its roots in Sierra Leone at Bomaru in Kailahun District and Mano River Bridge, Pujehun District, in 1991. Envisaging support in a border region opposed for many years to the government of the APC, the reaction of the civil population amongst whom the RUF hoped to foster their `revolution' was ambiguous, notwithstanding the fact that these two border districts had been the scenes of violent political opposition to the APC regime.

My discourse of RUF now brings me to the first key area that you must recognise as being central to your future, Diamonds:
Alluvial diamond mining and the rich pickings of a parallel smuggler's economy had attracted the unemployed and youth to these areas, despairing at the malaise of economic and political exclusion but bristling with an overwhelming determination for self-advancement and prosperity. Here was a reserve army of fighting men who were attracted by the simplistic 'emancipation' rhetoric of the RUF's ill-defined ideas, and motivated by the acquisition of wealth through looting, and of authority by wresting control from both the local and national political authorities whom they blamed for their predicament and the agony of the nation as a whole.

The RUF's consistent 'political' message to recruits was simply that the country was immensely rich in mineral wealth controlled by a few with political connections, that the time for reasoned debate had passed, and that lasting solutions to the country's chronic economic and political problems could be found only through an explosion of destructive violence. It was fairly successful in garnering support from the alienated and uprooted youth engaged in diamond mining.

The lesson for you today in Sierra Leone is that without regulation of the diamond areas, proper controls, strong SLP and government authority and a crackdown on corruption and smuggling, little would change. You must support your Governments efforts in this area.

RUF infiltrated the diamond-rich areas not so much as a way of establishing operational bases deep within Sierra Leone, but as a way of looting the rich bounty in such areas. Lack of proper state control in these areas enabled the RUF to conveniently establish themselves there and then exploit the local population for their vested political / economic interests.

After the formal disarmament and demobilization of RUF was completed in January 2002, it chose to seek a political course for itself. It was allowed to participate in the May 02 Elections as RUFP, however it could not win any seat in the said elections.

RISE OF THE CDF

As I said earlier, CDF was actually a conglomeration of a number of traditional tribal militia hunter groups. The most prominent of these were the Kamajors, predominantly from the south and east of the country and of the Mende tribe. The Kapras were mostly of the Temne tribe and operated in the south west of the country and in Port Loko, whilst the Tamaboros were the largest of the tribal hunting groups in the north of the country. Although there had been some unity between these groups, they formally came together to form the CDF in June 1997. The Kamajor leader, Sam Hinga Norman, was appointed de facto leader for the CDF. During the civil war, CDF retained its tribal links and traditional hunting methods, with black magic and rituals forming an important part of their operations. The CDF was also provided with training and arms by a number of Private Military Companies (PMCs)

The Kamajor intervention appears to have had a decisive impact on the war. What made this decisive difference to the campaigns against the RUF from 1994 onwards was the mobilization of a mass civil defence movement with superior local knowledge of the terrain. Units were organized in such a way that combatants were posted only in their own chiefdoms, to ensure loyalty and bush knowledge superior to that of the RUF.

The Kamajors were so effective that the RUF had to admit that their enemy was the Kamajor, and not the army. It forced the RUF to resort to a series of appalling atrocities intended to break the cooperative link between rural civilians and the civil defence militia. However, the RUF headquarters camp, the Zogoda, and several other key camps in the southeast were overrun in September - October 1996, and several thousand RUF combatants were also brutally killed or put to flight. Under the terms of the Lome Peace Accord, the CDF was disarmed and demobilized, a process that was formally completed on 17 Jan 02.

CDF is accredited to have supported the SLA in repelling the RUF, however it also became synonymous to the tortures and other brutalities of war crimes as the RUF. In spite of the ceasefire they are also known to have continued fighting and attacking / killing the RUF members in many instances / areas. Nevertheless, due to their support to the SLA / Government, the members of the CDF must have been hopeful of more rewards and heavy share in the government after the civil war was formally over. Some of their expectations may or may not have been met, but

that's the political aspect of the issue and I will therefore, not like to venture into it any further.

Although the official headquarters of the CDF were closed on 27 Apr 02 following the completion of the demobilization process, the force itself has never formally been disbanded. It is presumed that some sort of regional organization and a coherent C2 structure of CDF still remain. The current **national organization of the CDF is not openly available, and it is suspected that the wider CDF does not have the cohesion across tribal boundaries that existed during the civil war, when opposition to the RUF proved a strong unifying factor. The activities of the various CDF factions are now more focused on welfare and amenities for their personnel, and the provision of local security in areas where SLP coverage is minimal. However, though the national CDF organization is not active, it is likely still to exist at least in the outline, and can be reactivated in the event of a united cause.**

THE AFRC

In **1996, due to certain misgivings about the state of SLA, the Government announced its plan to reduce the size of the Armed Forces. In May 1997, Major Johnny Paul Koroma, led a successful coup d'etat against the government, took control and formed the AFRC. In June 1997, Major Karoma also invited the RUF to join the junta. Foday Sankoh was declared as an ideological leader of the coup however, the law and order situation could not be improved. In February 1998, Nigerian troops launched an assault on Freetown and removed the junta within a week. In January 1999, AFRC again launched an offensive on Freetown along with the RUF. It supported the SLA during the May 2000 crisis while Koroma continued attempts to legitimize himself and recant the past atrocities. In Dec 2000, Koroma disarmed 96 ex-AFRC combatants known as his Security Force.**

THE WSB

AFRC supported GoSL in its fight against the RUF during May 2000 crisis. However, on 15 Jun 2000, AFRC and SLA got split at LUNSAR due to GoSL's marginalisation of AFRC members. Disaffected members of the AFRC now formed the WEST SIDE BOYS (WSB) to pursue their objectives and established Bandit OP in OCCRA HILLS. UNAMSIL (JORBAT 2) got deployed to MASIAKA for WSB disarmament on 10 Jul 2000. On 22 Jul 2000, Op THUNDERBOLT was launched and Masiaka came under

UNAMSIL control. On 10 Sep 2000, UK launched Operation BARRAS and defeated the WSBs. Later combing up was done by the SLA and the CDF.

PEACE EFFORTS / DIPLOMATIC INITIATIVES

The spark that ignited the armed conflict in Sierra Leone came in March 1991. Over the next decade, the violence continued despite regional attempts to broker peace. Numerous agreements, elections and ceasefires were negotiated over the years, only to be derailed by more violence, coups and general destabilization. To give you the right perspective, I would like to briefly discuss the Lome Agreement and Abuja Agreements I and II.

THE LOME AGREEMENT

After a series of incoherent interventions by major powers and regional powers. The Lome Agreement was signed in July 1999. It led to the withdrawal of ECOMOG and to the replacement of the observer mission (UNOMSIL) with a UN peacekeeping mission (UNAMSIL) in October the same year. The agreement called for a ceasefire, the inclusion of RUF members into the government, reconciliation and reconstruction, pardon and amnesty of members of the RUF (including its leader Foday Sankoh), humanitarian efforts, and certain military commitments, such as disarmament.

THE HOSTAGE CRISIS AND ABUJA AGREEMENTS I & II

RUF broke the Lome Agreement in May 2000 when it took around 500 UNAMSIL peacekeepers hostage. After the hostage fiasco, there was an effort once again to negotiate with the RUF. The Abuja Ceasefire Agreement (known as Abuja - I) was signed in November 2000 with a goal of revitalizing the peace process. The agreement demanded various military tasks to be completed by the RUF, such as the return of all weapons and equipment that were taken from UNAMSIL in May 2000.

However, it was not until the agreement was reviewed in May 2001 that the peace process moved rapidly forward. The Abuja Ceasefire Review Agreement (Abuja II), facilitated by ECOWAS, led to the

implementation of the disarmament, demobilization and reintegration of the RUF and the CDF. In addition, Abuja II also pressured the RUF to give the Government of Sierra Leone the opportunity to expand its authority throughout the country.

It may be appropriate to highlight here, that the behaviour of these groups had sometimes been disruptive and sometimes constructive for peace. All groups played their part in fuelling the civil war but perhaps other things aside; without their cooperation in the international peace making efforts, and a willingness towards disarmament and reconciliation, today's peace would have not been possible.

IMPACT ON SOCIETY

After I have chartered chronologically the rise of the two main protagonists in your Civil War and their two main off shoots. What I will now cover from my perspective is something on the impact this war has had on the Sierra Leone society.

IDPs / REFUGEES

Over the course of the Civil War, forced displacement effected more than half the population estimated at 4.5 million. Between 20,000 and 75,000 people were killed and thousands mutilated. Dislocation of people, the brain drain compounded by the war, and destruction of schools have exacerbated the educational crisis in the country, which has a literacy rate of about 20 per cent only.

ATROCITIES

I need not dwell upon the significant and repugnant nature of the infliction of most barbaric and inhuman atrocities by all sides in this conflict, because these are all well known. It is well documented that "all militant groups" used terror tactics such as mass rape, torture, mutilation and massive intimidation etc to avenge, punish or deter individuals. Though time may provide some healing for some victims, however, the psychological scars will remain for long.

ECONOMIC

The civil war devastated a country that was already impoverished, deeply indebted and suffering from years of mismanagement and

failed development initiatives. In most parts of the country, there was already increased vulnerability to malnutrition and disease. The war curbed agricultural production drastically, cut government revenues from mining and saw the destruction of hundreds of schools, health clinics, and administrative facilities. 'The miseries of Sierra Leone nation just got multiplied with this war.

VITAL ISSUES FOR INTERNAL CLIMATE

DIAMONDS

As I have highlighted earlier, the illegal diamond mining financed the rebellion in Sierra Leone. Before the war, corruption and mismanagement in the diamond sector was one of the main reasons why Sierra Leone became, according to UN figures, the poorest country in the world. With the breakdown of state structures and ineffective state organs, wide corridors were opened for trafficking of arms and ammunition, all of which eroded national / regional security and facilitated crime within the country. The war in Sierra Leone was fought more, over economic resources than over any ideology.

The diamonds remain and are at the core of your stability as a Country. And indeed, the same groups of young, unemployed, illiterate and illegal miners are still in the diamond fields of southeast Sierra Leone. They must be catered for effectively if you are not to see the rise of another group, possibly just criminal in its early days but later seeking to take over and prosper at the expense of the people.

So you must educate, develop and provide for the population in the mining areas. Generate the income from diamonds, reinvest it in the people of Sierra Leone and you will remove the frustrations of the people and give them hope; which is so very important.

Effective participation of members of Sierra Leone civil society, the media and other parties is necessary to meet concerns of accountability and transparency of overall government resource management policy and operations, prevention of corruption in sales of diamonds / valuation practices, and for fostering effective and

equitable reconstruction and development practices related to resource use and income.

GOVERNANCE

In the past, lack of accountability of office holders, abuse of administrative and judicial powers, mismanagement, corruption and inefficiency compounded poverty and economic / social exploitation, and mass illiteracy exacerbated political, economic and social tensions. This is what all the militant groups were able to play upon.

The reassertion of strong governmental control throughout the country, while always dependent on security factors, must remain one of the primary aims of the government and in this respect I would commend your President in taking his Cabinet out to the people. Education, trust, involvement and a sense of belonging must be encouraged.

DDR PROCESS

The UN's disarmament program was declared successfully completed on 17 January 2002. While there remain slight suspicions of some hidden arms caches here and there, UNAMSIL is fairly satisfied that the majority of the weapons, especially heavy weaponry, have been forfeited during this process. After the completion of UN's disarmament program on 17 January 2002, the reintegration part of the program was commenced. However, UNAMSIL has continued its efforts to rid the Sierra Leone society of remaining arms through its initiatives of CACD. While CACD - I has already been completed, CACD - II is still in progress.

REINTEGRATION OF EX COMBATANTS

As far as UNAMSIL is concerned, the reintegration process of ex combatants remains a critical benchmark to the stability of the country. Accordingly with the help of all working partners, NCDDR is reviewing and readjusting its operations in order to speed up the delivery of reintegration opportunities and address the challenges it faces to facilitate the reintegration of all registered ex combatants into the community through community reconciliation and recovery efforts within stipulated time frame in spite of all handicaps.

STATE AUTHORITY AND ADMINISTRATION

The ability of GoSL to project its will and authority upon all parts of the country and administer effectively continues to improve. All districts have individuals occupying the key posts concerned with health and education. Posts concerned with ministries such as agriculture, public works, social welfare and youth and sports have also been filled. The effective functioning of the various offices at district level, however, remains handicapped due to lack of resources, trained staff and allied infrastructure. The same is likely to improve with sustained Government efforts, which indeed are ongoing.

EFFECTIVENESS OF SLP

Analysis of the effectiveness of the SLP nationwide has identified a fair improvement in their capacity, though at a very slow pace. The gradual expansion of police cover is continuing across the length and breadth of the country. However, the conditions of the buildings and the supporting infrastructure is still inadequate till this time. The effectiveness of SLP also remains constrained due to handicaps of resources and manpower in which considerable improvement is still required. Provision of adequate resources will improve-their efficiency and at the same time affordable housing and realistic pay and allowances package to its rank and file should be viewed as vital issues requiring urgent resolution, to save its members from indulging in corruption.

RSLAF

The RSLAF is gradually transforming into an effective arm of the state security apparatus although there are many challenges that remain. Perhaps key amongst them is the improvement of their overall reputation in the general population and winning over their confidence once again. The normal tale -of inadequate resources and training also limits the ability of the hierarchy to develop the structures and concept of the operations as per their choice. However, I assure you that RSLAF has come a long way forward, they are doing a good job in the present sensitive circumstances and will surely come up to the expectations of the Sierra Leone

nation. The true test of both SLP and RSLAF will indeed come when UNAMSIL draws out its forces and these two arms of the state authority are called upon to fill the vacuum so created.

JUSTICE / ACCOUNTABILITY / RECONCILIATION

A key aspect of winning and sustaining a lasting peace necessarily involves fostering accountability and justice for wartime atrocities, and reconciliation among combatants and civilians. The Truth and Reconciliation Commission (TRC) and the Special Court rightly provide the two main venues for healing these wounds. Both these institutions have the capacity to contribute dramatically to the stability and longevity of peace, justice and democracy in Sierra Leone: The vital aspect of 'reconciliation' among ex combatants of past warring factions will have to be addressed side by side, by promoting good will among past rivals and exploiting common values.

SIERRA LEONE YOUTH

Finally let me remind you that the Armed Groups about whom we are talking today, had a hardcore of supporters and activists, but ultimately they were able to feed upon the failed expectations and frustrations of the unemployed youth within the country. Both this disillusioned youth and diamonds sustained the very conflict for so long. While I have talked already about diamonds, I would like now to dwell a little on the Youth of Sierra Leone.

The youth are an enormous resource, which could play a major role in the revival of Sierra Leone `s economy and bright future. In this context, the involvement of youth in gainful activities remains a major development challenge for the GoSL.

CAUSES OF DISILLUSIONMENT OF YOUTH

To ensure lasting peace in Sierra Leone, it is imperative that the problems facing the youth should be identified and addressed in a timely manner. Some of these problems are:

a. Relative marginalisation of youth in routine state affairs.
b. Reintegration programmes which do not include all categories of youth, resulting in friction with authorities and other stakeholders.
c. Limited vocational training opportunities for the youth.
d. Lack of adequate employment opportunities.
e. Their exclusion from local and national level decision making process, leading to their disenchantment with the existing systems.
f. High illiteracy rate.
g. Wide spread war -related trauma and stress across the country.
h. Lack of counselling and sensitisation services.
i. Lack of social and recreation amenities, thus leading to idleness and other crimes.
J High exposure to political violence and intimidation as a tool far economic survival.
k. Child labour, sexual abuse, teenage pregnancies, domestic violence and drug abuse.

PROSPECTS AND CHALLENGES / RISKS

As earlier indicated, it should be recognized that the youth have tremendous potentials in the economic, social and political development of the country. While the youth can be engaged in meaningful development causes, others may prove to be a menace to peace as their intentions are not too clear. The possibility, that this disillusioned youth, can easily be manipulated by various interest groups should not be overlooked. The combinations of political activism by certain youth groups in the country and popular disillusionment can seriously affect Sierra Leone's long-term stability.

The idle youth of Sierra Leone is desperate for work. This youth with a reservoir of discontentment and frustration can easily be led to drug abuse, petty crimes, armed robberies and other anti state activities. So what should be done to avoid all this? In spite of all limitations of resources and allied economic difficulties, the problems of Sierra Leone Youth will have to be addressed on priority to avoid emergence of more RUFs and CDFs in the future.

Some recommendations in this regard are :

RECOMMENDATIONS

- The Government should urgently consolidate its authority in diamond mining areas and rather assertively regulate all activities there.
- There is urgent need to ensure that all youth organizations in the country confine to permissible activities only in pursuance of their duly recognized objectives.
- There should be continuous consultants with the youth to engage them in dialogue on how to tackle the numerous problems facing them. Government representatives should be encouraged to ensure continuous interactions with the youth so that desperation does not descend on them and they do feel involved in routine affairs / decisions.
- Seminars and workshops should be organized to sensitize all youth groups on the national youth policy, human rights issues, rule of law and other matters of interest,
- The youth should also be encouraged to participate in sports as part of peace building.
- ® Extensive sensitization campaigns must also be launched by the Government and all civil agencies to keep the pulse of the youth in check and at the same time mould their minds to make them think positively and constructively.
- Education should be accorded due priority by the Government in its long list of nation building tasks.

OVERALL OUTLOOK FOR SIERRA LEONE

To conclude I would only say that, today there is no active fighting in Sierra Leone, and there is peace all over but the struggle to make it lasting and durable is not yet over and will continue for some time. The Sierra Leone nation will have to keep striving hard to build their wonderful country from the rubbles of decade long unfortunate civil war.

The international community has invested a lot of time and effort in Sierra Leone. It was this effort that brought back peace in this country and made the Presidential

and Parliamentary Elections possible. However, the difficult task of rebuilding the state institutions and changing the war ravaged socio - psychological landscape of the country will have to continue, otherwise all the effort that have gone in so far will largely go wasted and Sierra Leone will remain a breeding ground for war, chaos and illegal commercial activities.

The time is indeed ripe to use this period for consolidation of the peace process, for getting over the internal problems amicably and not letting the regional turmoil affect its relative calmness.

I thank you all for a very patient hearing. Now if you have any questions, I will he pleased to answer thern.

UN RESTRICTED

UN RESTRICTED

Statement submitted by Honourable Ambassador Dauda Sulaiman Kamara on behalf of the All Peoples Congress (APC) Party to hearings of the Truth and Reconciliation Commission on the Theme, " The role of External Grouping and International Actors:

a. ECOMOG

b. The International Community

c. Mercenaries"

Mr Chairman and Members of the Truth and Reconciliation Commission, distinguished ladies and gentlemen, it is with a high sense of responsibility and honesty that I sit before you on behalf of the All Peoples Congress (APC) Party to make a brief statement on the role of External Groupings and International Actors in

the Sierra Leone civil **war, as they relate to ECOMOG, the International Community and Mercenaries.**

Mr Chairman and Commissioners, my statement will focus on the first sub-theme of ECOMOG. In this respect, may I humbly refer you to the main submission of the All Peoples Congress Party to the TRC in the month of March 2003. I allude in particular, to the chapter bearing the heading " The AFRC and Foreign Military Intervention"

Mr Chairman and Commissioners, to talk about the role of ECOMOG in the Sierra Leone civil war is to talk about the part played by the Economic Organisation of West African States (ECOWAS) of which ECOMOG is an interventionist outfit. I believe that, of interest to the TRC will be to ascertain whether that interventionist outfit, ECOMOG, intervened in Sierra Leone on the basis of due process of International law as spelt out and defined by ECOWAS Protocols and Treaties. I note that persons who are competent in respect of Protocol andTreaty interpretations have been invited to testify to this Commission and we hope they will be helpful in this respect. We will only wish to note in passing that questions of legitimacy will continue to arise in relation to Nigerian Military intervention in Sierra Leone beginning June 2nd 1997.

Mr Chairman and Commissioners, let me at this point inform you that at the material time of the AFRC coup, I was on leave in Sierra Leone, having been recalled home from my post as Ambassador to the Federal Republic of Germany by the NPRC Junta which overthrew the APC Government. Before my recall from Germany, I had served for varying periods in the

Republic of Guinea and the United States of America with multiple accreditation to **other countries.**

Less than twenty-four hours after the announcement of the coup that purported to overthrow the Government of President Kabba, armed soldiers of the Republic of Sierra Leone Military Forces came to my residence at Juba to inform me that the Chairman of the newly proclaimed AFRC wanted to see me and that they were under **orders to collect me.** I **went with them. My meeting with Chairman Johnny Paul, whom I was meeting for the first time, was brief. He had called to inform me of his intention to appoint me as Foreign Minister in his proposed cabinet to be announced that** day.

My candid response to him was that I did not wish to be Foreign Minister under those fluid circumstances but would advise the setting up of a Task Force of eminent Sierra Leoneans to review the situation quickly with a view to resolving it through negotiations that had already begun with some foreign Diplomats. I advised against the naming of a Cabinet.

Most amazingly, the Chairman and his colleagues agreed with me. I returned home. Within a few hours, an announcement came through the SLBS radio informing the nation of the setting up of a task force which named Mr Charles Margai, Dr John Karimu and myself among others as members. I was encouraged by that development and hurried back to **the barracks for an early meeting of the Task Force. To my surprise none of the other members named in the Task Force turned up. The Task Force idea having failed, I came up with another suggestion: to involve President Lansana Conteh of Guinea immediately, since President Kabbah himself had fled to Guinea. Lansana's early intervention,**

I thought, would be crucial. I requested the use of a helicopter to go to Conakry. It was provided. Early in the morning of June 1st 1997 I left for Guinea. President Lansana Conteh was on his way out to the OAU Conference convening in Harare. But arrangements were made for my delegation to meet senior members of his Government who received us very cordially. The substance of my message was to get President Conteh to make an immediate intervention by meeting with the new Junta before their positions hardened. The indications were that he would be willing to do this. I returned to Freetown rather hazardously at about 10 PM. I was required to report in the morning of June 2nd 1997. Unfortunately, that report was to have no effect following the Nigerian bombardment of that morning. Direct foreign military intervention in the Sierra Leone crisis had begun! Was it ECOMOG? If so on whose authority?

With the loss of over 80 people, mainly civilians, the events of June 2 shocked the nation including Nigerian military personnel who were caught off guard resulting in the capture of over 300 of their soldiers by the combined forces of the SLA and the RUF. They were eventually released on the insistence of some of us who believed that the crisis would be resolved peacefully.

My next proposal to the Junta was the re-activation of the Abidjan Peace Accord which President Kabba and Corporal Foday Sankoh had earlier signed. I thought that would provide a basis for negotiation as it would immediately bring Foday Sankoh on board, who was in detention in Nigeria. The green light was given, and off I went to Abidjan for a meeting with President Konan Bedie who was very receptive and positive about reactivation of the Abidjan Peace Plan. From Abidjan, I

proceeded to Ghana where I had a three-hour meeting with President Jerry Rawlings. The positive result of that meeting was that he was the only ECOWAS Head of State who sent his Deputy Foreign Minister, Mr Victor Gbehu, to visit Sierra Leone and to assess the situation on the ground. I also went to Burkina Faso, but was unable to meet with the Head of State of that country.

There is no doubt that these initial moves laid the foundation for a negotiated settlement of the Sierra Leone crisis. It is also important to mention that these moves stalled the formation of a Cabinet by the Junta. In fact, they did not announce a formal Cabinet until well over a month following the overthrow of President Kabbah. There was indeed, a good chance of negotiating the junta out of their position.

As all of this was going on, skirmishes continued between Nigerian Military Personnel and local Forces. Yet no formal meeting of ECOWAS Heads of States was convened on the Sierra Leone situation with a view to determining a common cause of action in the name of the Authority of ECOWAS. This is why the impression was generally held that initial Nigerian Military intervention in Sierra Leone was on the instance of the **late General Abacha, acting on a request from President Kabba to restore him to power. As many would recall, President Kabbah himself publicly acknowledged this fact in a BBC radio interview after the bombardment of 2 June 1997.**

However, at the level of Foreign Ministers, a Committee of four was set under the Chairmanship of Mr Tom Ikimi of Nigeria. The others were the Foreign Ministers of Guinea, Ghana and Ivory **Coast. The Committee held two meetings with representatives of the AFRC in Abidjan on 17 -18 July and on 29-30 July. Considerable hopes of**

a breakthrough were raised especially at the second meeting at which the AFRC delegation had presented a positive position for the consideration of the Committee of Four. **While this was being studied, the AFRC announced in Freetown that they intended to stay in power until the year 2001. At that point, the talks broke down as the AFRC was deemed not to be negotiating in good faith. It was at this point also that my role as facilitator of dialogue on the Sierra Leone crisis came to an end. I hurriedly addressed a letter to Chairman Johnny Paul Koroma copy of which I attach to this statement.**

It took three months from the time Nigeria fired her first shot in Freetown, on 2nd June 1997 before a formal meeting ECOWAS Leaders was convened to determine a common position of the Authority on the Sierra Leone crisis. Only then did the APC acknowledge the legitimacy of ECOMOG military intervention in Sierra Leone. The ECOWAS Authority recommended a three - pronged approach to the Sierra Leone crisis: Negotiation, Sanctions/Embargo and the use of Force. All three measures were to be pursued simultaneously.

Unfortunately, the use of force was the most preferred of the three options by some members of the government who believed that war was the only solution to the problem.

It was the view of the APC that the use of force would inflict terrible sufferings on the helpless civilian population, destroy our weak and scarce infrastructure and at the same time embroil the ECOMOG intervention force in a painful, long-lasting guerrilla war in which there would be no winner. This was the view that prevailed in our Party following the overthrow of our government by the NPRC in 1992. President Momoh

humbly accepted his overthrow if that would end the civil war. For holding this view against military intervention in 1997, members of our Party were deemed as collaborators and were selected for severe punishment by ECOMOG and local intervention forces. But events eventually proved us right, for there is no denying the fact that foreign military intervention in Sierra Leone, by whatever name you call it, led to the escalation of the war beyond any one's imagination.

In conclusion, Mr Chairman and Commissioners, I wish to make reference to a few hard lessons we as a nation must learn from the terrible crisis we went through. One is that we should never seek to **change an elected government through violence. Secondly we should avoid running away from our problems when they arise. The rather precipitate departure from Sierra Leone of eminent people of influence in the wake of the AFRC Coup, only provided the Junta boys an opportunity to settle down in the false belief that their coup** had succeeded. Thirdly that we must develop implicit trust in our selves and in our capacity to provide home-grown solutions to our problems. I dare say that it is this latter case that is contributing considerably to the success we are making in peace and nation building.

Mr Chairman and Commissioners, I thank you for your attention.

Dated the 30th day of June 2003

His Excellency

Major Johnny Paul Koroma

Chairman of the Armed Forces

Revolutionary Council and

Head of State of
REPUBLIC OF SIERRA LEONE

1 st August 1997

Dear Mr Chairman,

The apparent collapse of the Abidjan Peace Talks have not determined my departure for London to see my family. I shall never desert my country in time of need. I want to assure you that I shall continue to play my role in an effort to resolving the current crisis in Sierra Leone peacefully. I had taken the decision to travel to London well before leaving Freetown for the Abidjan Peace Talks and the Secretary of State for Foreign Affairs was duly informed. I have since provided the Ministry of Foreign

Affairs and the AFRC's Public Relations Officer with my contact address and telephone number in London in case it became necessary to contact me there.

Yes indeed, the Peace Talks collapsed not so much because of your ill-timed broadcast, but more so because of the specific mandate of the Committee of Four to restore Constitutional Order to Sierra Leone only with the return of ex-President Tejan Kabbah. It was obvious to me that if the AFRC refused to accommodate the requirement of that mandate in any compromised form, there was bound to be difficulties with our negotiations somehow. It was for that reason, Mr Chairman, that at the level of our Committee in Freetown, we judged it necessary to propose Tejan Kabbah as Head of a National Unity Government which should also include you and Corporal Foday Sankoh. But we made this proposal conditional to the approval of the people through a National Conference. Regrettably, this proposal was rejected by Council leaving the delegation little room for negotiation. Again, Council changed the composition of the delegation by dropping the majority of those who participated in the first dialogue and replacing them with unexperienced military Members of Council whose appearance in the Conference Room dressed in full military combat outfit and rayban glasses reminiscent of the NPRC days did not seem to make many people comfortable. All of these factors coupled with the bullying manner of the Nigerian Foreign Minister led to the rather discomforting conclusion of the negotiation.

In the midst of all this, the delegation has been stunned by the apparent disappearance of its Leader, the Secretary of State for Foreign Affairs since yesterday morning. What has happened to him? Did he jump ship? Was he abducted or is he simply resting quietly somewhere after what has indeed been a rough Session? No one knows at this point, but I have advised the delegation to stay calm as we await news from Abuja where the Ministers of the Committee of Four went to report to Abacha.

I have not heard the official details of your yesterday's Broadcast to the nation which as already pointed out above, unfortunately came at a very delicate point in our negotiations. Among the points highlighted

at the Conference was the fact that the AFRC has announced a transition period of four years. If this is true, I must tell you, Mr Chairman, that such a period would be unacceptable not only to the International Community, but also to the majority of the people of Sierra Leone. You must realise that Sierra Leoneans having just gone through the agonies of the NPRC which they forcibly voted out of power in anger and disappointment, will be totally unprepared to suffer yet another military rule for another four years. They are unlikely to cooperate with you fully. For me personally, I have been working on the distinct understanding and belief that your rule would be as brief as possible - not more than six months in accordance with the gentleman's agreement already reached earlier between the AFRC and the Ghanaian delegation. This is what I have been selling while playing my role as Ambassador/Facilitator of Dialogue. If indeed the AFRC has resolved to stay in power until the Year 2001, I have to inform you that I will be unable to play any more my role as Facilitator of Dialogue because the basis for such moves would have been destroyed and I would have lost credibility.

For long I have been preaching the principle of 'Give and Take' in finding solutions for our current impasse - a principle in which there should be no loss of face for anyone, for you, Kabbah, Sankoh, ECOWAS and everyone involved. This is what I think the people really need in view of the factured and impoverished nature of our country. The people would prefer to see cooperation at this point in time among all former adversaries and aggrieved persons - in the Military, RUF, Militias, Kabbah, Sankoh, a11- every body! This idea was already being accommodated by the Committee of Four as a way forward in our negotiations. ..

If this arrangement can be accepted by the AFRC as their fall back position in the negotiation then the AFRC will not only be the greatest beneficiary, but would also win the admiration of our country's men and women. Along these lines, it should be possible to re-open the dialogue with ECOWAS and I would wish to assure you of my willingness to fully come on board again once the road to such a dialogue was re-opened.

The state of Sierra Leone is too fragile to withstand sanctions and embargoes. The people will turn against the AFRC Government when they are hungry; and if they do, you will be the loser. Now you are in a position to influence events by cooperating with the Leaders of the Subregion in the formulation of a Government that should bring together all forces for peace. History shows that each time Sierra Leone has run into political crises, Governments of National Unity emerged. This was so with the Government of the late Dr M A S Margai, who became Sierra Leone's First Prime Minister as Head of the United Front. Siaka Stevens also took the reins of power on the basis of a National Government. This is the time for one and I would ask you not to deny the people of Sierra Leone such a Government which holds the best chances for peace in the country.

With my best wishes.

Yours sincerely,

AMBASSADOR DAUDA KAMARA

THE TRUTH AND RECONCILIATION COMMISSION

AT THE THEMATIC HEARINGS ON BEHALF OF THE SIERRA LEONE PEOPLE'S PARTY (SLPP)

THEME: "'THE ROLE OF EXTERNAL GROUPINGS AND INTERNATIONAL ACTORS „ ONE COUNTRY! ONE PEOPLE'.

COUNTRY FIRST

DR. BOB JONJO

THE ROLE OF EXTERNAL GROUPINGS AND INTERNATIONAL ACTORS

The Sierra Leone Peoples Party (SLPP) views the role external groupings and international actors played in Sierra Leone's ten year war as very significant.

Such roles were both positive and negative. Our party's position is that external groupings and international Actors did help to fuel the war in the first place. Nonetheless the party takes full cognizance of the important role other well meaning and legitimate external groupings and international actors played in bringing to an end a violent and savage epoch in our national life that spanned a whole decade.

For the purpose of this presentation therefore, we shall start with those groupings and actors that impacted negatively thus precipitating the war.

These, we shall label the negatives.

THE NEGATIVES

THE GREEN BOOK/LIBYAN CONNECTION

It is the SLPP's fervent belief that the Libyan exported green book political philosophy, known as the juche theory sewed the seeds of revolution in the 1980's. This induced our tertiary institutions to become hot beds for political upheaval and agitation culminating in the 1985 imbroglio at Fourah Bay College, leading to a Nation wide student strike.

Following the expulsion of a number of lecturers and students, including the college's student Union President Alie Kabba, a good number of these young revolutionaries ended up in Libya where they were trained in guerrilla warfare.

It is no hidden secret that, due to the widespread discontent with APC misrule, our institutions of higher learning gave birth to the RUF through the active support of the Green Book Study group - a Libyan political export.

THE LIBERIAN SAFEHAVEN

The international dimension to the causes of the 10 year war, the SLPP believes, were established at the very onset of hostilities. It is the party's firm conviction that the RUF campaign could not have been so prolonged had it not been for the bases provided them in neighbouring Liberia.

The then authoritative We Yone Newspaper of April 13, 1991, stated in a front page story captioned: "Taylor invades Sierra Leone", that the Liberian warlord not only harboured Sierra Leonean dissidents but waged an active campaign to cause this nation "to taste the bitterness of war", in pursuit of revenge. Taylor, was angered by Sierra Leone for playing host to the West African peace keeping Mission ECOMOG. The peacekeeping force had been assembled to halt the carnage in Liberia, which itself had
been unleashed by Taylor in 1989, just days before the dawn of the turbulent `90s.

Throughout the war, Taylor's role was so glaring that today he is an indicted international war criminal.

THE BURKINABE INPUT

The grand external and/or international conspiracy against Sierra Leone was further established by the exposure of Burkinabe involvement.

The government owned Daily Mail of June 1991 paraded the pictures of six Burkinabe rebels who had been captured whilst fighting alongside the RUF.

The front page story that went with the picture, captioned. "Inspector General Displays Captured Burkinabe rebels" read!.
"The Inspector General of Police, Mr James Bambay Kamara, today displayed at police headquarter 6 Burkinabe rebel captives.
"The Burkinabe's led by a captain Ndola Wasando were captured in Kailahun while fighting alongside RUF rebels".

Thus, so early in the war, the negative involvement of international actors in the conflict had been established.

THE ULIMO MISCALCULATION

Our peace loving SLPP totally abhors the practice by Nations harbouring armed dissidents of neighbouring countries to wage cross border wars. This practice, so prevalent in Africa, is responsible for Africa's many wars.

That is why the SLPP views as a grave miscalculation the decision by the then APC Government, to allow ULIMO to open and operate a base in Sierra Leone.
In an editorial captioned "A GREAT MISTAKE." the Globe Newspaper of November 18, 1991 stated:
"The Liberian armed faction, ULIMO, now has and operates an office on Bathurst Street in Freetown.
"This is a grave mistake. No responsible government must allow any armed group to wage war on a neighbouring country using their soil as a base.

"The consequences can be dangerous".

Although the NPRC government continued to play host to ULIMO, and coordinated military operations together with the faction's armed units, ULIMO was to later play a negative role in the conflict. They later joined forces with the AFRC junta, which unleashed nine months of unprecedented terror on this nation.

DRUG BARONS, DIAMOND SMUGGLERS AND THE INTERANTIONAL ARMS CARTEL

The war in Sierra Leone triggered a staggering demand for narcotic drugs. While the use of cannabis had been tolerated by earlier regimes, in order to incense youths to terrorize political opponents, harder drugs such as heroin and cocaine were not yet in popular use. A major market for these harder drugs, was however created by the war. It attracted a lot of unsavoury characters that had the necessary international contacts to access supply of these poisonous ware. International drug barons made good business out of the war. "The negative impact of drugs in the ten year war was responsible for the level of bestiality the war degenerated to,"

reported News Storm of March 9, 1993. The war also attracted yet another group of international operators, the arms dealers. The ready market the Sierra Leone conflict created for their wares of death, was too good to be missed. The illegal arms cartel was only too eager to cash in on the bonanza. Our combatants thus graduated from using stones, sticks and machetes to guns, RPGs and bombs.

The role of these international arms dealers was first brought to light before the out break of the war. The new national Newspaper of February 6, 1991 highlighted the active illegal arms transactions on the borders between Sierra Leone and Liberia on one hand and Guinea and Sierra Leone on the other.

The war was to attract yet another notorious international actor, the diamond scavenger and smuggler. These were attracted in droves and featured on all sides of the divide. The News Storm of September 17, 1993 stated.
"The number of diamond houses has risen sharply in places like Bo and Kenema, mostly operated by foreign nationals.

"It is interesting to note that even as the security situation degenerated, more and more diamond dealers were attracted to the front line.
"The lure of diamonds attracted even terrorist organizations, such as the Al-Quaida. This fact was brought to light in a BBC TV 3 documentary, which showed Kono youths identifying the pictures of some Al-Quaida operatives.

The documentary was aired in February 2003.

The role diamonds played became so notorious that it led to the coinage, Blood Diamonds, and caused the international community to put a moratorium on diamonds originating from conflict zones.

THE POSITIVES

Not all international groups or external actors impacted negatively on the war in Sierra Leone. It is in recognition of this fact that the Kabbah led SLPP government, has since coming to office, pursued a vigorous foreign policy to win support from the international community in the pursuit of peace and stability. Thank God, for it because of President Kabbah's foresightedness in signing the Lome Peace Accord of July, 1999, and his embracing of the intervention of the international community, that today we enjoy relative peace and stability - an environment that makes the sitting of this very commission possible.

Our party pays acknowledgement to the positive role played by some External Groups and International Actors. These groups include the following:
1 International Security firms
2 Regional and continental organizations
3 United Nations
4 IMATT
5 The British Government
6 Tegloma

INTERNATIONAL SECURITY FIRMS

International Security firms, contracted by the various governments during the war, played positive roles in bringing peace and security.

For a reasonable period of time Executive Outcomes helped secure the diamond fields of Kono. Sand Lines, another security firm, contributed significantly to the ousting of the AFRC junta, in February 1998, bringing to an end an unprecedented reign of terror. Similar security outfits helped to secure the rutile leases in Moyamba and Bonthe districts.

- ECOWAS

The SLPP is cognizant of the immeasurable role played by ECOWAS the ECONOMIC COMMUNITY OF WEST AFRICAN STATES in helping to restore peace in Sierra Leone. Without the input of the ECOWAS created ECOMOG peacekeepers here, this nation could have been stateless today.

We as a party salute and pray for all those serving men and women of ECOMOG who sacrificed their lives to save this nation. We especially remember the late Gen Sani Abacha and the -late Brigadier Maxwell Khobe for their contribution to the restoration of the constitutionally elected government of Sierra Leone and all Nigerian, Ghanaian, Guinean and Gambian troops that constituted ECOMOG. They sacrificed themselves to save us our nationhood.

THE AFRICAN UNION

The O A U now known as the African Union also played a significant role diplomatically throughout the war and served as one of the moral guarantors of the Lome Peace Accord. The organisation's support to democracy in Sierra Leone was witnessed by its contributions to the 1996 and 2002 Presidential elections.

THE UNITED NATIONS

Since 2000, Sierra Leone has played host to the largest ever UN peacekeeping force in the world. The role of these peacekeepers is immeasurable. The UN mission virtually won this nation the peace it now enjoys, which would otherwise not have been possible. The mission continues to guarantee security and stability through its, one time, more than 17,000 man strong peacekeeping force.

UNAMSIL also engaged in various social interventions to nurture the peace, such as distribution of relief items, medical assistance and the construction of schools.

Indeed Sierra Leone will always remain thankful to the World body. Britain and the international Military and Technical training team also played positive roles, in securing the peace in Sierra Leone. By championing the restructuring and retraining of the national army to the status of a, better professional institution, the British proved themselves worthy friends of this nation. Many thanks to DFID.

TEGLOMA

Sierra Leoneans living in the Diaspora also made positive contribution towards the democratic process in Sierra Leone, the ending of the war and the restoration of the elected government in 1998.

Tegloma, which means carry it forward, was one such organisation established in the USA, Canada and Europe. It played an active role in bringing the attention of the international community to the crisis in Sierra Leone.

The organisation also raised funds to help Sierra Leoneans who were forced into exile as a result of the war and helped bankroll the exiled government in Guinea in 1997/98 in its efforts to return.

Our party is thankful to these patriotic brothers and sisters who even though abroad had not abandoned their country of origin.

03-JUL-2073 15:41 FROM C C D
TO 0121 -5916 5916 P. 01 06

A

Fax

TO Mr Franklyn Bai Kargbo

Company Exec Sec SL TRC

Pax no 00 232 22 235916

From Simon Gilbert

Date 3 July 2003

Pages Incl. cover 6

Copy

Subject.' Sierra Leone Truth and Reconciliation Commission

This facsimile may contain confidential andfer privileged information intended only for use of the addresses named above I! you are not the Intended recipient or this facsimile you are hereby notified that you must not disseminate, copy or take action tn reliance on It. **If you have** recelve4 this facsimile in error please notify the sender immediately.

Dear Mr Kargbo,

Please find attached a written response from the De Beers Group with reference to the invitation from the Sierra Leone Truth and Reconciliation Committee.

Regards

Simon Gilbert

Corporate Affairs
The Diamond
Trading
Company A Ds

Boom Group
Company
17 Gharterhouse Street, London EC1
NJ $RA, UK Tel +44 (0) 20 7404
4444 Fax +44 (0) 20 7831 0653

Direct phone 029 7430 3508 Direct ernall
sfman,gllbert@dtc,oam

DE BEERS

A DIAMOND
IS FOREVER

3rd, July 2003

Mr Franklyn Kargbo
Executive Secretary
Sierra Leone Truth and Reconciliation
Commission
Block A
Brookfields Hotel
Freetown
Sierra Leone

Dear Mr. Kargbo,

Thank you for your letter **inviting** De Beers to attend and present to the **Sierra Leone Truth and Reconciliation Commission (SLTRC) on Monday, 30 June 2003, in Freetown.**

De Beers has the highest regard for the work **of the Commission and is willing to co-operate with the SLTRC, wherever possible, and to provide constructive and effective assistance to the Commission in fulfilling its mandate.**

We have considered the **issues you would wish** us to address in light of both **the mandate of the Commission and the fact that we closed our diamond buying activities in Sierra Leone in 1984 (many years before the start of the armed conflict in Sierra Leone).**

Consequently we have same reservations about whether we are the most appropriate organisation to respond to some of **the issues raised in your letter. Nonetheless, we take this opportunity to provide you with written answers to the questions and issues raised in your letter to which we are able to respond. However, if for any reason** you are of the view that our responses do not fully

address the issues, we would, of course, use our best **endeavours to provide** further **information** that you specifically require.

PUBLIC &
CORPORATE
AFFAIRS

t 7 CHARTERHOUSE LONDON EC IN 6 RA UNITED KINGDOM

TEL +44 (0)2074044444 FAX + 44(0)2078310663

www.debeersgroup.com

For ease of reference, we take each of the matters listed in your letter in **turn (and where relevant, we** have made suggestions that we hope will **assist you and the Committee):**

1. De **Beers confirms that it** closed **its diamond buying activities in Sierra Leone** in 1984. **We understand that the Commission's mandate relates** to the **armed conflict in Sierra Leone during the 1990s. We are therefore unclear about** the **relevance of De Beers' operations prior to 1984** to the **armed conflict.**

   Since 1984 the company's activities in Sierra Leone have been limited to prospecting as follows:

   On 16th August 1994, the Government of the Republic of Sierra Leone granted a two-year offshore prospecting licence to The Diamond Corporation Sierra Leone Ltd (Dicosil), a wholly owned subsidiary of De Beers. Under the terms of the licence, Dicosil acquired a **15,800** square **kilometre** concession off the coastline of southern Sierra **Leone and subcontracted Debmarine to undertake the survey (MV. "Douglas** Bay"). The prospecting **licence expired in August** 1996 and **was not extended, after Debmarine terminated its eighteenmonth survey of the continental shelf off the coast of Sierra Leone** _

   (b) March 1997 - De Beers officials **visited Sierra** Leone and **met with the Government officials, indicating De Beers'** intent to **re-open offices in September** 1997. **De Beers submitted an**

application for an exploration licence in north-eastern Sierra Leone. **The application was approved but not taken up due to the war**_

2, De **Beers ceased its diamond** buying activities in Liberia in 1985,

3.From statistical data issued by the Government Gold and Diamond **Office and other references published in reports** such as the UN *Report of the Panel of Experts appointed pursuant to UN Security Resolution 9306* (2000), articles by NG0s, **such as the recent report published in April 2003 by the UK NGU, Global Witness, entitled,** *'For a Few Dollars More',* both of which I am **sure the Commission is already aware, that diamond smuggling has been and remains an issue for the Government of** Sierra Leone. De Beers has **not been actively buying diamonds in the region for the past** 18 years **thus we have no direct knowledge of diamond smuggling from Sierra** Leone to neighbouring **countries-**

4. The World Diamond Council (WDC) was formed to represent the industry on a1l matters relating to the **conflict diamonds issue and is best placed to give a fuller explanation of the issue and its repercussions on the international diamond industry. We are pleased to have been actively involved in the negotiations** leading to the **establishment of the Kimberley Process and in seeing it through to its successful conclusion. However we are only one of a number of members of the WDC and just one of the many significant players in** the **Kimberley Process.** It **would therefore be presumptuous on our** part to speak or be seen to be speaking far the industry as a whale **an this matter when we do not have the** mandate to do so. We **would suggest that the WDC is the most appropriate organisation** for **these purposes and have attached the contact details of Mr Eli1zhakoff, its Chairman and Chief Executive Officer.**

5. De Beers is fully committed to **the Kimberley Process Certification** Scheme in every respect. National legislation supporting **the Kimberley Process has been passed in all countries** in **which De Beers operates. De Beers of course operates in accordance with these laws.**

8. The Kimberley Process is first and foremost an inter-governmental process and agreement. The World Diamond Council, of which De Beers is a member and

the NGO's have been invited to attend **plenary meetings as observers only.** We are **just one of the players in the Kimberley Process and do not possess the mandate to give an authoritative description of the** workings of the scheme, and its **impact on the Sierra Leonean diamond industry. We would suggest that, for a comprehensive view on the history, aims, objectives, day to day workings of the Kimberley Process Certification Scheme, its** impact on and relevance to Sierra Leone, the best source of **information would be the Chairman of the KPCS, Mr Abbey Chikane, (contact details are attached to this letter).**

7. **Through the good office of the UK Government's Department of International Development (Dfid) and the United States Agency for international Development (USAID), De Beers has been involved in looking at ways in which the diamond industry in Sierra Leone can be re-developed. De Beers has recently accepted an invitation from the Sierra Leone Ministry of Mines to facilitate training in diamond valuation far the Government** Diamond Office in Freetown. **This follows our pledges of assistance to governments and other agencies during the Kimberley Process negotiations.**

We are sensitive to the fact that government agencies are the primary drivers of this work and would therefore suggest that USAID, DFID and other government agencies might be the best source of advice and recommendations.

We hope you find our initial responses and suggestions useful. As we are sure you will appreciate, we would wish to focus on providing *the* Commission with effective assistance. Please do not hesitate to contact us if there is any further information you believe we ran provide to assist the *Commission with* fulfilling its mandate. We reiterate our commitment to co-operate with the Commission and look forward to hearing from you.

Yours faithfully

Simon Gilbert

Manager

Public & Corporate Affairs De Beers Group
London

Encs: Annex 1

03-JUL-2003 15•42 FROM C C D

Annex 1

Mr Eli Izhakoff Chair
World Diamond Council
580 Fifth Ave
New York, NY USA 10036

Tel - (212) 575 8848

Fax - (212) 840 0496

eli@diamondsveiw.com

Mr Abbey Chikane
Chair
Kimberley Process

South African Diamond Board

Johannesburg
Gauteng 2023

South Africa

Tel - (011) 334 8980
Fax - (011) 334 8898

BRITISH GOV ERNMENT STATEMENT TO THE TRUTH AND RECONCILIATION COMMISSION OF SIERRA LEONE

The role of the British Government

The British Government is delighted to see the TRC up and running. We have always believed that the TRC is a vital tool to help in the healing process after a decade of death and destruction.

The British Government has already provided the TRC with a large dossier outlining British policy at every stage of the conflict. These are public documents which are available on the FCO website and Hansards. There is therefore very little to add today.

It would be useful to recall that the sole objective of the British Government's involvement throughout Sierra Leone's long crisis was the restoration of peace and democracy. We fought hard to achieve both of these. The restoration of peace and democracy were the guiding principles that determined our policy. The key postconflict objective of the British Government is to help Sierra Leone rebuild its institutions and infrastructure destroyed in the course of a decade of war. With strong and democratically accountable institutions, Sierra Leone should never again experience such a terrible time. We are conscious of the fact that the very heart of Sierra Leonean society has been damaged and hurt by the long crisis. Our support for the work of the TRC therefore goes without saying.

There are certain key moments in the decade of war which are worth a brief mention. No sooner had the RUF rebellion begun than Junior Officers mounted a coup against the APC government. The British Government worked tirelessly to return Sierra Leone to civilian rule. We even gave scholarships to the Junta leaders to study in the UK as a means of persuading them to step down. We supported the efforts of civil society and others through funding for the Bintumani I and II Conferences, which decided on the sort of democratic system that Sierra Leoneans wanted. We were heavily criticised by outsiders at the time for pressing for elections when the RUF rebellion was still in full swing and some parts of the country were inaccessible. But Sierra Leoneans wanted to get the military out. Our logic was simple. We supported the holding of elections in 1996 as a means of drawing the RUF into the political process, Unfortunately, they refused to take part and began their campaign of chopping off limbs to prevent people voting.

The elections, the first multi-party elections to be held in Sierra Leone since the mid 1960s, brought President Kabbah to power. The British Government supported his decision to open peace talks with the RUF. This eventually resulted in the first peace agreement, The Abidjan Accord, signed in Nov 1996.But it soon

became clear that the RUF leadership had no intention of abiding by its terms. Soon afterwards, the military struck again, ousting President Kabbah's government which went into exile in Conakry. The British High Commissioner, Peter Penfold also moved to Conakry. This unusual move was a sign that the UK Government was serious about supporting democracy. The British government worked tirelessly thereafter to have the democratically elected government restored to power. We succeeded in getting the UNSC to impose an arms embargo on the junta and gave material and financial assistance to the EC0M0G force which intervened to enforce peace and provide security. Happily, the democratically elected government was restored in February 1998. But elements of the Army were by then disloyal and worked in collusion with the RUF rebels which continued the pattern of maiming and killing innocent Sierra Leoneans.

The British Government again supported the government when President Kabbah decided to open new peace talks with the RUF.The Lome Agreement of July 1999 was signed. The UK Government was not a signatory, nor one of the moral guarantors. The Lome Agreement's terms were generous, offering the RUF ministerial posts and other privileges in return for an end to the rebellion. These concessions were controversial inside Sierra Leone, as was the blanket amnesty offered to the RUF. But they were seen as the price for peace.

The Lome agreement provided for a UN Peacekeeping Operation to monitor the peace and provide security. The British Government lobbied hard to get the force up to the size required for the job. But in May 2000 the RUF took UN peacekeepers hostage and threatened to overrun Freetown. The British Government's response was swift and robust. British troops were sent to Sierra Leone to secure the airport and other key points while the Royal Navy sent ships as a back up. This action averted the threat to the democratically-elected government and put the RUF on the back foot.

There is one final point we should make. It took us and others in the international community some years to realise that the RUF was not a wholly indigenous movement. It was only in the late 1990s that it was fully realised that Charles Taylor was behind the RUF, was using the RUF, and exchanged Sierra Leone diamonds for guns with the RUF leadership. Once this relationship was fully understood, the British Government worked hard to get the United Nations Security Council to impose sanctions on Liberia in an attempt the break the Taylor/RUF relationship. The RUF rebellion continued far beyond its natural life because of the support it received from Taylor - and his allies.

The British Government wishes the TRC well in its work. We look forward to its Report. We are committed to the peaceful and successful future for Sierra Leone. Thank you for giving us time to say a few words about British policy towards Sierra Leone during the conflict years.

Embassy of the United States of America

Freetown, Sierra Leone

PRESS RELEASE

STATEMENT TO THE TRUTH AND RECONCILIATION COMMISSION THEMATIC, EVENT SPECIFIC AND INSTITUTIONAL HEARINGS JULY 2, 2003 BY U.S. AMBASSADOR PETER R. CHAVEAS

On behalf of my government, permit me to express appreciation for this opportunity to briefly address an institution of great significance to the future of this country and to the possibilities for the entire region to live in peace and provide for the well being of all its citizens. There is a well known saying that those who fail to learn from history are condemned to repeat it. No one would conceivably want this country or any country to repeat the horrors that have been its history for far too long.

The United States is proud to count itself among the strongest supporters, both morally and materially, of two institutions created to assist Sierra Leoneans in their efforts to address the past and to avoid further tragedy. While the Special Court and this Commission are independent of each other, they are inextricably bound together in a national and international effort to come to grips with the truth, the truth that will end the cycle of impunity that for too long has been permitted to be the standard response to the most reprehensible of actions in many parts of Africa and the truth that will permit those who suffered and those who caused them to suffer, often the same persons, to come to personal terms with their experiences and actions. We have listened with great interest to the testimony to date before this Commission and in many cases have been inspired by the courage and simple honesty of so many who have recounted their experiences despite the obvious pain involved in the retelling. We wish to commend the Commissioners, both national and international, as well as the dedicated professional staff who have combined to effectively develop this forum and have guided it in a manner calculated to "create an impartial historical record . . ., 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" as required by the Act of Parliament that established the Commission.

It is to the final point of that quotation, "to prevent a repetition," that I would like to very briefly address myself. At the end of these proceedings, it will be the heavy responsibility of the Commissioners to produce a report that is worthy of the courage demonstrated by so many average citizens who have endured pain and risk to testify, to dare to tell their stories irrespective of consequences in the hope of finding closure, compassion and reconciliation. In so doing, those people demonstrated great faith in the integrity of the Commission and those who have chosen to support it. I hope and trust that the final product will be consistent with that great faith.

Yet the most brilliant and honest of reports will be for naught if it is not used to motivate and assist Sierra Leoneans and their friends in answering one simple but terrible question - why did this happen? It is only by beginning to answer that question that Sierra Leoneans can hope to identify the actions essential to preventing a repetition. I imagine that the final report will faithfully reflect the experiences of those who testified at hearings as well as the research and investigations conducted by the Commission. But it must not be an end in itself. It will only be successful to the extent that it serves to assure that what has happened to Sierra Leone over the past eleven years and for decades before that is never repeated. To achieve that objective it must be a catalyst to a continuous and long-term process of introspection, by Sierra Leoneans and by their friends in the international community. It must also lead to a credible and therefore independent National Human Rights Commission to support this introspection and concrete action to attack any future abuse or forgetfulness with respect to the lessons of the past. It must aid Sierra Leoneans in their thinking about their own values and what role those values played in the horrors that have occurred. Sierra Leoneans must ask questions that no outsider can pose and contemplate answers that no outsiders could conceivably provide. International partners must at the same time also ask themselves hard questions. Did we fail to read properly the signs of impending disaster? Did we fail to do enough to influence the course of events? How can we best continue to contribute to the work of this Commission and whatever successor institution there may be?

Too often in the past the international community, faced with the horrors such as those experienced by Sierra Leone, has said "never again" and yet it has happened again. We fervently hope that the proceedings and results of this Commission will serve as a landmark in our collective efforts to assure that indeed, this will never, ever happen again.

119 Cambridge Gardens
Kingston-Upon-Thames
Surrey
KTl 3NP United Kingdom
10 February 2003
Email: l.kanu@btopenworld.com

The Truth and Reconciliation Commission
Block A
Brookfields Hotel Freetown
Sierra Leone.

Dear Sir/Madam

LETTER OF COMPLAINT AGAINST THE NATIONAL PROVISIONAL RULING COUNCIL

I hereby submit my letter of complaint against the National Provisional Ruling Council (NPRC) which ruled Sierra Leone from April 1992 to 1996. The NPRC authorities executed my husband, the late Lieutenant-colonel James Yaya Kanu (SL 172), without trial in 1992 and two days later, they sacked me from my job because I was his wife.

In April 1992, the NPRC regime overthrew the APC government and arrested several politicians and military officers including my late husband, and they were detained at the Pademba Road Prison. He was the Commanding Officer of the 3rd battalion at the time of his arrest. According to the NPRC authorities, this was done for security reasons and they promised to release the detainees after they settled properly in office.
A few weeks after the coup, some of the military officers were released but my husband remained in prison. He was in detention for eight months although he was not charged for any offence and he was never taken to court. He was not allowed to see me or any of his relatives. No visitors were allowed and he had no contact with the public. The prison gates were heavily guarded and the traffic was diverted from that area.

On the 29th of December 1992, he was taken out of prison and summarily executed together with 28 others. The NPRC authorities alleged that he had been involved in a coup plot to overthrow their regime whilst he was in prison. There was no charge and there was definitely "no trial". He was killed and buried on that same day and I never saw his grave. I only knew about his death after it was announced on the national radio (SLBS) that same afternoon.

On the 31st of December 1992, two days after his death, I was arrested and taken to the Military HQ at Cockerill. I was a serving officer and a Major, and

the Second-in-command of Barrack services. The current Army Chief-of-Staff, Maj-Gen Tom Carew, was the Officer Commanding at that time. My number was SL 255 and I was never charged for any offence during my service in the RSLMF.

According to Brigadier (rtd) Jusu Gottor who was the Chief-of-Staff, the NPRC regime had decided to give me compulsory retirement because I was the wife of the late Yaya Kanu. I was ordered to hand over my kit and the military items which were in my possession and to vacate our quarters on that same day.

On the 31st of December 1992, whilst other people were ushering in the New-year, I was on the streets of Freetown finding accommodation for my family. I had to move into my mother's cramped flat at the Low-cost Housing Estate for several weeks before moving to an unfinished building at Congo Cross. I faced severe harassment during that period and there were frequent gun shots around our house at night.

I wanted to leave the country but I was unable to do so initially because the NPRC authorities seized my passport. They also instructed the officials at the Police Headquarters in Freetown not to issue a clearance certificate to me or my children. I was ordered to attend two interviews at State House, to explain why I needed my passport and clearance certificate. The Interviews were conducted by Lt. (rtd) Karefa Kargbo who was the Chief Secretary of State. He told me that my file was with the Head of State and any decision about my movement from Sierra Leone had to be made by Capt. (rtd) Strasser.

I stayed in Freetown for months without a job and faced constant harassment from the NPRC authorities. Up to this day, there are bullet marks on the wall of our house and these were fired by some of their men at night. In one instance, my house was attacked during the day and we had to stay indoors surrounded by soldiers for the whole afternoon. I sold some of my possessions to survive and depended on handouts from my family and friends. After the situation cooled down a bit, I got some assistance from some relatives and escaped to Britain in 1994.

I believe that the TRC has been set up for people like us and I desperately want to know the truth about the circumstances surrounding my husband's death, and to know where he was buried. He did not commit an offence and he was definitely not charged for any crime. His bank account was frozen during his imprisonment and after his death, I was told by the authorities at the bank to provide a death certificate. Who was going to give me a death certificate under those circumstances?

I would also like to set the record straight about my military career as I may want to go back and work in Sierra Leone in the future. I was an Officer in my own right and not just a "wife". I lost my husband, job and accommodation in two days and this has had an adverse effect on my life and the lives of my children. We have suffered a lot over the last few years and our lives can never

be the same again. I have tried to cope as much as I can, but the nightmares are still there and I believe that they will never go away.

I would be very grateful if the Commission could look into my case and try to find the truth about what happened to my family under the NPRC regime. I have enclosed copies of some documents which might be useful in the investigation. I am appealing to you to help me as this is my only hope of finding out the truth and setting the record straight. It will also be a healing process and an opportunity for me to put my life back in order.

I am looking forward to a reply from you at your earliest convenience. Thanks in advance for your kind assistance and co-operation.

Yours faithfully

Lucy Kanu

Enc

Copy to :

The United Nations Human Rights Section, Mammy Yoko Hotel, Freetown.

AMNESTY
INTERNATIONAL
INTERNATIONAL SECRETARIAT

1 Easton Street London WC1X 8DJ United Kingdom
EXTERNAL (for general distribution)

AS Index: AFR
51/05/92
Distr: UA/SC

31 December 1992

SIERRA LEONE: 26 people executed, including James Bambay Kamara, former Minister of State and Inspector General of Police and Lieutenant Colonel James Yaya Kanu

At least 26 people suspected of involvement in two separate coup attempts are feared to have been executed in Freetown, Sierra Leone following unfair trials before a special military tribunal on 29 and 30 December 1992. According to reports, the defendants were executed on 30 December 1992, within hours of the tribunal's verdict being confirmed by representatives of the Supreme Council of State, Sierra Leone's ruling body. Amnesty International is deeply concerned that the defendants were unfairly tried and had no right of appeal against their convictions and sentences. Amnesty International is also concerned by reports that other prisoners may shortly be tried and sentenced to death by the same tribunal.

According to reports, 17 people arrested on 21 November 1992 in connection with an alleged coup attempt were tried and sentenced to death by the special military tribunal on 29 December

1992. Sierra Leone's military government subsequently announced that it had ordered the immediate execution of a further nine people arrested in connection with an alleged coup attempt on 28 December 1992. The nine are said to include James Bambay Kamara, former Minister State and Inspector General of Police, and Lieutenant-colonel James Yaya Kanu, both of whom had b**een** detained at Pademba Road Prison since April 1992. No explanation has been given as to how they could have been involved in a coup attempt on 28 December 1992. According to reports all 26 defendants were tried, found guilty and sentenced to death by the special military tribunal on 29 and 30 December 1992. Their sentences were confirmed by representatives of the Supreme Council of State (SCS), the military government, including Captain Valentine E. Strasser, Chairman of the SCS, and are believed to have been carried out immediately.

The new military tribunal, set up by decree less than two weeks ago, has five members, all of whom are army officers who may not be legally trained, and hEs the power to impose the death penalty. It appears to have been created to lisplace the jurisdiction belonging to the ordinary courts. Amnesty -iternational opposes the death penalty in all circumstances on the grounds that -it is the ultimate cruel, inhuman and degrading form of punishment with no special deterrent effect. In 1984 the United Nations urged that defendants charged with a capital offence should be granted all possible safeguards to ensure a fair trial and allowed an opportunity to contest their convictions and sentences before a higher court.

BACKGROUND INFORMATION On 29 April 1992 the government of Major-General Joseph Saidu Momoh was overthrown in a military coup. The new military government, led by Captain Valentine E. Strasser, suspended the October 1991 Constitution and declared a state of emergency. Emergency legislation was introduced, giving the security forces unlimited powers of administrative detention without charge or trial, and specifically preventing challenges against such detentions in the courts. After the 29 April 1992 coup more than SO former government ministers and officials were arrested. Most are still detained without charge or trial in Pademba Road Prison, Freetown.
RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters

(44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex 28502 FAX 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the release of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed prisoners of conscience. It works for fair and prompt trials for all political prisoners and works on behalf of such people detained without charge or trial. It opposes the death penalty and torture or other cruel, inhuman or degrading treatment or punishment of a!1 prisoners.

either in Enylash or in your own language:

- expressing dismay at the reported execution of 26 people in Freetown, Sierra Leone on 30 December 1992 and urging that no further executions be carried out; - expressing concern that they were sentenced to death after trials before a military tribunal

which cannot be considered to have guaranteed a fair trial and that they had no right of appeal to a higher, independent jurisdiction;
- urging the government to ensure that in future anyone charged in connection with criminal acts is brought to trial before an open court in which they are accorded full rights of defence and appeal, in conformity with international standards;
- calling for any death sentences passed by the courts to be commuted. APPEALS TO

1) Captain Valentine E. Strasser Salutation: Dear Captain Strasser Chairman
Supreme
Council of
State State
House
Independence Avenue Freetown, Sierra Leone Telegrams:
Captain Strasser, Chairman NPRC, Freetown, Sierra Leone
Telexes: 3230

2) Lieutenant Solomon A.J. Musa Salutation: Dear Lieutenant Musa Vice-Chairman
National Provisional
Ruling Council State
House
Independence Avenue Freetown, Sierra Leone Telegrams:
Lieutenant Musa, Vice-Chairman NPRC, Freetown, Sierra Leone
Telexes: 3230

3) Mr John Benjamin Salutation: Dear
Minister of State Minister of State
Office of the Chairman

National Provisional
Ruling Council State
House
Independence Avenue Freetown, Sierra Leone Telegrams:
Mr Benjamin, Minister of State, Freetown, Sierra Leone
Telexes: 3230

COPIES OF YOUR APPEALS TO: Mr
Arnold Bishop-Goodina Attorney
General and Minister of
Justice Ministry of Justice
Guma
Building
?.amira
San}˙.oh
Street F,-
eel:e•:^.1,
.,ier~t.
Leone

Captain Julius Maada
Bio Liaison officer
for Finance, Foreign
Affairs and
Information Supreme
Council of State
State House
Independenc
e Avenue
Freetown,
Sierra
Leone

and the following newspapers:

Dailv Mail, PO Box 53, Freetown, Sierra Leone

The Chronicle, 42B Waterloo Street,
Freetown,Sierra Leone For Di People, 1 Short
Street, Freetown, Sierra Leone
The Globe, 19a Lightfoot Boston Street, Freetown, Sierra Leone

The New Citizen, 5 Hannah Benka-Coker Street, Freetown,
Sierra Leone The Vision, 60 Old Railway Line,
Brookfields, Freetown, Sierra Leone
and to diplomatic representatives of Sierra Leone in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 February 1993.

Please take action as soon as you receive this Urgent Action

appeal. Carefully read the recommended actions. If possible, send a telegram, telex, tax or express letter immediately to one or more of the addresses given, Other letters can be sent afterwards.

- The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective
- Copies of appeals should be sent to relevant diplomatic representatives in your country

Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not w any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 - "Everyone has the right to life, liberty and security of person."

Article 5 - "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 - "No one shall be subjected to arbitrary arrest, detention or exile.''

In Urgerit Actions cases, Amnesty international has to act rapidly on behalf of victims of grave human rights violations An appeal is issued when Amnesty International believes it has received reliable and accurate information m such cases It is not alwavs possible to verify all details independently and in some instances the situation outlined in the appeal may change Urgent Action participants are always notified of any significant new facts

Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case

amnesty international

INTERNATIONAL SECRETARIAT

1 Easton Street London WC 1 X 8DJ

United Kingdom

'

URGENT ACTION
AI Index: AFR 51/Ol/93 Distr:

UA/SC

11 January 1993

Further information on UA 416/92 (AFR 51/05/92, 31 December 1992) Penalty / Legal Concern_[Fear of further executions - Death

SIERRA LEONE: 26 people executed, including James Bambay Kamara, former Minister of State and Inspector General of Police and Lieutenant Co1James Yayah Kanu and new names: up to six people feared to be' at risk of unfair trial summary execution, including:

Lieutenant M.A. Jalloh

Lance Corporal S.S. Koroma, alias Solo Donde

Ahmed Sesay, student
and two people declared "wanted" in coup attempt of 28 December 1992: Private Mohamed Osman Bangura
Lance Corporal Saidu Kargbo

Amnesty International fears that up to six people, including Lieutenant M.A. Jalloh, Lance Corporal S.S. Koroma and Ahmed Sesay, arrested following all alleged coup attempt on 28 December 1992, may be at imminent risk of summary execution following unfair trials before a special military tribunal. The organization is deeply concerned that these defendants may be tried, without legal representation, by a special military tribunal and, if found guilty,
sentenced to death with no right of appeal against their convictions sentences. Amnesty International is also concerned about two other members of the armed forces, Private Mohamed Osman Bangura and Lance Corporal Saidu Kargbo, declared "wanted" in connection with the alleged coup attempt of 28 December 1992, who may also, if arrested, be at risk of summary trial and execution.
would be and

A Sierra Leonean government communique of 31 December 1992 stated that two people - Lieutenant Jalloh and Lance Corporal Koroma - are awaiting trial by the special military tribunal in connection with the alleged coup attempt of 28 December 1992. Other reports indicate that a further four people, one of them a student, Ahmed Sesay, held in connection with the alleged coup attempt of 28 December 1992 may also face trial. The communique also stated that a reward has been offered for information leading to the arrest of two members of the armed forces, Private Mohamed Osman Bangura and Lance Corporal Saidu Kargbo, wanted in connection with the alleged coup attempt of 28 December 1992. Amnesty International fears that, if arrested, they too would be at risk of summary execution following unfair trials before the special military tribunal.

The government communique of 31 December 1992 confirms that 26 people, including one woman, suspected of involvement in two separate coup attempts on 21 November and 28 December 1992, were executed in Freetown, Sierra Leone on 29 December 1992 (please note corrected date) following trials before a special military tribunal; trials which Amnesty International considers to have

been grossly unfair. The communique stated that all 26 defendants were found guilty of treason and sentenced to death by firing squad. Their sentences were endorsed by the confirming authority of the National Provisional Ruling Council (also known as the Supreme Council of State), the military government which seized power in April 1992. The Council ordered that the executions should take place immediately. Those executed included 17 military and police personnel, and nine civilians, including a journalist and a woman.

According to reports, the new military tribunal, set up by decree in mid-December 1992, has the power to try a range of offences including treason, murder, armed robbery, arson and sabotage. It comprises four army or police officers, presided over by an army officer of the rank of lieutenant colonel or above, and assisted

a (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the release of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed. provided they have not used or advocated violence. These are termed prisoners of conscience. It works for fair *and* prompt trials for all political prisoners and works on behalf of such people detained without charge or trial. It opposes the *death* penalty and torture or other cruel, inhuman or degrading treatment or punishment of all prisoners.

by a legal advisor. Defendants reportedly have the right to a defence lawyer. However, according to a local human rights organization m Sierra Leone, neither a legal advisor nor defence lawyers were present at the hearing of the 26 people tried by the special military tribunal and subsequently executed on 29 December 1992. Amnesty International is also particularly concerned that the defendants were given no opportunity to exercise their internationally-recognized right of appeal to a higher, independent jurisdiction.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/express and airmail letters either in English or your own language:

- reiterating dismay at the summary execution of 26 people in Freetown on 29 December 1992 following unfair trials before a special military tribunal;
- expressing concern at reports that up to six other people, including Lieutenant M.A. Jalloh, Lance Corporal S.S. Koroma and student, Ahmed Sesay, arrested following an alleged coup attempt on 28 December 1992, may also be at imminent risk of summary execution following unfair trials before the same military tribunal;
- expressing concern that, if arrested, two members of the armed forces, Private Mohamed Osman Sangura and Lance Corporal Saidu Kargbo appear also to be at risk of summary execution following unfair trials before the special military tribunal;
- urging the government to ensure that anyone charged in connection with criminal acts be given a fair trial in conformity with international standards; - calling for any death sentences passed by the courts to be commuted. APPEALS TO:

1) Captain Valentine E. Strasser

2) Lieutenant Solomon A.J. Musa

NPRC, Freetown, Sierra Leone Telexes: 3230

Salutation: Dear Captain Strasser

Chairman
Supreme Council of State
National Provisional Ruling Council
Independence Avenue
Freetown, Sierra Leone

Vice-Chairman
Supreme Council of State
National Provisional Ruling Council
Independence Avenue
Freetown, Sierra Leone

Telegrams: Captain Strasaer, Chairman NPRC, Freetown, Sierra Leone Telexes: 3230

Telegrams: Lieutenant Musa, Vice

Salutation: Dear Lieutenant Musa

COPIES OF YOUR APPEALS TO: Mr Arnold Bishop-Gooding Attorney General and Minister of Justice Ministry of Justice
Guma Building Lamina Sankoh Street Freetown, Sierra Leone
Captain Julius Maada Bio

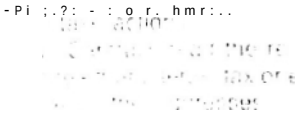
Liaison officer for Finance, Foreign Affairs and Information State House
I^dependcnce Avaauz Freetown, Sierra Leone

Human rights organization

Society for the Preservation of Human Rights in Sierra Leone PMB 915
Freetown, Sierra Leone
Newspapers:

Daily Mail, PO Box 53, Freetown, Sierra Leone

The Chronicle, 42B Waterloo Street, Freetown, Sierra Leone For Di People, 1 Short Street, Freetown, Sierra Leone
The Globe, 14a Lightfoot Boston Street, Freetown, Sierra Leone The New Citizen, 5 Hannah Benka-'Coker Street, Freetown, Sierra The Vision, 60 Old Railway Line, Brookfields, Freetown, Sierra Leone Leone
and to diplomatic representatives of Sierra Leone accredited to your country.
PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 February 1993.



Amnesty international

INTERNATIONAL SECRETARIAT
1 Easton Stret London WC1X 8DJ United Kingdom
EXTERNAL (for general distribution)
AI Index: AFR 51/02/93 Distr: UA/SC
29 January 1993

Further information on UA 416/92 (AFR 51/05/92, 31 51/O1 43, 11 January 1993) - Death Penalty/Legal
December 1992 and follow-up AFR Concern/Fear of further executions
and new names:
SIERRA LEONE:

executed including:

James Bambay Ramara, Police Lieutenant-Co onel~Jam_.,ers detainees feared to be at
26 people
At least ciaht including:

former Minister of State Yaya Ranu
of unfair
risk
trial_ and summary execution,
and Inspector General
Lieutenant M.A. Jalloh Lance Corporal S.S. Roroma, Ahmed Sesay, student
Alhaji Chernor Ajibu Jalloh, 68, J.B. Amara, Director of Prisons and three prison officials
alias Solo Donde

imam (Islamic prayer leader)
Two people declared "wanted" in connection with an alleged coup attempt:
Private Mohamed Osman Bangura
Lance Corporal Saidu Kargbo

At least eight people are still detained incommunicado on suspicion of involvement in an alleged coup attempt on 28 December 1992. Twenty-five men and one woman, accused of involvement in two separate coup attempts on 21 November an,' 28 December 1992, were executed in Freetown on or before 29 December 1992 following hurried, secret and grossly unfair trials before a Special Military Tribunal in which they were denied all rights of defence, or after no trials at all. Amnesty International remains concerned that those still detained may also be at risk of summary execution.

In addition evidence is now emerging that three people allegedly killed in "crossfire" when the coup attempt was thwarted may have been executed deliberately and extrajudicially. unofficial sources have alleged that there were no coup attempts and S a = m
James Yaya Kanu, a popular armv commander.

The eight still detained include Lieutenant M.A. Jalloh, Lance Corporal S.S. Koroma, Ahmed Sesay and Alhaji Chernor Ajibu Jalloh, all arrested following an alleged coup attempt on 28 December 1992. There are fears that Alhaji Chernor Ajibu Jalloh h a s been tortured in detention. Also detained are J.B. Amara, Director of Prisons, and three other prison officials, who appear to have been detained because two prisoners were alleged to have been involved in the conspiracy. The two prisoners were James Bambay Kamara, former Minister of State and Inspector General of Police, and LieutenantColonel James Yaya Kanu who were both detained without trial at Pademba Road Prison when they were alleged to have been involved in plotting to overthrow the government.

According to unofficial sources, they were tortured and killed before the alleged coup attempt of 28 December 1992.

A Sierra Leonean government communique of 31 December 1992 stated that two people - Lieutenant Jalloh and Lance Corporal Koroma - were awaiting trial by the Special Military Tribunal in connection with the alleged coup attempt of 28 December 1992. Amnesty International is concerned that they and the other detainees may be tried, without legal representation, by a special military tribunal and, if found guilty, sentenced to death with no right of appeal against their convictions and sentences.

(44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the release of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed prisoners of conscience. It works for fair and prompt trials for O1 political prisoners and works on behalf of such people detained without charge or trial. It opposes the death penalty and torture or other cruel, inhuman or degrading treatment or punishment of all prisoners.

PRESENTATION TO THEMATIC EVENT – SPECIFIC AND INSTITUTIONAL HEARINGS

ON

THE DECEMBER

1992 COUP TRIALS AND EXECUTIONS

JOHN BENJAMIN

THE DECEMBER 1992 COUP TRIALS AND EXECUTIONS.

INTRODUCTION

My profound thanks go to the Truth and Reconciliation Commission (TRC) for affording me this opportunity to contribute to this national process of healing the wounds of our past civil war.

Mr. **Chairman, let me crave your indulgence to allow me to use this opportunity to make statements on certain issues which we all know brought us to the situation we now find ourselves.**

I was born in Segbwema, Kailahun District where I attended primary and secondary schools. Thereafter I studied at Fourah Bay College, University of Sierra Leone where I majored in Mathematics and Physics graduating with a B Sc. Degree. **I trained as a computer programmer and rose to the position of General Manager at NCR (an American multinational company), with responsibility for our operations in Sierra Leone and The Gambia.**

I was at this substantive post when I was appointed to serve my country in various capacities during the National Provisional Ruling Council military regime 1992-1996. I served that regime as Chief Secretary of State, Secretary of State Chairman's Office and Secretary General at various times.

After the end of that regime by way of a successful holding of a relatively free and fair elections (considering the circumstances), the country returned to civilian rule. That was the rebirth of democracy which we all are benefiting from today. Once power was handed over to the winners of that election, the current ruling Party - The Sierra Leone Peoples Party (SLPP), I returned to the private sector and continued to work as Executive Director for African Information Technology Holdings (AITH), which was formed out of the NCR. I **have since been able to establish new branches in Bo and Kenema and am working on plans to set up branch in Makeni. Our business includes sale of computers and accessories, Automated Teller Machines (ATM), training in Hardware and Software, LAN Installations, Internet Cafes, Maintenance Support for Hardware etc.**

SPECIFIC KNOWLEDGE OF THE DECEMBER 1992 COUP AND EXECUTIONS

It is against this background that I want to make specific comment on this specific request by the TRC to come and do a presentation on the theme "The December 1992 Coup, Trials and Executions". It is generally clear that as a

member of the NPRC Government, we all assume responsibility for the over all performance of that Government, good or bad. It was in view of this consideration that the invitation of the TRC dawned on me with mixed feelings. As a well meaning Sierra Leonean, I felt internally gratified to be accorded the singular opportunity to make my contribution by way of complementing the objectives of the TRC in its drive to restore sanity, openness and reconciliation to our beloved country. However, on the other side after a careful perusal of the topic under review i.e. "The December 1992 Coup, Trials and Executions", I felt a little constrained in making meaningful submission for the specific events mentioned, since my knowledge on these events is very limited because they were never within my official responsibilities.

I was Chief Secretary of State until November 1992 when I was transferred to the post of Secretary of State in the Chairman's Office, where my responsibility at that time was to carry out jobs assigned to me by the then Head of State, Captain Valentine Strasser. When I was Chief Secretary of State, I chaired all cabinet meetings and directly supervised the operation of all the cabinet members including the Attorney General. In November 1992, when I was appointed Secretary of State in Chairman's Office, I was no longer a member of Cabinet and did not attend any meeting where, if at all, the issue of an alleged abortive coup in December 1992 could have been deliberated. Indeed like any other member of the public I followed the events through the press reports and unofficial sources. The office of the Attorney General then, I believe could have documents relating to the facts of the then trials and the executions that were subsequent to the trial. It is but prudent to ask those who were in charge of the entire episode. They are, I believe, the most appropriate people that can throw light on the whole issue so that the true story is brought to the knowledge of us all, including my humble self.

We must first and foremost note that the regime I served was a military regime, and matters such as coup and executions were not the domain of administrators or civilians like myself. I therefore had no input whatsoever into such matters .

It could be recalled that at the time of the change of Government from the APC to the NPRC, most State Institutions had virtually collapsed. This was the reason why NPRC was accorded universal welcome both locally and internationally. This change at that material time removed the yoke of dictatorship and backwardness that had devastated every facet of Sierra Leonean society. The NPRC was able to command the confidence and trust of even traditionally hostile multilateral financial institutions like the IMF and World Bank, which are generally known for their abhorrence for military regimes. It could be recalled that donor organizations had lost confidence in the country and had hence blocked substantial assistance packages to the country under the then APC. Also it is but necessary to note that the NPRC resuscitated several development-oriented

programmes, among them were the SLBS television service, 99.9 FM Radio station,winning of zone2 trophy two times, qualification for African Nations cup two times, introduction of IDD system, rehabilitation of the Connaught Hospital, construction of Satellite Clinics, construction of several community market structures, roads network reconstruction in the city and the provinces; salvaging crises such as the queues for fuel, rice, services at the Banks, total power blackout ...the list is long. But this regime was not without its own mistakes. In fact no regime in the world is blameless, let alone one that governed by decree. They are however on record as one of the few military Governments in this part of the world that sought the opinion of people, accepted their wishes and returned this country to civilian rule through the ballot box. Bintumani 1 and Bintumani 2 were living testimonies.

INTEGRITY OF THE JUDICIARY

Since the1967 elections, the Judiciary has been subjected to gross manipulations and interference from the executive arm of successive governments. Political interference in the workings of the courts has been used as a medium for settling political scores. The APC coming from the opposition was bent on revenge for what it saw as repressive posture by the then ruling SLPP under the leadership of Sir Albert Margai towards their party and their supporters.

It is necessary to note that in 1967 the APC swept the polls in the North and the Western Area, the latter region providing most of the qualified personnel of the Judiciary. The APC found it less ***difficult*** to get the judiciary on its side in its bid to punish SLPP staunch supporters and party members. Ever since there has been this vicious circle, using the Judiciary to vilify political opponents. Treason trials in this country since then have been in most cases a matter of using the courts to get rid of political opponents. The laws are there to ensure this. Legal reform has been a thing to which we only pay lip service. Today, if anything, we must be able to learn from the fate of Brigadier Lansana, Brigadier John Bangura, Sorie Fornah, Francis Minah and those who lost their lives in other coups . These flaws in our laws must be arrested now if our democracy should work. The Honourable Judges must not allow themselves to be submissive to the whims and caprices of the Executive.

POLITICS: VISION FOR SIERRA LEONE.

Apart from my being active in the private sector, I have also been contributing to the political sphere as well. Since I left public office in 1996 I have been executive member of the National Unity Party and later Interim Leader. I am now a registered member of the SLPP.

It is expected that one must comment on the most topical issue in contemporary discourse in Sierra Leone- corruption. I believe that we cannot

deal with this topic in isolation. I know our Government is going all out to address this issue of corruption, through institutional reforms, Anti- Corruption Commission, and setting standards for performance in public office. A case in point is the current move by Government in emphasizing public accountability and subjecting its officials to press scrutiny. It is no secret that corruption has eaten deep into every fabric of society, systematically collapsing state institutions, leading to regrettable fall in standards. We must ask ourselves: Why?

The answer does not only lie in the fact that there is rampant corruption in every sector of society. We must also take into account the years of decadence, that allowed standards to fall, killing values in public servants. The conditions of service for civil servants suffered drastically and over the past decades - they became too ridiculous. This situation allowed corruption to trickle down to the lowest cadre in public service. Poverty became pandemic. Until meaningful and reasonable wage is paid to the public servant, we would not go anywhere in this much trumpeted war on corruption. My view is that, this is a forgone lost war. Until concrete steps are taken in the direction of ensuring that people get properly paid , corruption will remain a way of life.

The Government has vowed to work in earnest to ensure food security by the time we get to the polls in 2007. If food security is so important to us, we must support this Government now, to take a systematic approach to ensure that they provide the infrastructure for it. We must prioritize - pump in a lot of resources into Agricultural Education and extension projects. Those endeavoring in that domain must be encouraged by additionally subsidizing their education and enterprise. Added incentive in the form of free agricultural education, ready employment and market will help. Massive overhaul of current methods using trained manpower, modern technology are imperative. Mechanization and improved technology is the key to food security.

Poor employment scheme and cumbersome management processes for workers is common in most Government departments. Something drastic has to be done, to get rid of the unnecessary bottlenecks so as to avoid the incidence of late payment of salaries, pensions and ghost workers.

There is every need to decentralize the functions and operations of Government. We have now begun seeing evidence of this with the sitting of Cabinet in the provincial headquarters. Once these efforts at decentralization take hold, persistent administrative encumbrances would be tackled. One would not need to come to Freetown to apply for a job as a doctor in Makeni, or a teacher in Bo, mining engineer in Kono, or an agriculturist in Kenema.

The educational, health and housing sectors are areas we have to direct more resources and be innovative, if this country is to move forward. One would

suggest the institution of a loan scheme properly monitored by various institutions of government to ensure sustained compliance. We want to ensure that those who want to serve the country are empowered to do so by directly benefiting from these programmes. The 6334 system could be made more meaningful if the foundation of vocational structures is well grounded. We should not loose sight of the fact that massive illiteracy was, and remains a major source of underdevelopment and a big drawback to progress across the country.

Our country should benefit from the education and resources provided to our youths by ensuring that they serve their country for a specified period in a national service scheme. Such a scheme would develop the spirit of nationalism and better understanding of our various regions and ethnic groups.

We must be very conscious of the fact that our role in ECOWAS is primary among the factors responsible for our decade of war and devastation. We need not be hypocritical about this. ECOWAS owes us that obligation in a time like this when we are in the process of reconstruction of our nation. Our nation has suffered grave consequences as a result of our willingness to offer our territory for the cause of ECOWAS in their efforts at pursuing stability in Liberia.

We appreciate the laudable contribution of ECOMOG (ECOWAS peacekeeping troops) who strived remarkably for stability and even went as far as making the ultimate sacrifice while working to defend our people and democracy in this country. ECOWAS also made an invaluable contribution during the peace, disarmament and demobilization processes. However, it is my belief that ECOWAS has the moral obligation to support us through this period of reconstruction of our nation. The rebuilding of our country should not be left in the hands of Sierra Leone and Sierra Leoneans alone. ECOWAS should be fully involved since it was at their request that our country was sacrificed as a base for salvaging the crisis in Liberia for which we suffered all this destruction and setback.

With regards to the operation of the Special Court, our government needs the full support of all ECOWAS States so as to ensure that their work is unhindered. The mandate of the court should be respected throughout the region and regardless of status of a person, once you are indicted, the court processes should be implemented without any interference.

PATRIOTISM AND NATIONAL IDENTITY

Though people refuse to debate the issue of tribalism and regionalism, it is very much alive in our society. Politics particularly is run on tribal or regional lines. This often frustrates competent and talented citizens of whatever ethnic background whose contribution can be meaningful to the

country. It also promotes sycophancy and leads to putting square pegs in round holes.
The SLPP is currently making moves towards giving politics a national outlook. What is, however,very crucial at this time, is that such a drive should not be undermined by opportunists. It should be directed at the people in their villages right across the country.

Most of our journalist brothers of the fourth estate made a lot of sacrifice in keeping the flame of democracy burning even at the expense of their lives during our past crisis. This is the time for our government to create the enabling environment that will ensure that high standards are maintained in their profession. The recent development of the mass media program into a full degree course is now making this task meaningful. However the survival of this country continues to be in the hands of every true meaning Sierra Leonean and we should not allow anyone to use their profession to destroy good meaning citizens for no just cause simply because they are not from the same tribe or the same party or simply for economic exploitation. This is a time of challenge to our journalists to ensure that what they defended through out these crises is not destroyed by anyone let alone themselves for selfish reasons.

It is at this point necessary to add my voice to the current debate on Local Government elections. Many believe it should be held under the partisan system as in the past. My humble opinion is that this will prove counter productive under the current circumstances. We have over the years faced a situation where there are obvious divisions in the country on tribal or on regional lines. For example, it does not actually matter who the SLPP puts up in Bo Town or Kenema which are SLPP strongholds. That individual will surely win, in spite of his or her ability to deliver. The same will be the case for the APC candidate in Makeni. This will defeat the essence of the whole process. People must be voted into council offices on the bases of their contribution to their communities, not on the basis of party membership.

There are many areas that dampen the spirit of the Sierra Leonean with regard to patriotism and sense of belonging. Everywhere you go there is no clear demarcation between the Sierra Leonean and the foreigner. If there is, then it is one of dejection. Foreigners get more support and encouragement in various areas of business endeavour. When you travel through our airport you pay the same airport tax and go through the same documentation process as the foreigner. The same obtains in our hospitals and in respect of other essential services. We should be sensitive to the fact that our citizens must receive reasonable preferential treatment to promote love for their country.

There are many such cases in which foreigners enjoy lavish concessions all in the name of encouraging investment that hardly benefit our people. Everywhere in the world there is some form of protectionism. No amount of IMF /World Bank conditions should make us loose sight of that fact.

Another thing that portends un-nationalistic nature is the quotation of prices in Sierra Leonean territory in United States dollars. Fees for mining Licences are in dollars and simple costs of mobile top-up cards are in of U.S. dollars. This is also the case with rent, local shuttle, etc.

Our development should be focused on the people of Sierra leone so as to empower them to own their programs moreso in the private sector. The participation of our citizens as shareholders in businesses will serve as engines of growth in our economy. This should not only be encouraged by our government, it should be supported as we privatize some of our parastatals.

CONCLUSION:

In concluding this paper, I wish to implore all and sundry to be prepared to take responsibility for whatever mistakes that may have resulted in our acts or omissions in the course of pursuing personal or official objectives during the sad chapter of our history.

One thing that bred a lot of resentment among our people, is the excessive latitude we all as citizens give to our leaders. The introduction of a one-party system and the accompanying bad governance destroyed the resolve of the people or their ability to defend their own rights. This must never be allowed to obtain again.

Lastly, I must state here that this process - that of the Truth and Reconciliation must be treated as a real truth telling process, not a podium for the game of vilification. And most importantly we must be able to learn from our past mistakes or else the whole essence of the process will be lost on us all. We have got peace now by addressing mostly the interests of the perpetrators. This is the time for us to ensure that we have permanent peace by now addressing the interests of the victims of the years of decadence and bad governance that led to the war.

May God give us permanent peace and bless us all

OFFICE OF THE DEFENCE ADVISER

SIERRA LEONE HIGH COMMISSION

PLOT 2858 DANUBE CRESCENT,

OFF IBB WAY,

MAITAMA

FCT - ABUJA.

Tel: 0802.316.9831

Date: 18 **March,** 2003 Fax: 00-234-9-3149172

E-Mail: **papimoe2001(awahoo.com** Ref: **SLHC/ABJIDA/011/A**

BRIEF TO THE TRUTH AND RECONCILIATION COMMISSION IN RESPECT OF THE SIERRA LEONE CIVIL WAR. FROM COLONEL KOMBA SM MONDEH

CAUSES OF THE CONFLICT.

The civil war in my mind was caused by a myriad of factors. However, the major factors to me that caused the conflict were namely;

a. Lack of Proper Intelligence; credible intelligence was not available to the government and security planners due to lack of training and funds.

b. Unemployment: Large number of unemployed youths (Lumpen Youths) who went about in a very

idle manner around the big cities, were encouraged to form loose gangs of `weed smokers' who were ready tools for trouble makers. They formed the nucleus of the fighters on all sides during the war.

c. Tribalism; This was the cankerworm that ate deep into the psyche of the society. The then `statusquo' favoured one tribe/region over and against all others, despite their inadequacies in all sphere that was largely the portion of that group of people/region. They held vibrant positions that they were unqualified for largely due to political patronage.

d. Underdevelopment of the Country; The underdevelopment of the infrastructure in the country due to lack of credible and enduring infrastructural facilities nationwide also contributed to the outbreak of the crisis. As a result of lack of basic amenities (such as light and pipe borne water) in the major cities of the country, plenty of the citizens opted out of those areas for the capital city - Freetown or moved out of the country entirely. This helped a lot in breeding bad blood as people felt neglected by the central government.

e. Large scale illiteracy; Ignorance due to lack of adequate education was a serious problem that impacted, positively on the war. People were quickly conscripted by the rebels largely due to ignorance and lack of information on governments' plans and activities. In plenty cases of capture of villages and towns especially, the rebels played on the psyche of the citizens who were getting information via such news agencies like BBC, VOA and RFI, only.

f. Lack of Credible Democracy;& Perpetuation of political party; The one party system of government which was introduced by the Siaka Steven led APC administration also created bad blood in the polity. The opposition which existed in reality was coerced so badly that they could not properly articulate any sensible issues against the government. This led to lots of them to flee the country due to threats on their lives.

g. Poor Security Deployment Nationwide; The Republic of Sierra Leone Armed Forces (RSLAF) since

independence was largely ceremonial. This kind of posture did not help matters when war broke out because basic military hardware and good intelligence were lacking. In **addition, the strength and ORBAT (i.e. Order of Battle) of the army was very faulty, thus could not effectively thwart Rebel advances on the outbreak of the war.**

h. Diamond Greed and Lust for Power; The entire war seemed to revolve around the issue of Diamonds and Power. The RUF rebels and their bosses wanted to continue plundering Sierra Leone in order to sustain themselves, thus they embarked on their senseless campaign. They claimed they were initially against the JS Momoh led APC government, but even after the NPRC overthrew Momohs' APC, they refused to stop fighting. This therefore meant they were only interested in gaining political control of the state and also to loot the resources of the state. Thus the determination to control the mining regions of Kono and Mokanji.

ROLES OF ACTORS, INSTITUTIONS AND COUNTRIES

Various institutions and groups fought in the 11 years civil war. Amongst the groups, the following were prominent actors, namely;

a. Republic of Sierra Leone Armed Forces (RSLAF); This was the national Army of Sierra Leone. Though ill equipped, that institution defended the country with determination against all odds (especially the lack of logistics). There were cases of extortions and raids done by few members of Army. These cases were most times not handled with `strong hands' because of sentiments and there was no deterrence (in form of a standing military tribunal which would have dealt with defaulters). The attrition rate was very high amongst the rank and file due to lack of training and the NPRC military intervention of 1992. This further weakened the strength of the RSLAF. The final straw that broke the camels' back was when the AFRC sacked the SLPP government through a Coup of May 25 1997. They also did the unbelievable by inviting the RUF rebels (whom they had been fighting against for six years) to join them in forming a government. This action finally brought all forms of discipline and regimentation of the RSLAF to zero and ultimately finished the image of the RSLAF.

b. Revolutionary United Front; The Revolutionary United Front (RUF) brought a senseless war to Sierra Leone which caused untold deaths hardship and suffering to an otherwise peaceful country. They carried out a `scorched earth'

policy thereby burning whole towns and villages indiscriminately which has distorted the cartography of the country. They also raped (including the underaged and elderly), forcibly extorted monies, killed and mutilated in very gory manner and terrorised the poor and innocent people who lived in the hinterland. They really had no ideology and adopted a `reign of terror' to coerce people into their fold. The main leaders/actors in this group were Foday Sankoh, Mohammed Tarawallie aka Zinno, Sam Bockarie aka Mosquito, Gibril Masaquoi, Mike Lamin and Dennis Mingo.

c. <u>Civil Defence Force;</u> The Civil Defence Force (CDF) came in as a handy support group to the RSLAF. It comprised of mainly group of hunters who have knowledge of the bush surroundings of their respective regions. They were divided by region in the following manner;

a. Kamajor -Southern Province

b. Tamaborahs/Kapras Northern "

c. Donsos - Eastern "

d. Hunters/Ojeh - Western Area.

This group was a very determined lot who felt they needed to support the National Army in defending the state. They really performed well all through the war by giving limited intelligences and acting as scouts during operations. However, due to lack of training and logistics, they could hardly bear the rigours of jungle life in pitch battle/war situation. Furthermore, due to ill training and no formal command structure, including lack of education (ignorance) they became largely indisciplined. On the advent of democracy. This role was misinterpreted by their masters who believed they were more important in the security equation than the National Army. Friction naturally occurred several times and this led mainly to the May 25'97 crisis.

<u>SOLDIERS OF FORTUNE:</u> The GOSL contacted the under mentioned groups to help them with the prosecution of

the war due to shortage of personnel and reverses in the war. The groups were

a. **Executive Outcomes; A mercenary outfit largely made up of ex-South African Defence Force Officers who fought in Angola and Namibia. They made a positive impact in the war by giving the RUF a bloody nose. However, the maintenance cost of this group was very high.**

b. Ex-Gurkhas - This group of ex-British special forces suffered a terrible shock defeat in the very first campaign they embarked upon. They underrated the RUF who cut the throat/head of their leader at the MALAL HLLS defeat of May 1995. They withdrew immediately after this incident.

c. **ULIMO; This group was made up of ex-Liberian soldiers and a cross section of civilians from Liberia. They were mostly indiciplined but needed to survive, so opted in fighting alongside the RSLAF. They were largely a menace to society as they were full of lies and intrigues. Their internal power tussle led to its disintegration.**

A **few countries helped the GOSL positively in its prosecution of the war. Such countries were Nigeria, Ghana, Guinea, USA and China. China, USA and Nigeria need to be singled out as they contributed immensely with software (incl.; Uniforms, webbing, boots and tentages) hardware (incl.; Weapons, ammo, trucks etc) and personnel especially by Nigeria. The personnel Nigeria contributed provided security around the western area, Bo and Kenema district. This helped the RSLAF to deploy more men forward.**

Burkina Faso, Cote d'voire and Liberia on the other hand, aided the RUF rebels with personnel and logistics in their bid to seize control of the state. A few Burkinabe and Liberian soldiers were killed inside Sierra Leone where they fought alongside their RUF cohorts. Arms and ammo bearing Burkinabe, Liberian and Libyan marks were retrieved at various times from the rebels. Cote d'voire provided the political leadership of the RUF with a base to operate from.

INTEGRATION OF PERPETRATORS

The perpetrators of the war can be integrated into the society in the following manner; namely;

a. Through mass literacy/adult education campaigns which could form the basis of indoctrination lesson.

b. Reconciliation in its entirety (by forgiving perpetrators of all atrocities they committed).

c. Education for all to bridge illiteracy gap.

d. Creation of jobs/enterprise set-up with GOSL cash support/learning new skills. This would stem the Lumpen youth culture.

e. Housing to be arranged as a low cost scheme for mortgage by all perpetrators.

ASSISTANCE TO VICTIMS

The victims of the war who have been identified as genuinely innocent victims can be assisted in the following ways, namely;

a. They can be given cash assistance to set-up various small/medium scale industries especially in the hinterland after some form of training sponsored by International NGOs.

b. This set of people should benefit from free housing facilities provided for them by the GOSL in the areas they come from

c. Children who were victims of rape or conscription should benefit/receive scholarship from GOSL for their entire education.

OFFICE OF THE DEFENCE ADVISOR

SIERRA LEONE HIGH COMMISSION

PLOT 2858 DANUBE CRESCENT,

OFF IBB WAY,

MAITAMA

FCT - ABUJA.

Tel: 0802. 316.9831
Fax: 00-234-9-3149172
E-Mail: papimoe2001@yahoo,com

Date: 19 March, 2003
Ref: SLHC/ABJ/DA/011/A

TRUTH AND RECONCILIATION
COMMISSION

114 PADEMBA ROAD

Freetown

Sierra Leone

Attention: RT. REV JOSEPH C HUMPER

Sir,

SUBMISSIO
N OF BRIEF

1. Thanks for your letter of 29 November 2002. This letter was only received by me on 12 March 2003 (kindly find attached photocopies of letters and dates received). I believe the delay was caused as a result of Nigeria's poor postal facilities.

2. I have sent you in brief, (kindly find attached), my observations and comments about the Sierra Leone Civil war

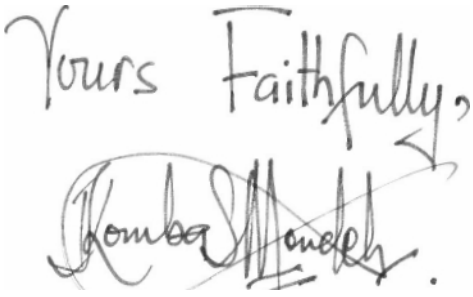
from the informed point of a major actor. This submission covers the period October 1991 - July 1996 only, (I left Sierra Leone since July 1996) and suggestions as you spelt out in your letter.

During that period; (i.e. October '91 - July '96) I happened to have been previledged by the Grace of the Almighty to hold the following Army/Armed Forces appointments; namely;

a.	**1991-1992 -**	**Platoon/Company Commander**
b.	**1992-1993 -**	**Deputy Defence Minister**
c.	**1995-1996 -**	**Director Training & Operation at Defence Headquarters**
d.	**Jan. '96 - July 21 '96**	**Chief of Army Staff**

It is hoped my submission will be useful to the TRC for the sake of posterity.

While I wish you and the members of the TRC success, kindly accept the assurances of my highest esteem.



KOMBA SMMONDEH COLONEL
DEFENCE ADVISER

Copy to

- **Deputy Defence Minister; Ministry of Defence, Tower Hill, Freetown**
- **HE, Sierra Leone High Commissioner to Nigeria**

- Chief of Defence Staff;Republic of Sierra Leone Armed Forces (RSLAF) - DA (P/F)

PRESENTATION

THE DECEMBER 1992 COUP TRIALS AND EXECUTIONS

BY BRIGADIER

(RETD) KELLIE H.

CONTEH

PRESENTATION TO THE TRC ON THE THEME: THE DECEMBER 1992 COUP TRIALS AND EXECUTIONS

Introduction

1. I am thankful to God Almighty for me to be here today to witness the beginning of the healing process of what many of us thought a couple of years ago would never come - and that if it came we would not be here. I want to thank the TRC for inviting me to contribute in throwing light on the terrible tragedy that befell our nation and perhaps in that way guide us away from a similar tragedy in future. I have been invited to present on the theme: The December 1992 Coup Trials And Executions" focusing on some specific questions which the TRC has posed.

2. My presentation will therefore focus on the following issues:

a. My work prior to the conflict as well as my experience during the conflict and current activities carried out by my organisation including plans for the future.

b. Specific knowledge I might have of the 1992 coup and of the events leading to the executions including judicial processes for the trials and the impact on the regime and the political context.

c. The peculiarities of the situation and how these played out in the political and social contexts in Sierra Leone

d. The consequences of all the foregoing and whether any existing Structures or processes provide any remedies, and the levels of access that exist to the remedies.

e. Recommendations, reforms and practical solutions

3. I hope I will be able to adequately address myself to these issues. Please permit me Mr. Chairman and Commissioners of the TRC at this juncture to express my wish to dedicate this presentation to all those who fell in the conflict fighting for the Government of the day for it was they who paid the ultimate price to allow us to be here today.

My Work Prior to the Conflict, My Experience During th6 Conflict and Current Activities Carried out by my Or2anisation includin2 Plans for the Future.

4. **I was in my fifteenth year of military service before the war broke out in 1991.** I **was enlisted in 1976 as an Officer Cadet together with eleven others who underwent Officer Cadet training in Tanzania with eleven of us graduating in 1977 and commissioned as Second Lieutenants into the then Republic of Sierra Leone Military Forces (RSLMF). By the time the war started I was a General Staff Officer working in the Operations Department (the G branch, for short) at the Military Headquarters, Murraytown Barracks which a little later was transferred to Cockerill Barracks.** My **responsibilities included Operations, Training (local and overseas) and Sports. Our department had the responsibility to draw up plans for operations, prepare the commanders orders for operations and generally direct policies on training, sports and the general preparedness of the Army. We worked alongside the Support and Logistics department responsible for providing logistics for the army (the Q branch, for short) and the Administration Department responsible for personnel matters - including recruitment (the A branch, for short). These three branches (the G, Q and A branches) effectively controlled the day-to-day functioning of the Military on the overall directives of the Force Commander.**

5. By 1989, **just two years before the war, the Military Headquarters, led by the G branch had assessed that the Army needed to organize a series of large-scale training exercises in readiness for the increasingly disquieting indicators that had started rearing their heads in the Mano River Union basin.**

Intense political interference at the time had suppressed most training initiatives and the military had had less and less training of whatever kind since its last field exercises in the Port Loko district in 1980. **Almost all RSLMF troops at the time had not had the `privilege' of practicing their skills at the range, for instance, for long periods even with their personal rifles - most as long as ten or more years. It seemed a deliberate strategy to make the Army a non-effective fighting Force. The 1989 field exercises were reluctantly approved. I will not bore you with my**

personal role in the strategic thinking that went into putting the exercises together. My job required a lot of teamwork either with other staff officers at the strategic level or with commanders and their staff at the operational and tactical levels. Much of what I would be saying therefore gives those relevant issues in which I was a key player.

6. **We had come to appreciate by 1989 that if the army was going to fight a war, it was most likely going to be against insurgents:** in **a guerrilla kind of warfare against a more organized insurgent group than that which it faced during the Dorgbowusu Operations in the Kenema and Pujehun districts in 1983. Our objective therefore was to exercise the troops on guerrilla warfare operations with special attention in the support and logistics areas. The results of the training exercises were quite revealing. By the end of the field exercises it was clear that the RSLMF grossly lacked the logistics support required even for the small fighting manpower it could boast of. The Army had less than three infantry battalions (about 1,500 men) many of whom needed much more training; had less than 30% of its transportation required; had less than 20% of support weapons and many more essential equipment in drastically short supply or non-existent.**

7. **In the late 80s also my department had reviewed the Army's policy on developmental training linked with promotions of officers. The Army still had laid down criteria upon which officers were promoted. Officers had to pass the Lt - Capt exams for example to be promoted to Captain. Our review in addition introduced two stages even before qualifying for the Lt - Capt exams, namely Progressive Qualification Scheme Levels 1 and 2 (PQS 1** & 2). **These exams were for combatant commissioned officers only: specialist and administrative commissioned officers being exempted. It was the policy that combatant officers who fail to pass their Lt - Capt exams after a second chance would have to resign their commission or convert to administrative commissioned officers. Captain to Major exams to gain promotion to Major were also reinstated. Of course those training and the examinations that follow were only a part of a list of other criteria not least of which was the conduct of the officer. I played a key part in the formulation of these initiatives to improve on**

our standards. We managed to conduct only about two sets of the PQS training programme before 1991 when the war started. Most of our junior officers who had benefited from these training programmes excelled themselves very well in the initial ECOMOG operations in neighbouring Liberia. Our hope was that we would continue with the programmes and insist that all officers undertake them as they progress through their careers.

8. **This was the state of the Army when the war started on Saturday March** 23rd **1991 with an incursion into Bomaru and Senga in the Kailahun district. A batch of recruits who had almost completed there training were on their final parade competitions in the morning of that fateful Saturday in nearby Daru Barracks. All of these young men had to face their first combat operations even before their loved ones have had time to see and congratulate them in the usually colourful passing-out parades marking the official completion of recruit training.**

9. **The NPFL rebels with a small contingent of RUF elements had attacked a small unit of Army engineers stationed at the time at Bomaru and had killed an officer and another at Senga - the latter was on his way to support the former. As the state of the army was, these two separate units that were supposed to be supportive of each other never had the means of communication between them. So, as it turned out, the second officer with little knowledge of the true situation at Bomaru simply ran into a village already overwhelmed by the attacking insurgents. This scenario, where troops went into operations without any kind of communications equipment, remained a critical weakness throughout the war. The army and the nation paid dearly for this.**

10. **I was assigned on the afternoon of that same day to go to Daru and assess the situation. I was also to visit other troop positions in the border areas. On arrival at Daru, it was clear that something unprecedented had happened in that area. There was a visible panic-stricken and unsettled public with various versions of what had happened and what was to come.** So **much was**

exaggerated especially in respect of the number of rebels that had crossed the border - some said they were about a thousand while some put the figure upward of five thousand. I was beginning to learn firsthand how exaggerated messages can filter down to Freetown, for 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 sent from Kailahun proved to be grossly exaggerated. I left Daru the following morning for Bomaru and Senga - the rebels had retreated. I inspected the house in which the first officer was killed, spoke to soldiers and civilians alike. The engineer unit had been attacked at dawn on Saturday 23rd March whilst they were assembling for muster parade. Many of them were without rifles and the unit had only about a box of ammunition. Many fled at the first shots and a few

resisted, pushing the rebels back although not before the rebels had briefly taken the village, killed their commander and another officer and about 11 civilians. One other soldier was wounded.

11. **My team also visited Buedu, Kailahun and Koindu and throughout we increasingly confirmed our observation that the stories of the fleeing civilians were grossly exaggerated and created so much confusion. What was indeed true was the fact that the RSLMF had almost no troops at the border to defend against any further attacks. The messages served as a wake up call for the Government to get its act together and lift (what I would call) `the silent political sanction' which suppressed any true readiness of the Army. Dotted in the locations we visited in the Kailahun district were platoon-sized (about 30 men each) elements with old weapons, very little support weapons and no form of transportation. Most serious of all in my own judgment was that these small units could not communicate with each other except by messengers. So that by the time a message is delivered at point B the situation would have been so different that any plan based on the message would prove to be useless and in most cases suicidal.**

12. **By the time I returned to Freetown with my findings about 4 days later the rebels had struck Koindu and were also said to be mobilising on other crossing sites generally across the entire border area in Kailahun district. The war had begun. The army was facing its first real threat largely unprepared, grossly under-strength, under equipped and largely untrained as a fighting force.**

13. I **was to make several of these visits to the front throughout the rest of my service with the RSLMF. Over the course of my visits to units in the front I came to have a close view of the day to day operational situation as the war progressed - holding regular briefings, talks and training sessions with the deployed troops and their respective Headquarters. Sometimes my talks were extended to include the civilians amongst whom the troops operated. My aim in many of these talks was to build a better relationship between the civilians and the military** and to **educate especially the troops about the importance of winning the hearts and minds of the populace. It was my firm conviction that unless and until the military secured the full cooperation of the civilians the war would never be won. It was quite a demanding task for many of us who had the responsibility to ensure that the Force Commanders orders were carried out within imposed limitations. By and large for the first year or so, the Army with the timely support of the Guinean troops, kept the NPFL/RUF mainly in the border areas of Kailahun, Kenema and Pujehun Districts.**

14. **By this time a large number of young men in the Eastern Province had volunteered their services to work alongside the troops. On a few occasions I pointed out my scepticism at the way we accommodated these volunteers. Many had joined for the wrong reasons - reasons that were going to run starkly against our policy of improving on our civil-military relationship to gain the cooperation of the public. Many of these vigilantes slowly warmed their way into the military units in their localities: first volunteering as partners; then they started requesting for weapons-initially for old ones - then later, for new and automatic ones; then they requested for uniforms and so on. In many cases it became difficult to know which side these vigilantes belonged. Many cases of reprisal killings by them were reported. Some of**

them used the opportunity, under cover of the military, to settle old disputes with their own people - very much like rebel collaborators had singled out their perceived or real opponents for the rebels to torture or even kill. Some reports speak of vigilantes even leading Government forces to rebel ambushes and participating in the actual killing of Government troops themselves and taking their uniforms and weapons. This perhaps explains some of the mistrust that developed between many soldiers and the vigilantes - this mistrust was extended by many soldiers to members of the CDF for many who answered to the CDF call had one time or another being vigilantes or border guard elements, or even RUF sympathisers.

15. **New sets of challenges were introduced into our already troubled Army when a group of young officers and their men on April 29 1992, overthrew the APC Government. Most troubling was that the coup makers made up of young and inexperienced officers and soldiers constituting the core of the regime had very little or no trust for virtually the rest of the Army. Although they replaced the APC, which we all had experienced had become a bad political entity the NPRC was no better.**

16. **The APC regime had become so bad and self-destructive that even Intelligence Reports on National Security matters were discussed only amongst the privileged inner party strongmen cutting out those who really needed the intelligence. Genuine professional assessments and advice were almost always suspected and thrown out if they came from so-called nonparty stalwarts. One such assessment was when my department presented a paper arguing that we needed to establish a small but robust reserve force to be located in the Western Area to provide for a rapid response should rebel infiltrate Freetown or other unforeseen threat. Initially, the idea was endorsed, albeit reluctantly. But as we went into developing it, I was summoned one afternoon by a highly politicised senior officer who said he had secured the decision from higher quarters for the Rapid Response Force (as we called the force) to be disbanded. He and a number of other mediocres had succeeded in convincing the powers that be that I was not supportive of the APC Government and that infact my frequent visits to the front was to perfect plans on behalf of the then Force Commander to overthrow the**

Government and that I was planning to use the Rapid Response Force for the purpose.

17. **The disbandment of the Rapid Response Force had happened only a few months before April 1992.** So **when on April 29 1992, the coup makers arrived in Freetown there was no proper resistance. We were proven right, again. The NPRC coup could not have possibly been resisted by the hotchpotch of cooks, drivers, tailors and carpenters hurriedly put together as a resisting force to stop the coup. Internal indecisiveness of the APC party strongmen completed the comedy of drama because even the SSD, which had been developed for the purpose at the cost of the development of the National Army, could not be given clear orders. The coup was a popular one and it quickly gained the support of the military and the public alike. But like many coups I have read or heard about the NPRC coup makers overthrew the APC Government only to replace it with a Government far worse in many respects. This is not to say there were no fine sides of the regime. The excesses however of the youthful NPRC dealt a heavy blow to especially the military's capability to effectively prosecute the war. Whilst arguably it could be said that much more military equipment were procured during the NPRC, the equipments procured were low on our priority list and if they were badly needed, their distribution was not to the troops who actually needed them to prosecute the war. This and many other practises of the NPRC negatively impacted directly on the Army and my work especially when I became Force Commander in 1994.**

18. **Dubious business people both nationals and foreigners had a field day seeking all sorts of contracts to buy just any type of military hardware for the Army. Together with the NPRC inner circles, they decided which weapons were required, leaving out the more experienced officers to deal with such matters. They even procured amphibious tanks! And if we argued that we were wasting resources and should be procuring what the Army needed we were branded as not cooperating with the regime. Some of us were black- listed. Many of our younger and inexperienced NPRC colleagues in the inner circle had come to believe that by fighting in the front for a couple of weeks or**

months with their platoons they had gained the requisite qualification to manage the overall war.

19. **I wish this were the case because for sure, they were not short of enthusiasm, zeal and courage even if these were misplaced. Officers were posted at random without consulting those who commanded them. I made several representations to members of the NPRC inner circle to emphasise on the implications of undermining the authority of my office. It was quite evident that they were simply undermining my authority like they did with my predecessor, Maj. General Gottor.**

20. **Operational Orders delivered by my staff were countered by NPRC strongmen time and time again until Unit Commanders became thoroughly confused as to who's orders they should be obeying. At several instances I advised that it was a great disservice to the people of this country if the regime should keep me as Force Commander and yet not trusting me and frequently undermining my authority thereby leaving the Army with no clear-cut command chain. Perhaps they enjoyed the confusion for they never relented in their fire-fighting approach in the prosecution of the war.**

21. **Off course many** mediocre, **thoroughly indiscipline and unprofessional officers, some of them quite senior, exploited the situation, sometimes living their assigned areas and coming down to Freetown to lobby for perceived lucrative appointments. The `war' at the corridors of power here in Freetown rendered the Army and the Government impotent to decisively deal with the actual war in the front. Many sycophantic officers warmed there way into political circles and associated themselves with the many disastrous decisions taken by the young men in power. By and large the military headquarters that was supposed to command and control the forces in the prosecution of the war was left out in those decisions. Captain Strasser's advice to his colleagues on a number of occasions to stop interfering with the day-to-day operations of the Army was ignored. And when Strasser wanted to restructure the Headquarters and give it a tri-service structure with the Force Commander renamed CDS, his colleagues who had all been eying higher military ranks and positions, challenged him. They said they wanted the ranks themselves. Strasser was furious and asked how they would see**

themselves promoted from Captain to Brigadier or Lt Colonels without the requisite training and experience. Strasser was unable to stop them. And so we saw some of the final straws that broke the camels back. Half trained Lieutenants suddenly became Colonels and Captains became Generals. The rest is history. I would not bore you with the details. I am submitting copies of a few of my papers I wrote to various NPRC players at the time to give a clearer picture of the situation as it was. They include the following:

a. A letter on Discipline - Other Ranks dated 1st May 1994 regarding a case where the Military Police was obstructed by some NPRC Officers to carry out its investigation against a soldier who had committed a serious offence.

b. A letter to the British High Commissioner dated 13 October 1994 requesting facilitation in the provision of military law manuals to help us address the issue of indiscipline in the Army.

c. A comprehensive brief on the status of the RSLMF dated 15 September 1994 presented to the Department of Defence on a wide range of issues affecting the Army. In **that brief, my Headquarters pointed out a series of critical issues which we advised the Department to address if we were going to see to be seen to be seriously prosecuting the war.**

d. A paper proposing a Policy on the Management of the rebel war and the Command and Control of RSLMF. That paper suggested the establishment of a National War Council which would provide strategic guidelines for the prosecution of the war.

[No properly constituted committee existed at the strategic level at any time during the war]. The NPRC thought I would be wasting time having a Committee like that playing any part in the prosecution of the war. They obviously lacked the requisite training and experience to see the need for it. Thank God the present SLPP Government has seen the need for having one such Council and has established a properly constituted National Security Council - a critically important requirement for any sober-minded Government.

22. **Perhaps you would have guessed by now what the NPRC inner circle thought about those papers. Did they understand the points raised or was it the case of ignoring the message or warning simply because many of them hated the messenger? I asked myself on many occasions. Whatever it was, they thoroughly frustrated many of us.** I **explained my frustration to the Commander-In-Chief, Captain Strasser several times but he had allowed his colleagues to go too far in their power struggle.** I **warned him twice that his closest colleagues were on the verge of overthrowing him and that perhaps they wanted some of us out of the way. Captain Strasser laughed each time I warned him about the plans of his colleagues. Their conspiracy worked when Strasser was finally confronted with the decision to retire me compulsorily. I was quite relieved when in the evening of May 5th 1995 I received a letter from** Defence **Headquarters** asking me to **retire compulsorily.**

23. **I left quietly, thankful to God Almighty that I had survived the worst part of my career; that I had survived all the conspiracies by some in the APC and worst still by the NPRC. I secured a Police Clearance to travel to Nigeria from where I travelled to the United States. In December 1995 I wrote an open letter to Strasser urging him to truly embark on professionalizing the Army. I had argued that the Army was too undisciplined and lacked the professional psyche and until those issues were addressed, the country risked having another coup. It was no surprise to me that the NPRC strongmen had laughed it off. I was trying to pass a message to Strasser but his colleagues had succeeded to obscure his vision. He was overthrown in a Palace coup two months later.**

24. **In 1999 I was recalled by the present Government to assist in the process of restructuring the Army. A lot of positive changes have taken place. Thanks to our International friends especially** the **British Government.** I **hope my participation in the exercise helped in some way to achieve some sanity in the Armed Forces. Currently, I head the Office of National Security (ONS) as National Security Coordinator. My responsibilities include advising the Government on matters of National Security.**

25. **The Office of National Security also plays a coordinating role of the security and intelligence communities and together,**

provides analysis and recommendations to the NSC and sometimes to Ministries or Departments.

Any Specific Knowledge of the 1992 Coup and of the Events leading to the Executions, including the Judicial Processes for the Trials

26. **I do not mean to be brash in my submission under this topic but please permit me to say simply that I was not aware of the alleged coup of December 1992 nor was I aware of any judicial process for the related trials. Whatever I heard came from hearsay alleging that some officers at Pademba Road Prisons together with some others outside were planning a coup. I was never convinced and I am still not convinced that there was any coup plans for real. If there was, I have always questioned, why did they not arrange for a Courts Martial trial. If there was any Court Martial, my department would have been copied the convening Instructions. There was no convening instruction copied to us to my knowledge.**

27. **When some of us raised the question as to whether they were tried, very muffled answers came back. And two quite morally bankrupt senior officers at some stage said they carried out the so-called trials. I knew they were lying and trying to cover up the tragic mess the hasty decision had led the regime. One of the two officers was himself executed after the Court Martial trials that followed the removal of the AFRC regime. The other is alive and still serving. He should be in a better position to talk about the judicial processes for the trials if indeed there was any.**

28. **My questioning of those types of ill-informed decisions was always interpreted as being anti-NPRC. They always had more than a handful of sycophants who associated themselves with such decisions and their overall reckless behaviour. Their argument being - "Nar de bobor dem Govment". Well, I hope that having gone through the disgrace they suffered when the Army finally collapsed, they who argued that the NPRC could do whatever pleases them because "Nar dem Govment" will by now**

have learnt their lessons that the Army is meant to serve the interest of the state and not any political entity.

The Peculiarities of the Situation and how these played out in the Political and Social contexts in Sierra Leone

29. There were so many strange things that happened during the NPRC regime. However, whatever they were, one could arguably suggest that they were a violent extension of similar happenings during the last few years of the APC.

30. **The NPRC established Supreme Council, which was supposed to be the highest forum on National Policies. But like the APC, many key issues of Government was discussed and decided by an inner circle of the coup makers themselves. In many instances such inner circle forum lacked the expertise or guidance to make informed decisions. The decision for the executions of the alleged coup plotters of December 1992 was one such decision. One would have expected the Supreme Council to meet. But that did not happen. Instead, unbeknown to many of us, the inner circle perhaps with some of their friends, met at some place, cooked up some theory and decided to execute the alleged plotters. A similar decision was taken by the inner circle when one Private Turay was abducted from 34 Military Hospital having been shot by an NPRC officer for allegedly plotting a coup. I never saw the soldier again.**

31. **Another strange aspect of the allegations and the executions was the seeming targeting of Limba Officers. Many NPRC Officers developed an uncompromising attitude against many Limba Officers from the day they took over - a phenomenon that continued perhaps till the end of the NPRC regime. They had come to believe that the Limba Officers had been the benefactors of the APC rule and therefore should not be trusted. I personally found this development very very unfair. I found it very unfair because I knew of many Limba Officers who suffered like anyone else during the APC regime. I knew of Limba Officers who genuinely spoke out against certain APC bad Governance practices. I found it quite disturbing for especially one of the most outspoken Limba Officers who consistently spoke against certain reckless behaviour of the APC to be accused and executed**

just because of who or what he was. A trial could have allowed for their defence and the truth would have been most likely established.

32. **These executions impacted badly on the fighting spirit of many Limba Officers and indeed many other Northerners. The event was on the lips of many serving officers and man either in the field or at home with their families. It was seen as a witch-hunt of particular groups of people and it created distrust amongst the officers.**

33. **There was a general cry from the International Community of fowl play by the regime. It lost some face and I do not think the regime recovered since. The situation only got worse with a lot more excessive behaviour than many had imagined.**

<u>The Consequences of all the foregoing and whether any existing structure or processes provide any remedies</u>

34. The cumulative effect of the ill-informed strategies and tactic used by the NPRC and their general bad behaviour both publicly and privately was that the RUF remained undefeated, and an Army more undisciplined, confused, disorganised and far less motivated than the one they inherited from the APC.

35. Ranks within the military no longer meant anything unless you had a political office attached to it. They were dished out so frequently and were not attached to the length of service and experience of the holders. It created a breakdown of the promotion system and consequently affected the morale of the troops.

36. Hitherto respectful soldiers also learnt from the NPRC and their bodyguards a culture of intimidation against civilians. Whilst this was not itself introduced only when the NPRC came to power, it became an entrenched and near-institutionalised culture during the NPRC regime.

37. It also became normal for soldiers to visit politicians frequently. These `idle' soldiers often by-pass the chain of command and gossip about their superiors. I am happy today I work in an institution critical in providing remedies to most of the ills of the yester-years. I have

mentioned earlier that I work at the Office of National Security as the National Security Coordinator. The Office primarily plays a coordinating role at the policy level working closely with the Military, Police and other Intelligence and Security Agencies. The Office of National Security is the secretariat of the National Security Council (NSC.), which is the highest forum to determine matters on National Security. It presents periodic threat assessments on a wide range of security issues. Assessments prepared are discussed and endorsed by the Joint Intelligence Committee before they are forwarded to the NSC for its deliberations and policy direction.

The new National Security Structure of which the ONS plays a critical role ensures that National Security decisions taken at the highest levels would be well informed based on objective appraisals of the situation. There are other newly established institutions which all help in improving good governance practises and demanding transparency and accountability at all levels. The work of these institutions should go a long way in remedying many of the ills of the past.

Recommendations, Reforms and Practical Solutions

38. Having presented the foregoing, may I humbly recommend the following:

a. We as a nation continue to support the on-going reformation of the Police and the Army. No sentiment should be entertained to keep dead woods and/or perceived loyalists to politicians.

b. The public to improve on their support of the law enforcement agencies especially the Police.

c. Thoroughly assess applicants and recruit only the best candidates into the Police and the Armed Forces. Zero tolerance should be given to political patronage. It is not worth it and it is counter productive in the long run.

d. A deliberate effort should be made by the wider public not to encourage continued politicisation of the Security Forces. The Forces must be encouraged and empowered to exercise their professional competence within laid down institutional

regulations and codes of conduct, confident that their careers will not be jeopardized by unwarranted political interference.

e. Service Personnel must be made to understand that coups have never improved their institutions nor have they improved the well being of the people.

39. To achieve these goals the elites, especially those of the security apparatus and the political class, must reflect on all our ills and their true causes and deliberately endeavour to engage themselves in addressing the issues sincerely and forthrightly for the well being and advancement of the country. They must do so with a deep sense of responsibility and a patriotic mindset, strongly demonstrating by words and deeds that our collective national interest takes supreme precedence over all other interests.

STATEMENT FOR THE TRC

Civil war broke out in March 23 1991. Rebels belonging to the Revolutionary United Front attacked the borders in the South of the country with small arms, machine guns, grenades and machetes. At the start of the conflict, it was Rot **clear what the rebels were fighting for and what their demands were. When big Owns** fell **to rebels, indications were that the group was bitterly opposed to the totalistic and dictatorial one-party APC regime in power at the time. The group argued that the political party in government during that period practiced corruption, nepotism and economic mismanagement.**

Reports suggested that the RUF, as the group became known, was backed by agents in Liberia, Libya and perhaps Bukina Faso.

What was also unclear was where the RUF received its funding. Some believed that essentially the group was able to fund itself through illegal diamond trafficking and trade in produce in areas under their control.

Several people fled their homes following rebel offensives and thousands became homeless in this way.

The rebels controlled most parts of the country throughout the 1990s. In territories under RUF control, widespread atrocities, crimes committed against humanity and human rights violations were carried out in a systematic manner. **Crimes including murder,** rape, **kidnapping, amputations and torture were common place. Those who the group believed were members of or were sympathetic to the APC were mostly the victims.**

Some say, that forces in government controlled areas also carried out abuses and violations in reprisals. This in my view is misleading. A poorly trained and ill-equipped army suffered major set-backs in the war with rebels. The RUF would normally torture and summarily execute captured Prisoners of war (POWS). The number of SLA personnels lost in this way is still unknown.

It seems to me, that in terms of family and victim support, amputees, IDPS and the war wounded are to be given priority. IDPS make up the huge number of homeless persons in the country and homes must urgently be made available.

Ex-combatants could perhaps contribute constructively towards peace building and economic recovery by providing border security, maintaining law and order, and private-sector investment.

Rtd. Capt. V.E.M: Strasser
Ex-Head of NPRC

Q.5/133

FROM: THE INSPECTOR GENERAL OF POLICE

TO: THE CHAIRMAN, TRUTH AND RECONCILIATION COMMISSION

5thAugust, 2003

POLICE PRESENTATION TO THE TRC ON WEDNESDAY 23RD JULY, 2003

I hereby forward requested information touching on extrajudicial killings during the NPRC rule in 1992 -& d recommendations for effective and efficient service delivery, measures taken to reduce human rights violations, as well as treatment of sexual and Gender based violence by the Sierra Leone Police for your perusal and necessary action.

(B:A. KAMARA)MA
INSPECTOR GENERAL
OF POLICE

POLICE HEADQUARTERS
GEORGE STREET
FREETOWN

1. EXTRA JUDICIAL KILLINGS UNDER NPRC RULE

On Saturday 21st November, 1992, the undermentioned persons were arrested at Lumpa, Waterloo and accused falsely of treason. Apart from Mr. Bambay Kamara (former Inspector-General) and colonel (Rtd) Yayah Kanu who were all summarily executed, all the others were found at Lumpa, Waterloo on the same day engaged in different social activities:

i)	**Mr. Bambay Kamara**		**SLP**
(ii)	**Mr. Sieh Bangura, DSP**		**SLP**
	Sub-Inspector D.T.S. Lebbie		**SLP**
(iv)	**No. 4220 P.C. Fofana, N**		**SLP**
(v)	**No. 5326 P.C. Conteh, A.**		**SLP**
(vi)	**No. 1315 Sgt. Conteh, A.I.**		**SLP**
(vii)	**No. 6819 P.C. Bangura, S**		**SLP**
(viii)	**No. 1107Sgt. Saffa, J**		**SLP**
(ix)	**No. 407 Cpl. Lavalie, W**		**SLIP**
(x)	**Moses Davies (Police Labourer)**		**SLP**
(xi)	**Samuel Koroma (Police Labourer) -**		**SLP**
(xii)	**Foday Turay (Police Labourer) -**		**SLP**
(xiii)	**Karifala Sawaneh (Police Labourer)**		**SLP**
(xiv)	**Col (Rtd) Yayah Kanu -**		**SLA**
(xv)	**SLA 18168240 Mohamed Bangura**		**SLA**
(xvi)	**Mr. Joseph Bakarr**	**-**	**24, Hagan Street Freetown**
(xvii)	**Mr. Salami Coker**	**-**	**8 Huggin Street, Freetown**
(xiii)	**Mr. Victor S. Jarrett**	**-**	**37 Campbell Street**
(xix)	**Miss Salamatu Kamara**	**-**	**7 Huggin Street, Freetown**
(xx)	**Mr. Emmanuel E. Mani**	**-**	**9 Jones Street, Kissy**
(xxi)	**Mr. Sorie Bangura,**	**-**	**Bangura Street, Lumpa**
(xxii)	**Mr. Yapo Conteh**	**-**	**17 City Road, Wellington**
(xxiii)	**Mr Sinneh Turay**	**-**	**92 Dundas Street, Freetown**
(xxiv)	**Mr. Allieu Sesay**	**-**	**Bangura Street, Lumpa**
(xxv)	**Mr. Abu Conteh**	**-**	**Bassa Town**
(xxvi)	**Mr. Momoh Sesay**	**-**	**Lumpa**
(xxvi i)	**Mr. Anthony Hindowa**	**-**	**28 Davies Street, Freetown**
(xxiii)	**Mr. Brima Sesay**	**-**	**4, Main Road, Lumpa**

2. **<u>RECOMMENDATIONS FOR EFFECTIVE AND EFFICIENT</u> SERVICE DELIVERY**

(i) The Constitutional provisions governing the SLP should be strictly adhered to by government if the Force is to be professionally administered.

(ii) Improvements in the conditions of service/increase in salaries and allowances of SLP personnel.

(iii) To improve accommodation facilities for the entire membership of the SLP. In lieu of accommodation, an allowance proportionate to the inflationary trend should be awarded from the current rate of Le1,000.00 to at least Le50,000.00 per month

(iv) The families of those killed in action during the war should be compensated as
was done in the Republic of Sierra Leone Armed Forces.

(v) Micro -Credit schemes should be extended to police wives.

3. SOME MEASURERS TAKEN TO REDUCE HUMAN RIGHTS VIOLATIONS IN THE SLP

Some of the measures taken to reduce human rights violations in the Sierra Leone Police include the following:
Firstly, it is now a must for all members of the SLP to religiously follow and adhere to the Constitutional obligation as stipulated by the 1991 Constitution of the Republic of Sierra Leone with regards to detention of suspects in police custody pending investigations. These custody officers have been introduced to be visiting stations and cells to ascertain the number of suspects in custody and the number of days spent in detention.

(ii) We have also adopted an open-door policy whereby interested International Organisations like the ICRC, and civil society groups can make on-the-spot checks on our handling of suspects in custody. This being done from time to time to ensure that fundamental rights of the citizens are not abrogated.

(iii) The police hierarchy, since our restructuring process began, has made giant strides in educating both police officers and the public about bail, that it is free and that women are also eligible to stand as sureties for suspects in police custody. This is to ensure that suspects are not over detained in police cells.

(iv) Partnership - the SLP in recent times has built up credible and working relationship with the community through partnership approach with the ministries, agencies, private and commercial organisations to enhance professionalism, effectiveness and efficiency.

(v) Also, in conjunction with human rights organizations, for example, Lawyers Centre for Legal Assistance (LAWCLA), the SLP has embarked on a sensitisation programme aimed at improving its human rights record - a move which yielded dividends.

(vi) As the SLP is now community focused, almost every police division has developed Local Partnership Boards, which aims at involving the local communities in the SLP's strides to eradicate or minimise crime. Some influential citizens and other interested members of the community through the lay visitors scheme now have the opportunity to visit police stations and posts to asses our human rights record and to inquire about cases of public importance, making meaningful observations.

(vii) Over and above all, I am also happy to inform you that cases reported are purely investigated on their merits without political favour or due interference from some `higher' quarters, thus portraying our neutrality and independence.

4. SEXUAL AND GENDER BASED VIOLENCE

Sexual violence, gender based violence and violence against women are terms that are commonly used inter changeably. All these terms refer to violation of fundamental human rights that perpetuate sex-stereo typed roles that deny human dignity and self determination of the individual and hamper human development. They refer to physical, sexual and physiological harm that reinforces female subordination and perpetuates male power and control. Acts of sexual and gender based violence have been grouped into five categories.

1. Sexual violence
2. Physical violence
3. Emotional and psychological violence
4. Harmful traditional practices
5. Socio-economic violence

Most cases of sexual and gender based violence are perpetuated by intimate partners (husband, boyfriends), family members, close relatives and friends, influential community members (teachers, leaders, politicians) security forces and soldiers including peace makers, humanitarian aid workers and institutions.

Prior to the establishment of the Family Support Unit in the Sierra Leone Police Force about two years ago, little or no attention was paid to the issues of

sexual and gender bases violence in Sierra Leone. Most of these cases were frowned upon by the SLP. They were considered trivial, a chief's matter, and a matter between husband and wife. There were no trained personnel to professionally investigate cases of sexual and gender based violence. Little or no sensitisation was done on the causes, effects and response to this violence. In effect victims of gender-based violence did not bother to report their cases to the police.

However with the establishment of the Family Support Unit in the SLP about two years ago, the unit under took a massive countrywide awareness campaign on issues relating to sexual and gender-based violence. This was done through meetings, workshops and seminars with members of the community and even through the media (print and electronic). Posters on sexual and gender-based violence were distributed freely to communities. The impact of this massive community sensitisation was community awareness on the causes, effects and response to gender based violence.

The community awareness saw massive reports to the FSU of cases involving sexual and gender based violence. Consequently, the need for professional training aroused. This has been given prominent priority.

Training has been given to most of the staff in the FSU although more is planned. All cases involving sexual and gender based violence have been expeditiously and impartially investigated and perpetrators have been charged to court where punitive measures have been taken against them and this has served as a deterrent to would be perpetrators (see FSU Crime statistics attached).

Everybody working within the field of domestic violence, physical and sexual abuse of women and children has been impressed with the FSU. The national and international N.G.Os, the Ministry of Social Welfare, Gender and Children's Affairs and people working within the UN Human Rights Department have all expressed appreciation of the devotion to duty of the FSU personnel. .

To tackle this menace, Family Support Units have now been established in al division in the SLP. As a sign of appreciation, DFID has promised to construct and furnish seven buildings for the FSU in the Northern Province.

With the available logistics, training and professional expertise in the investigation of sexual and gender based violence coupled with continued massive sensitisation, the FSU is more determined than ever to combat the incidence of sexual and gender based violence.

FAMILY SUPPORT UNIT
CRIME STATISTICS FOR 2002

S/NO	OFFENCE	NO. OF CASES REPORTED	NO. OF CASES CHARGED	NO. OF CASES COMMITTED	NO OF CASES SOLVED BY	NO OF CASES UNDER INVESTIGAT
	SEXUAL					
1.	Rape	78	76	4	-	2
2.	Unlawful Canal	134	10	-	1	32
3.	Indecent	74	6	-	-	1
4.	Assault with intent to	8	6	-	-	2
5.	Abuse of your	14	3	-	7	4
6.	A	1	-	-	1	-
	TOTAL	309	2	4	9	5
	DOMESTIC					
1.	Child cruelty	1	3	-	1	1
2.	Assault on	3	1	-	2	4
3.	Assault on	1	-	-	1	-
	T	5	21	-	4	2
GRAND TOTAL	SEXUAL ABUSE &	82	267	41	48	73

FAMILY SUPPORT UNIT CRIME STATISTICS FROM JANUARY 2003 - APRIL 2003

S/NO	OFFENCE	NUMBER REPORTED	NUMBER CHARGED	NUMBER UNDER INVESTIG	NUMBER RESOLVED AND
1	Rape	4	2	1	-
2.	Unlawful carnal	12	8	3 4	-
3	Indecent	2	1	1	-
4.	Assault with intent to	5	3	2	-

5.	Assault - Domestic	25		4			66	14			
6	Abduction	3		8			17	1			
7	Child Cruelty	9		6			29	5			
8	Child Stealing	3		1		1		1			
9	Found Child	3		-		4		2			
10	Sodomy	1			-	1				-	
11	Procurement	-			-	-				-	
	TOTAL		608		187		181			240	

FAMILY SUPPORT UNIT STATISTICS FROM
MAY 2003 TO JUNE 2003

	OFFENCE	NO. OF CASES REPORTED	NO. OF CASES CHARGED	NO. UNDER INVESTIGATION	NO. RESOLVED AND
1.	Rape	9	7	2	-
2.	Unlawful Carnal	4	2	2	-
3.	Indecent Assault	9	5	2	2
4.	Assault with intent	5	5	-	-
5.	Domestic Violence -	29	70	15	79
6.	Abduction	3	-	2	1
7.	Child Cruelty	4	3	1	2
8.	Child Stealing	3	-	2	1
9.	Found Child	8	-	2	6
10.	Absconding from	6	-	2	3
11.	Threatening	3	1	1	5
	TOTAL				162

STATEMENT BY MRS. SYLVIA E. J. BLYDEN

Retired Sierra Leonean Civil Servant

Mrs. B1yden was arbitrarily detained at Pademba Road Prisons under the "State of Emergency" Act from February 28th 1998 until December 1lth 1998.



Submitted to the Truth & Reconciliation Commission.

Date of submission of ten copies: 30th January 2003 via Courier

Following the Military Coup in May 1997, my husband, Mr. E. W. B. G. Blyden, as the Western Area Commissioner in the National Commission for Democracy (NCD) appeared in a panel discussion on Sierra Leone TV. Part of his contribution was to appeal to the President in exile, Dr. Ahmad Tejan Kabbah not to mandate ECOMOC to bomb Sierra Leone, since, in his view; only innocent civilians would be killed. He also appealed to the wife of the President to dissuade him from imposing sanctions since, in

the final analysis, those who would suffer would be the women and children.

The family was alarmed to find this contribution distorted by the proGovernment Newspaper. claiming that my husband had advocated that he was a strong supporter of the Military Leader - someone `he had not met up to that time of his broadcast and who **he never met or was introduced to until he left Sierra Leone in early July 1999 and whom he has still not met or even spoken to until this date of my submission, January 30th** 2003.

In June 1997, we were alerted by some kamajors whom my husband had been helpful to, that my husband's name had been placed on a specially designated list of people to be eliminated. We therefore decided to leave Sierra Leone until the restoration of normalcy. As the country's first female Deputy Financial Secretary and Head of the Budget Bureau, I had had a very hectic schedule and so had requested for and been granted forty five (45) days Annua1 Leave in April 1997. However, even though my leave was granted, I had **been prevailed upon by the SLPP Government not to leave because of the Annual Budget Preparation, since the Parliament was discussing it and proposing amendments to it. Now, in light of the alarming news that my husband was to be murdered, my husband,** our **last daughter, Cheryl, and myself decided to flee Sierra Leone.**

En route to London. we learnt that a group had been mobilised in Conakry to murder my husband. He left on the next available flight for London and Cheryl and myself left a few days later. Cheryl for the USA after having obtained her Student's Visa to the USA. Cheryl went directly to the USA from Conakry to start her College education, whilst I went to London to join my husband. We later left to visit our children and relatives in the USA. We ran out of funds to upkeep ourselves in exile, and **we realised that the promised restoration of democracy and sanity was not** as **prompt as was promised. My vacation leave ended in September 1997 but despite the fact that my husband and I were now virtually destitute and having to live by the goodwill of relatives in London, we were still afraid to return** to **our home in Freetown as everything about the stance of the belligerent parties and every sound byte from each side clearly showed that the country's security situation was still unpredictable.**

However, in October 1997, **we were tuned to the television in London and watched as the news broadcaster informed that President Kabbah had told the world that he had accepted the Conakry Peace Accord and was calling on all Sierra Leoneans to return home and help implement the Conakry Accord.** From the Sierra Leone Web website run by Peter Andersen, we printed out the signed statement from President Kabbah which confirmed the News report. I therefore decided to return home at these assurances and we decided that my husband was to follow if the threat to his life was indeed over. Little did I realise that I would be returning home to face the worst ordeal of my life.

The then-Financial Secretary, Mr Simon Carew (the second most senior official in the Civil Service of Sierra Leone) worked right through the junta rule. He diligently took orders from the junta and obediently acted on them but incidentally was never detained. He had been due to proceed on retirement earlier in the year and his retirement was now slated for 31st December 1997. On return in November 1997, I was posted by the then-Head of the Civil Service to work in the Ministry of Finance as the Principal Deputy Financial Secretary. I however had three (3) unpleasant brushes with Mr. Joe Amara Bangali, the Finance Minister serving under the Military Junta: -

(a) He instructed me to pay to the Sierra Leone Postal Services (SALPOST)

a grant of One Hundred Million Leones (Le100, 000,000). I could not find any rationale for this payment since I could not easily utilise that quantum of stamps, the only commodity that that establishment had on offer. As a member of the Board of that organisation, I informed the Minister that I knew that Salpost had invested in Treasury Bills. I advised that the establishment divest some of the Treasury Bills to help meet its running coats. The Minister ignored my advise and wrote the instructions himself, granting SALPOST the One Hundred Million Leones (Le100, 000.000)

(b) The National Power Authority (Electricity Board) forwarded a bill, claiming that "The Government" owed them One Billion, Six Hundred Million Leones (Le l. 600, 000,000). Mr Joe Amara Bangali instructed me to pay them, but I advised that NPA had no customer known as "the Government", but that rather, they had customers known as "The Ministry of Finance''. The Ministry of Education", "The Ministry of Health",

"The Customs and Excise Department", "The Police", "The Military", etc. etc. etc. I further advised that their Debt Collection Unit for¯ward bills to the various Ministries/Departments, so that the Vote Controllers could verify the correctness of the Bills and prepare payment vouchers for the amounts. I next instructed the Accountant General to meet the payment of the submitted vouchers, very promptly. All what the exercise yielded was One Hundred and Forty Six Million Leones (Le 146,000,000), which showed that the original bill was grossly exaggerated. The Minister still insisted that I pay a local supplier Three Hundred and Forty Six Million Leones (Le346, 000,000) for lubricants Supplied to the NPA. He insisted, when I advised against it, that that would be the very last time that the Government was pre-financing them. I put up the draft payment instruction to the Bank of Sierra Leone, stating that it was a one oft payment and not to be regarded as a precedent, which he approved. However, he gave me further instructions to pay the same amount to the same supplier for the same lubricants the following week. When I refused, he wrote the Instruction letter himself.

The Minister, Mr Joe Amara Bangali, instructed me to pay three (3) Suppliers out of a list of two hundred (200) suppliers to the Military. The original list had been lost in the incineration of the Secretariat Building housing the Ministry of Finance. I cautioned the Minister not to hurriedly pay' out of' sentiment, since I was sure that we would still trace copies of' the list at the Ministry of Defence, the House of Parliament as well as at the Attorney General's Office. I also advised him that from my experience, I strongly believed that one of the three names he had recommended was fictitious.

Mr. Joe Amara Bangali became livid and I was informed by the then Head of the Civil Service that Bangali had demanded my immediate removal from the Ministry of Finance even threatening to resign if it was not done immediately. I was therefore by the junta from the Ministry of Finance and posted to the Ministry of Development and Economic Planning, as Development Secretary, which was one stage lower down the ladder of the Civil Service Structure. I assumed duty in that capacity on 2nd January.

After the Intervention of February 1998, my name was being announced over the Radio Democracy FM98.1 as one of those who must give themselves up to ECOMOG. Most of those who gave themselves up on that 1st day were burnt alive or matcheted or gunned down, the manes of my husband and my second daughter, Dr. Sylvia Olayinka Blyden, who had opened a Website for the SLBS in December 1997 (she might wish to also submit a statement to the TRC as she is a recognised political activist), were also being announced. Both my husband and Olayinka were out of Sierra Leone.

I was collected at 9:30p.m. on 28th February, 1998 by four (4) ECOMOG Soldiers (who had been tipped off as to my hiding place) and I was taken to be detained at the Central Prisons at Pademba Road. To their credit, the Nigerian ECOMOG soldiers were courteous and treated me with respect until I was handed over to the prison authorities.

Another aspect I now wish to touch on is as follows:- the Radio Democracy FM98.1 D reporters, Mr. Julius Spencer, Mr. Allie Bangura and Hannah Fullah in my view caused grave harm to many innocent persons by what they delightedly used to broadcast as "facts" over their radio knowing well that they were broadcasting wicked lies that could cause someone their life given the mood of the citizenry at the time.

A few days before the intervention, so as to incite negative sentiments against me, now with hindsight, to justify my detention, this radio station went on a massive propaganda exercise against my person. Radio FM98.1 stated that
I had all by myself, discovered money in the French Food Aid Account and that single-handedly, I had sent out the advertisement inviting the submission of projects, decided on the projects to be approved and the amounts to be allocated to project. The fact of the matter is that Instructions given to me as a civil servant by the Head of the Civil Service who was the Secretary to the Chairman, State House as well as all relevant documents relating to this issue can be easily f0und in the French Food Aid File in the Ministry of Development. I have made copies which I can forward to the TRC if it is deemed necessary.

The junta Chairman Major Johnny Paul Koroma had never been to my house nor had I ever met him. In continuation of FM98.1 D's exercise in propaganda, it was reported by their ***Radio*** Democracy that in fact, on January 23rd 1998, I had held a big party for Johnny Paul Koroma and his Cabinet Ministers. They also reported that I was hosting Cabinet Meetings in my home for the AFRC junta. The fact is that on that date, January 23rd 1998, I had had a "traditional cook-out" on the 2nd Anniversary of the death of my mother, at which ceremony only twenty five (25) people (including me) participated - all of them relatives! All these and numerous other allegations against me were lies and the Police Investigations Department - i.e. the CID, investigated my statements alter signing it on llth April 1998, to confirm

that every allegation made against me were lies. All Lies!! EVERY SINGLE ONE OF THEM!!

Yet still even after every single allegation against my person had been exhaustively investigated and absolutely no reason existed for me to be held in jail I was still kept in jail until December 11th 1998. No reason was given and not a single member of my family/friend was allowed to visit me. I was denied proper medical checkups when I fell ill several times. The Authorities refused the special medications for my heart and kidney conditions to be delivered to me. My father Mr. Solomon Pratt made several attempts to visit me but each time he was refused.

My understanding is that the government were aware that I was innocent but that I was to be punished for the government not being able to arrest my daughter who was "wanted" for opening a website for the SLBS during the Junta days and for not being able to arrest my husband who was "wanted" for his June 1997 broadcast appealing for direct dialogue rather than military intervention.

Whilst I certainly would blame the government for implementing a policy to prolong my agony during my unlawful detention, the fact remains that the Government was actually being wittingly or unwittingly assisted by certain persons who whilst they did not care anything about the politics or security of the country, had self-beneficial reasons to have me locked away incommunicado.

I am a practising Christian and I do not hold any bitterness or anger in me towards the Government or those who manipulated my unlawful detention. I talk to my children everyday to forgive and move on with their lives and to contribute in any way they can towards the development of Sierra Leone and towards the sustenance of peace and justice in our homeland. I pray every day for God Almighty to forgive those who wronged me and unjustly took me away from my family's love for ten months.

However, I believe that I owe it to future Governments to write down the way and manner in which an innocent woman could be arrested and held incommunicado by unseen hands manipulating a Government. It is my hope that this statement of mine would serve as

an education to the present and future governments so that such grave injustice would not happen again.

The whole issue is as follows: To get the IMI to approve Sierra Leone as qualified for the Structural Adjustment Programme, I was posted to Head the Revenue Division of the Ministry of Finance under the administration of the Financial Secretary, Mr Y T Sesay. I had to be very aggressive and innovative to maintain the SAP and it angered many people in the business community as well as some of my colleagues and the political bosses and I made a lot of enemies.

Also, later as Director of the Budget Bureau, in the area of expenditure, I had observed that whenever the various Ministries and Departments received their Quarterly allocation of funds for disbursement, the Vote Controllers promptly, spent it all on office materials and visits abroad. They failed to meet the payments of telephone, electricity and water bills, payment of dues to International organisations as well as payments to sensitive areas like students allowances and special Committees set up by the President/Cabinet. To prevent the crisis management position that the Ministry of Finance was always forced into, I introduced a new scheme "Expenditure on Commitment basis" whereby every Departmental Vote Controller submitted a profile - agreed on with the Budget Bureau - of envisaged expenditure on a line-by-line, basis, for the quarter. The agreed profile was next sent to the Accountant General who opened accounts for the various subheads. Vote Controllers could then not spend a single Leone above what had been agreed on for the specific subhead. This again angered my colleagues and the Ministers and I made many enemies. The whole idea was to so frame me so that the public should reach fever pitch. This whole exercise started way before the May 1997 coup. Several newspapers had unwittingly been drawn into the manipulation game and by the time of my arrest, it was very easy for Radio Democracy to add fuel to the burning propaganda. The one thing I know is that I served my country very well and with a good conscience.

I will hold my head up high today with great pride because despite the entire hullabaloo, I can challenge anyone to prove the allegations of corruption that have been so freely thrown around against me. Without a doubt, many had hopedd that I should not survive Pademba Road prisons. My relations and my in-law even been informed that I had suffered from insanity during my detention. It took

them a while to be convinced that I was as sane as the next after my release

My detractors brided Newspaper Editors to write libellous statements about me during most of my tenure as Permanent Secretary. Several times I did contemplate instituting legal action against some newspapers but several times did my lawyer, Mr. J. B. Jenkins-Johnson advise me not to take them to court to seek redress, but to simply ignore them, as it was very difficult in our judicial system to succeed in punishing libellous journalists.

My detractors were further helped by two of the three announcers at the Radio Democracy - i.e. Miss Hannah Foulah alias `Yeabu' and Mr. Alieu** Bangu**ra alias `Abdul Hakeem Sesay'.

(i) Miss Hannah Foulah was a friend of my third daughter, Avril Miatta Blvden until Hannah's mum and her stepdad had a marital problem when his relations sent him another wife. The stepfather first sent Hannah out of his house and my daughter Avril asked if Hannah could move in with us, as she was homeless and unhappy. Hannah had been used to spending most weekends in my house and so it was easy for her to just move the rest of her things into my house. The problem started when Hannah came to plead with both my husband and me to take her mum into our home as the mum was being physically maltreated by the stepdad. We had an empty room in the house and Hannah suggested that her mother could stay or move in. We calmed her down and promised to do our best to Solve the problem without breaking up the marriage. We appealed to her that instead of being seen as supporting the mother; we wanted to assist to repair the marriage. Hannah wanted her own way and was unhappy with our decision NOT to allow her mum to move into our home. Hannah moved the mother out of Jui to the home of the second wife of the late Vice President of Sierra Leone, S. I. Koroma and then promptly moved herself out of our house. Ever since that period, she stopped visiting us or talking to us because we advised her against breaking up the marital home.

(ii) Mr. **Alie Bangura was the Accountant at the Sierra Leone Insurance Company. As the Commissioner of Insurance, I discovered that time had overtaken the statutory deposit per class of Insurance written when the Act was passed in 1971. It was then - Thirty Thousand Leones (Le 30,000) - the equivalent of Fifteen Thousand founds Sterling (£15,000). In 1994, Thirty Thousand Leones (Le30,000) was the equivalent of Fifty Pounds Sterling (£50). I therefore had the Act amended to increase the statutory deposit from Thirty Thousand Leones (Le 30,000) to Fifteen**

Million Leones (Le 15,000,000) per class of Insurance written. This was less than the amount in 1971. I decided that the increase should have been done in a gradual way but that the public still be protected from the **reckless** way **some notorious Insurance companies treated fatal third parties, by simply giving a donation - (CASANKAY") towards the funeral and making that the only benefit given to the family of the' deceased. The SLICO, using its relationship of its Managing Director to the then Minister of Trade (Hon. Dr. Aloysius Fofanah) refused to pay the new deposit fees. Fortunately my Minister of Finance then, Dr. John Karimu, supported the policy and they were forced to pay when the company was threatened to have its name struck off the roll of Insurance Companies permitted to practice in Sierra Leone. The Management of SLICO was one of those companies that became extremely hostile to me. Mr Alie Bangura was therefore very pleased to finally get the opportunity to hit me hard. The Insurance companies were a powerful force in Sierra Leone, used to making lots of money by exploitation. This Issue of Alie Bangura whilst being cited here as an example, must not be taken as an isolated one. Several hardworking civil servants who have tried to bring sanity to the country's system of governance will agree with me that unseen hands are always ready to use the mass media especially the newspapers, to crucify them and frustrate their efforts.** Our **employer, THE GOVERNMENT OF SIERRA LEONE, fails to appreciate that by trying to regulate the system such as the Insurance Industry for the benefit of the country on behalf of our employer, we make lots of enemies and definitely needed protection.**

To summarise, whilst appearing before the Tejan Cole Committee of Investigations, I regretted returning to Sierra Leone to work during the interregnum but I had no alternative, since the salary we were being paid, did not put us (my husband and myself) in the economic bracket to live for long out of Sierra Leone. Since his life was being threatened, he could not return home for fear of being killed, but never in all my wildest dreams did I believe that in a demoracy I would be put in prison on framed up charges, merely because they could not get at my husband and my daughter. And AGAIN, I wish to point out President Kabbah in his own words had appealed to Sierra Leoneans publicly to support the Conakry Peace Accord.

It is my hope that the TRC would examine this grave wrong and injustice that was done to me, not to seek redress for myself, because as a Christian, I am beyond that point now but to ensure that in its' final report, the TRC would recommend in the strongest possible terms, that a policy be implemented which would act as a safeguard and prevent such a nightmare ever happening again to others in the future because they are the spouse, child, parent or friend of a perceived political enemy.

I am pleased that the nightmare of detention at Pademba Road Prisons ended when the "Tejan-Cole Committee exonerated me 100% (ONE HUNDRED PFRCENT!!) in December 1998, several long months after the Sierra Leone Police had recommended that I be immediately released, as they could find no reason or evidence to hold me for.

At this point, I would also wish to bring to blessed memory, the late General Maxwell Khobe, who as Chief of Defence Staff did all in his power to have me released from Pademba Road Prisons after his attention was brought to my issue and he requested for my case file to be made available to him. The late Maxwell Khobe, as powerful as he was in the society, later confessed to me in December 1998, after I was exonerated by the Tejan Cole Committee, that one of the things that bothered him the most about the Sierra Leone society was the tendency for people to be vindictive to innocent people based on their political and tribal differences and even sometimes on flimsy personal vendettas. General Khobe stated that some highly placed people in society had asked him to wash his hands off my issue as the Law Court and the Tejan Cole Committee would reveal to him how much I deserve to be locked up.

According to General Khobe, what shocked him the most was when my name was announced several times on National Radio and TV asking for persons to produce evidence for the Tejan Cole Committee that would incriminate me and not a single scrap of paper or evidence was produced by my detractors hence hardening his belief that Sierra Leone was indeed an ill society. The **TRC might also wish to examine ways and means of addressing this ill in the Sierra Leone society.**

In continuation of my emotional ordeal, shortly after I was released in December 1998, the AFRC/RUF attacked Freetown and all hell was let loose. I had **to escape to London when someone purporting to be a Kamajor started telephoning me during' this January 1999 invasion, threatening that the Kamajors would break into my home at night and murder me. That was a period of anarchy when individuals wishing to settle scores could tell lies to ECOMOG or the Kamajors, two groups that had no time to investigate then, but hastily carried out jungle justice.**

I am forwarding this statement to the Truth and **Reconciliation Commission of Sierra Leone because:**

(a) I worked assiduously and faithfully for my **employer, the Government of Sierra Leone, ruining my health in the process, throughout my thirty-one (31) years of service but it all came to nought.**

(b) I had my heart focused on becoming the first female administrative officer to head the Ministry of Finance. I therefore trained for the office, on the job, in addition to studying at Manchester University, graduating in Public Finance and Financial Management in 1978 as well as studying at Harvard University, graduating top of my class in Budgeting in the Public Sector with distinction in 1992. I am certain that all of the Financial Secretaries I worked with can verify that I was Financial Secretary material. Unfortunately, some of them have died, but I will list them down so that those who are alive may be contacted for character capability reference:

(i) Mr. **Peter Kuyembe:**

(ii) Mr. Y. Z'. **Sesay**

(iii) Mr. Salia Jusu-Sheriff

(iv) Dr. Jim Funna

(v) Dr. John Karimu

(vi) Mr. Thaimu Bangura

How do we as a nation ensure that those now employed in the civil service and those who would in the future be employed by the government, not be deterred from giving of their best since they do not know if political machinations could make all their best efforts be brought to nought because of _the weakness of the country's ability to ensure that the basic rights of every Sierra Leonean be guaranteed regardless of family linkage or political affiliation?''

My career was destroyed and my goal not attained because I was wrongly detained. I could not continue to work in Sierra Leone because I had been negatively labelled as a junta collaborator simply because I returned home from my vacation abroad relying on the

very public statement from President Kabbah that all should embrace the Conakry Peace Accord in 1997.

Incidentally, for over twenty (20) years; I had been visiting Britain and receiving the Visitor's Visa for six (6) months but during the crisis of 1997, for the very first time I was given the category of Visa where I had to complete a form and hand it over to the Immigration Officer on my departure. I was ignorant of the fact when I arrived in July, 1997 at Heathrow Airport, that I could have sought asylum and no one informed me.

After President Kabbah invited all Sierra Leoneans abroad on CNN to return home in October 1997, I received a telephone call from Miss Kenyeh Barlay informing me that I could seek asylum and get financial support to upkeep me in England from the British Government. I called at the Home Office in London the next day to apply, but I was told that they no longer accepted applications from Sierra Leoneans seeking asylum. I therefore returned to Sierra Leone because it is my homeland and I was destitute, and my President had advised that we all return to continue in Nation Building ... President Kabbah's speech aforementioned refers.

Most people will agree with me that it is strange that over 40 Permanent Secretaries were at work throughout the junta period but only a few were handpicked and selected to be detained. Similarly throughout the civil service chain, the detentions were highly selective and very irregular.

- How were these selections for detention made?
- Who made these decisions?
- Who decided when people had been "punished enough" and gave "perrnission" for them to be released?
- On what system were these selective detentions patterned after?

- What were the criteria for the subsequent selective releases?

- Were the detentions and the later releases based on tribal, family or political affiliations regardless of the victim's innocence?

It is important that the TRC looks into this. I therefore pray that the Truth and Reconciliation Commission addresses the issues I have raised in my statement so that I am reconciled as to the reason that made my dreams become unrealised which was achieving my goal to become the first female Financial Secretary of Sierra Leone.

I also pray that my statement would serve as a catalyst to others who suffered similar injustice of being detained at the Pademba Road prisons for no just reason to come forward and speak out without fear, so that Sierra Leoneans (especially those in the journalism world) may learn how cruel it is, to wittingly or unwittingly create a media hype against innocent people and have them detained arbitrarily. It is my fervent desire that the destructive role of the Press would be addressed by the TRC. I sincerely hope it will be highlighted that Governments are given the mandate to govern by the collective will of the people and not by the machinations of journalists.

I also pray that at the end of the sittings of the TRC, one of the strongest recommendations that would come out would be the complete separation of the Police Force from Political Manipulations. In 1998, the Sierra Leone Police investigated all allegations against me thoroughly and at the end of their investigations recommended that I be immediately released. However, wittingly or unwittingly the political powers of the day decided to ignore the recommendation of the Police and kept me locked up for ten months despite the fact that there was <u>nothing</u> to charge me with.

Finally, I sincerely hope that my statement would serve as an eye opener to all Sierra Leoneans (again, especially those in the journalism world), so that lessons could be learnt from my experience, leading to checks and balances being introduced in the form of a <u>well laid out national policy,</u> to ensure that the agony of arbitrary detention of innocent relatives of suspected and perceived political and/or tribal enemies be a thing of the past in this new millennium.

Faithfully Submitted,



Sylvia Editha Jolliminah Blyden (Mrs.)

THE TRUTH AND RECONCILIATION COMMISSION
TRC

---------- -

DETENTIONS, TREASON TRIALS, COURT MARTIAL AND EXECUTIONS OF 1998

PERSONAL EXPERIENCE BY VICTOR BOCKARIE FOH
FRIDAY, 4TH JULY 2003

INTRODUCTION

Opening Remarks

Chairman and Commissioners of the TRC, I wish to predicate my presentation this morning by the following: -

(1) I am here in my individual and personal capacity as Victor Bockarie Foh. I am not representing the APC here today although I must emphasise that I am APC and I cannot mask myself or deny my party, the APC. I am merely saying that these are my personal views as a victim of the 1997/1998 AFRC/SLPP violent power struggle.

The APC never sent me to do what I did during the AFRC period.

(3) I nurse no animosity for anyone or group that hurt me in the process.

(4) Players in the other political party, the SLPP, are my relations and friends and I hold no grudge against them. Our differences are part of the democratic process.

I had given an exhaustive interview about the 1998 Detentions, Treason Trials and Court Martial to Josephine Thompson-Shaw for the TRC. I am sure you already have copies of that interview.

(6) I submit for your perusal, the following documents which **in my view, will** help this Commission in its work:

(a) Extracts from Mr. Hilton Fyle's Book – Fighter from Death Row

(b) Sworn Police Statements of 3 (three) victims of the 1998 Court Martial:

1.Brig. Hassan Conteh – late

2.Cpl. Tamba Gborie – late

3.Sgt. Abu Sankoh a.k.a – late

4.Public Notice No. 4. of 9th April, 1998

I promise to give the TRC the following:-

(1) Sworm Police Statement of Victor Bockarie Foh – first Accused – Treason Court No. 1

(2) Minutes of Meeting of Opposition Parties in Parliament dated 7th April, 1997 held in Committee Room No. 1 (one), Parliament Building Freetown. It was this minutes that Johnny Paul Koroma used to get on to me when he became leader of AFRC.

(3) Report of Michael Birnbaum, Q.C.

I was an advocate of a pacific resolution of the AFRC exit from power and an opposer of a military solution or an ECOMOG invasion of Sierra Leone.

I became Chairman, Sierratel in November 1997 after the signing of the Conakry Peace Plan of 23rd October 1997.

GENERAL INTRODUCTION

On 25th May 1997, the Armed Forces Revolutionary Council (AFRC) usurped the reins of the government of Sierra Leone by use of force. The Kabbah SLPP government was toppled.

President Ahmad Tejan Kabbah, his government and many common citizens fled to Guinea. Those who did not were harassed and or detained by the AFRC Junta. A large number of civil servants civil leaders, business people and others who stayed on and continued in their various positions as under the ousted civilian government were harassed.

This was a repetition of events five years earlier, when on 29th April 1992, the legitimate civilian government of President Joseph Momoh was illegally overthrown by the Armed Forces and replaced by the National Provisional Ruling Council (NPRC) Junta. The NPRC committed TREASON, yet their God Fathers in the SLPP shield them.

Like in 1997 when President Kabbah fled to Conakry, President Momoh also fled to Conakry Guinea in 1992, and those members of his government who did not flee were harassed, detained and persecuted by the notorious NPRC Junta. However, most civil servants, civic leaders and business people and others stayed on in the country and carried on their business as usual. Many were punished, harassed, tortured, detained, frog matched and others killed without due process of law by the NPRC Junta.

The AFRC/RUF Military Junta did not receive international recognition. Moreover, the regional peace-keeping force of the Economic Community of West Africa,

(ECOWAS), ECOMOG, was deployed to counter and reverse the AFRC military takeover. ECOMOG ousted the AFRC from power in February 1998 at great loss of lives and property. The civil war escalated after the restoration of President Kabbah.

THE TASK FORCE -AN UNFORTUNATE CREATION

In early February 1998 Nigerian ECOMOG Force invaded Freetown, chased out the AFRC/RUF Military Junta from power, and restored President Ahmad Tejan Kabbah, his Government and the 1991 Sierra Leone Constitution.

A 10(ten) man TASK FORCE was appointed to "Arrest, Detain, Hit and Kill" ant--SLPP elements in Sierra Leone. Some Members of this Task Force included Vice President Albert Joe Demby, Attorney General Solomon Berewa, Julius Spenser and Alie Bangura of Radio 98.1. This TASK FORCE engaged in settling scores and corruption.

Ecomog, Kamajor Militia, Radio 98.1, the Task Force, hoodlums and pro-SLPP hot heads engaged in violence and mob action against perceived political opponents, their families and their properties.

The spate of killings and burning of human beings in Freetown and the regions were as a result of this measure of miscalculation and vengeance by the Task Force. Most unfortunately, Alhaji Musa Kabia, Sheik Mujtaba, Sakoma and many others suffered this cruel ordeal. Properties worth millions of Leones were razed to the ground. Many innocent common citizens suffered the same plight. My party, the APC and its membership were the targets.

This Task Force metamorphosed into a very corrupt money making screening panel of the several thousands of alleged anti-SLPP detainees in police cells all over the country and at the Pademba Road Maximum Security Prisons. A most unholy and dirty job was done, ironically, in the name of restoration of democratically elected government of Tejan Kabbah.

THE 1998 **TREASON TRIALS AND COURT MARTIAL**

In a most unprecedented manner large numbers of persons, including civil servants, civic leaders, business people and others, were molested, subsequently arrested, tortured and detained. Some were later charged with treason under the Treason and State Offences Act, 1963. Soon after his restoration, President Kabbah by Proclamation, declared a State of Public Emergency and pursuant to this, Public Notice No. 4 of 1998 dated 9th April 1998 was issued. This Public Notice amended the Criminal Procedure Act 1965, No. 32 of 1995 and certain aspects of the law of evidence and procedural rules relating to criminal trials in the country. This was, without doubt, done in bad faith to facilitate the trial of persons perceived as anti-SLPP. (For ease of reference, Public Notice No. 4 of 9t April 1998 is attached.)

Those charged with treason were regarded as "collaborators" in the eyes of the SLPP Kabbah government and its supporters. They were perceived as such for having stayed on in their home country after the overthrow of the SLPP government and, in most cases, continued in their positions and businesses. Therefore, it was felt, they collaborated with the military junta of the AFRC and facilitated its stay in power, however brief. The irony, of course, cannot be missed that in 1992 when the previous APC civilian government of President J.S. Momoh was overthrown, and almost every civil servant stayed on during the interregnum of the NPRC junta, there was no feeling or talk of collaboration even though several key members of the Kabbah SLPP government including President Kabbah himself and Vice President Berewa served in key decision making positions during the illegal NPRC junta rule. Former President Momoh is a man of Peace and a God fearing man.

The number of so-called collaborators detained at the maximum-security prison at Pademba Road was about 5,000 people. This is a prison with a capacity far less than 400 inmates. Perceived political opponents of the SLPP government were all rounded up, tortured and detained. Many unfortunate Sierra Leoneans were lynched or burnt alive by hysterical SLPP youths and Kamajors. Musa Kabia, Sheikh Mustaba, Sakoma and Abu Black - suffered this fate. Radio 98.1 played the decisive tune in instigating those murders. Scores of people detained died in prison under awful conditions of detention. President Kabbah then disbanded the Sierra Leone Armed Forces.

The 1998 treason trials were vengeful acts and a travesty of justice. All suspects were tortured and brought before the three established treason courts. They were described by Attorney General Solomon Berewa, now Vice President, as "collaborators". The Treason and State Offences Act 1963 has no place for collaborators! Were President Kabbah and Solomon Berewa not collaborators during the NPRC junta which they served as Chief Advisors?

Public Notice No. 4 of 1998 also changed the old age Criminal Procedure Act of 1965 and the standard, historic and unanimous 12-man jury verdict to a politically manipulated 8-man jury verdict. This was at the expense of the lives of innocent ordinary citizens of our country. Our defence counsels objected to the use of Public Notice No. 4 of 1998. They were over ruled.

It is difficult to reconcile the several provisions contained in the notorious Public **Notice No. 4 of 1998** with important provisions of the Constitution stipulating the fundamental human right to a fair hearing. Thus, the use of the provisions of Public **Notice No. 4 of 1998** in **the** trial of accused persons following the AFRC Coup of 25 May 1997, fell foul of the Constitution. Such manipulation of the Laws of Sierra Leone cannot engender National Reconciliation. This was done to slaughter good citizens of Sierra Leone.

These kangaroo treason trials were irregular, unfair and emotionally dressed up as the law even though they were not legal. In a desperate and exasperating effort by the Kabbah/Berewa SLPP Administration to exterminate perceived political opponents, that obnoxious Public Notice was issued. I appeal to the TRC to address that miscarriage of justice against political opponents in the interest of national reconciliation, the Rule of Law and the promotion of true democracy.

There were 3 (three) Treason Trial Courts: -

Court No. 1 (one) - Victor Bockarie Foh and 17 others: -

(1) Victor Bockarie Foh *

(2) Hilton Ebenezer Fyle*

(3) Alieu Badara Kamara*

(4) Ibrahim Ben Kargbo*

(5) Denis Smith*

(6) Gipu Felix George*

(7) Olivia Mensah*

(8) Darlinda Lebby (Acquitted and Discharged)

(9) Dr. Christian Kargbo*

(10) Ibrahim Manty Foday Sesay*

(11) Kaifen Tablay Kallay*

(12) Mohamed Alikadi Bangura*

(13) Mohamed Kuraray Bangura*

(14) William Saybana Bangura*

(15) Sheku A.T. Bayoh*

(16) Edward Akar*

(17) Professor William Taylor*

(18) Mohamed Kekura Daramy (Acquitted and Discharged)

NOTE: 16* were sentenced to death by the trial Judge, Edmond Cowan, now Speaker of Parliament

Court No. 2 (two) - Modibo Leslie Lymon and 20 others: -

(1) Modibo Leslie Lymon*

(2) Ajina Sesay*

(3) Kweku Dixon*

(4) Tarik Dumbuya*

(5) Alisious Fofana*

(6)Samuel Sampha Sesay (5 years imprisonment)

(7) Claude Campbell*
(8) Patrick Tommy*

(9)Lawrence L. Lamin (10 years imprisonment)

(10) Basiru Savage*
(11) Kainde Bangura*

(12) Mayila Yansaneh*

(13) Philip Sankoh (5 years imprisonment)

(14) Harry B. Alpha (5 years imprisonment)

(15) A.B. Sankoh (Died during Trial)

(16)Jalloh Jamboriah (Acquitted and discharged)

(17) Mabinti Scott (Acquitted and discharged)

(18) Nancy Steel*
(19) Samuel Sani Sesay (10 years imprisonment)

(20) Winnifred Cummings (Acquitted and discharged)

NOTE: 11* were sentenced to death by the trial Judge, A.B. Rashid.

Court No. 3 (three) Agibola Manley Spaine and 21 others

(1) Ajibola Manley Spain*

(2) Baila Leigh*

(3) Matilda King*

(4) David Bangura*

(5) Saidu Daniel Bangura*

(6) Hamid Abdul Kamara*

(7) Joseph Saidu Momohr

(8) Stephen Cathys Bio*

(9) Hassan Barrie*

(10) Victor Brandon*

(11) Sheik Abubakarr Nabie*

(12) Umaru Deen Sesay*

(13) Dennis Kawuta Kamara*
(14) Abdul Salami Williams*

(15) John Tommy*

(16) Pastor Ajisafe-*'

(17) Gibril Massaquoir

(18) Winston Crowtherr

(19) Alpha Omega Bundu-*'

(20) Eben Victor Coker-/

(21) Alhaji Ibrahim Kargbo''

NOTE: *16 **were sentenced to death by the trial Judge, Sydney Warne.**
''-''Freed

Evidence adduced and verdict of guilt were at variance. Hearing of these matters by any competent court of Appeal would have, without doubt, acquitted and discharged all. By an interesting scenario, the carefully selected treason trial judges who presided over these Kangaroo Treason Trials are currently in sweet romance with the SLPP government of the day.

Michael Birnbaum Q.C. an Observer from the Commonwealth Secretariat to the 1998 Treason Trials and Court Martial wrote thus: -

"The Prosecution submit that all the defendants in all 3 civil trials are guilty of treason. The Defence submit that none of them are. Indeed many of the defendants go further: they claim that they are entirely innocent of any wrongdoing. My own belief is that the true position may be somewhere between these 2 extremes. In my view it is arguable that under the law of Sierra Leone:

(a) merely assisting an illegal government to perpetuate its existence is not treason.

(b) as a matter of law treason is complete once the lawful government has been overthrown and its powers usurped. Acts commencing after overthrow and usurpation are not acts of treason. I leave it to others to decide when exactly this point was reached in relation to the AFRC coup against the government of President Kabbah. But it is difficult to argue that the process of overthrow and usurpation lasted beyond about the end of June 1997."

In his foot note, Birmbaum Q.C. said:

"It may be helpful to add a footnote re the death penalty. It is now accepted that it is discretionary (see Sorie-Fornah). It follows in my view that anyone convicted of treason has the right to mitigate and call evidence in order to seek to persuade the judge to exercise the discretion not to sentence him to death. It also follows that if he does not succeed at first instance he is entitled to the normal statutory rights of appeal against sentence."

THE 1998 COURT MARTIAL

That unfortunate Court Martial indictees were:

1.	SLA 18164384	Cpl. Tamba Gborie and 37 orders*
2.	SLA 18163273	Sgt. Alfred Abu Sankoh*
3.	SLA 200	Brig. Hassan Conteh*
4.	SLA 301	Col. James Max Kanga*
5.	SLA 207	Col. Abdul Karim Sesay*
6.	SLA 448	Sqn. Ldr. Victor L. King*
7.	SLA 144	Col. Daniel Kobina Anderson*
8.	SLA 204	Col. Samuel F. Y. Koroma*
9.	SLA 405	Lt. Cmdr. Samuel Gilbert*
10.	SLA 223	Lt. Col. David Boisy Palmer*
11.	SLA 214	Lt. Col. Anthony B. Mansarayr
12.	SLA 152	Col. Alpha Saaba Kamarar
13.	SLA 220	Col. John Amadu 5. Conteh*
14.	SLA 339	Maj. Kula Samba*
15.	SLA 215	Col. Claude Nelson-Williams'-'
16.	SLA 417	Maj. Abdul M. Koromar
17.	SLA 404	Lt. Cmdr. Francis M. Duwair
18.	SLA 465	Maj. Augustine F. Koroma*
19.	SLA 358	Maj. Tamba Anthony Abu'/
20.	SLA 495	Maj. Bayoh Conteh*
21.	SLA 462	Capt. Albert Johnny Moore*
22.	SLA 674	Capt. Abu Bakarr Kamara*
23.	SLA 501	Capt. Simbo Sankoh*
24.	SLA 439	Capt. Idrissa Keitta Khemolai*
25.	SLA 650	Lt. Jim Kelly Jolloh*
26.	SLA 434	Capt. Josiah Boisy Pratt*
27.	SLA 634	Flying Officer Arnold H. Bangurar
28.	SLA 527	Capt. R. Beresford Harlestonr
29.	SLA 531	Lt Marouff Sesay*
30.	SLA 18163392	W.O. II Jonathan Dero Showers-/
31.	SLA 272	Col. P. F. Fode*
32.	SLA 415	Lt. Cmdr. L.D. Howard*
33.	SLA 300	Lt. Col. Bashiru S. Contehr
34.	SLA 412	Lt. Cmdr. Abdul Aziz Dumbuya*

NOTE: *24 were hooded, tied, shot and killed

10 got their sentences commuted to life imprisonment

10 got their sentences commuted to life imprisonment

FREED

1.	**SLA 270**	**Lt.** Col. **Saa Anthony Sinnah**
2.	**SLA 765**	Lt. **A.M. Keita**
3.	**SLA 675**	**Lt. A.B.S. Bah**

DIED IN PRISON

1. SLA 18130395 Pte. Gilbril Din-Sesay

Chairman of the Court Martial was Major Tom Carew, now Head of the Sierra Leone Armed Forces

Never in the history of Sierra Leone has a government proclaiming itself a democratically elected government of the people, descended to such barbarous depths of brutality and revenge killings. When President Kabbah was re-instated in 1998, he appealed to all rebels and soldiers to surrender and promised that those who surrendered would be protected. A large number of soldiers thus surrendered to ECOMOG or to the Guinean authorities in the Republic of Guinea. Killing surrendered soldiers did not encourage their colleagues in the bush to lay down their arms. As a result, some soldiers joined the RUF rebels in a selfdefensive move. It was that group that invaded Freetown, broke into Pademba Road prisons and set free all inmates on 6"' January 1999.

With indecent haste and reckless indifference, the Kabbah SLPP administration having Solomon Berewa as hatchet man, killed 24 (twenty-four) soldiers - most of them Senior Officers. They were tied to stakes, shot and killed after a very poorly conducted Court Martial. May their souls rest in peace.

Of the 24 soldiers executed, only 2 (two) were coupists - *Tamba Gborie and Abu Sankoh a.k.a Zagallo.* **Both Gborie and Sankoh confessed in open court but the SLPP, Kabbah and Berewa refused to listen. To satisfy their whims and caprices, they tied valuable lives to stakes and shot them in cold blood. A woman Military officer,** *Major Kula* **Samba in charge of rehabilitating child soldiers and cambatants, was amongst those killed in cold blood. (Attached are sworn statements of Cpl. Tamba Gborie, Sgt. Abu Sankoh (Zagalo and Brig. Hassan Conteh). Also attached are photo-copies of pictures of the 24 (twenty-four) soldiers that were inhumanely executed with indecent haste, callous indifference, abuse of their human rights of appeal and denial of fair hearing.**

All pleads for reprieve, forgiveness, mercy and reconciliation were ignored.

I politely appeal to the TRC to investigate those Court Martial Trials. I fervently believe that President Kabbah's revenge arrests, trials and hasty executions of the 24 (twenty-four) soldiers cannot promote national reconciliation. In **my view, these executions may have ignited the January 6, 1999 invasion of Freetown by RUF Rebels/AFRC Soldiers. They are a bad precedence for our fledging democracy. By these unfortunate executions, the Sierra Leone Army lost many of its best brains, much of its dignity, moral, prestige and hope. Can payment of compensation to their families wipe** off **their tears and grief?**

CONCLUSION

The Truth and Reconciliation Commission is making a historic bridge between the past of a deeply divided society characterized by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy, peaceful co-existence and development opportunities for all Sierra Leoneans, irrespective of region, tribe, class, belief or sex. The pursuit of national unity and reconciliation for the well-being of all Sierra Leoneans and peace require reconciliation between the citizenry and a genuine and sincere reconstruction of our society by government.

I do hope that a secure foundation for the people of Sierra Leone shall transcend the divisions and strife of the past which generated gross violations of human rights, the transgression of humanitarian principles during our horrible and violent civil conflict and the legacy of hatred, fear, guilt and revenge which the civil war brought onto our country.

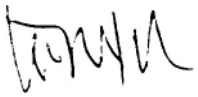
There is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for dignity for Sierra Leoneans but not for victimization and a need to advance such reconciliation and reconstruction in respect of acts, omissions and offences committed with political and tribal objectives and vengeance

It is with these in my mind that I have decided to forgive all and sundry including those who took up arms to destroy Sierra Leone and my Party, the All Peoples Congress, with the pretext

that they were removing the APC from State Governance. Fellow Sierra Leoneans, forgive one another and put country before self.

Once again, I appeal to the TRC to make fitting recommendations through which genuine national unity and reconciliation could be achieved in our democratic experiment.
From what I have heard at the TRC hearings all over the country, I am convinced that at the end of the day, the Commission will end up doing a satisfactory job. I encourage you to continue.

Thank you.



Victor Bockarie Foh (First Accused)
1998 Treason Court No. 1
(Judge Edmond Cowan presiding)
Delivered Friday, 4th July, 2003

EKE A. HALLOWAY B.A HONS (OXON), LL.M.
(LONDON)

Barrister and Solicitor

COMMISSIONER FOR OATHS NOTARY PUBLIC

Telephone:
Jnner Chambers
Office 225938 ***2nd***
Floor Srirtus House
P.O. Box 840 ***8***
House Street
Fax 232 22 225038
Freetown
Telegraphic Address

Ref: 11th July 2003.

The Commissioners

The Truth and Reconciliation Commission

Block A Brookfields Hotel
Jomo Kenyatta Road Freetown

SUBMISSION ON THE 1998 DETENTIONS TRIALS AND EXECUTIONS -

DEFENCE COUNSEL AT THE TRIALS

The year 1998 will be remembered in the annals of this country for treason trials - three of which were civil and one Special Court-Martial.

I participated in all these trials as defense counsel. I was partly briefed by the Government to defend and partly by the accused persons themselves.

At the Special Court Martial I represented Colonel A. K. Sesay, Major Kula Samba (the only woman in the Special Court martial) Col. NelsonWilliams, Col. Bashiru Conteh and Col. Sinneh.

They were all found guilty, the first were two were executed and the others are still alive and holding prominent positions in the Army.

All accused at the Special Court Martial were represented by defence counsel and the majority of the defence counsel were briefed and paid by the Government to defend.

Every opportunity was given to the accused in open court by testing the credibility of witnesses of the prosecution and presenting their cases in their defence. Reasonable access was granted to defence counsels to visit and interview their clients in Prison.

To that extent, the trial was carried on in accordance with the due process of the law.

I would however make this observation that the Court Martial Tribunal cut me short in depriving me of the opportunity to address them on the penalty, which was death by firing squad and that that death penalty was not mandatory. The Tribunal would however have

exercise its discretion to impose imprisonment rather than the death penalty.

I would also 1ike to comment that the accused persons had no right of appeal, although this has now been provided for Court Martial trials.

In the civil treason trials, I represented, among others, before the Honourable Justice A B Rashid, Bashiru Savage before the Honourable Justice E. K. Cowan Mr Hilton Fyle, before the Honourable Justice Konie Warne, Mr AB Sesay. I succeeded in freeing few of the accused persons.

Again, in these trials the accused persons were represented by defence counsel most of whom were briefed and paid by Government to defend. The accused persons were given every opportunity to be defended in open court and t o have a ccess to their s olicitors to be interviewed and prepare their cases.

Those who were convicted were sentenced to death by hanging.

Unlike the Court Martial , they had the right to appeal. They appealed against their convictions and sentences but withdrew their Appeals so as to benefit from the amnesty granted by the LOME Peace Agreement.

The environment then was hostile and tense and defence counsel were subjected to verbal assaults and threats for defending according to them "these animals", especially the court martial accused persons.

The position however temporised as the trials progressed

Eke Ahmed Halloway

DEFENSE COUNSEL - TREASON TRIALS

cc: The Executive Secretary, Franklyn B Kargbo Esq.,

Name: DCNALD SMITH
Address: Marjay Town Goderich
Age: 55 Years
Occupation: Business Proprietor
Nationality: Sierra Leonean
Religion: Christian (Roman Catholic)

I was born in Freetown on 16th March 1948. I attended St. Edward's Primary School from 195.3 to 1961 and St. Edward's Secondary School from 1961 to 1966. I worked for the Income Tax Dept., Sierra
Leone Government from January 1967 to February 1969. I worked for A. Brunnschweiler & co. formerly of 18 Garrison St. Freetown from 1969 to 1978. I was transferred to Brunnschweiler,Monrovia Liberia in, 1978. I became General Manager of Brunnschweiler Inc. - Monrivia in September 1980. I returned to Sierra Leone in 1984 and was Managing Director of Brunnschweiler- Freetown from then until the company ceased trading in June 1990. Since then I have been a private -businessman.

The coup that brought in the AFRC was in May 25 1997. I was then residing at 23 Riverside Drive in Freetown. There was not much business or much of any activity during the days following the coup. I stayed mostly at my house and used the time for much needed renovation work on my house. It was boring and friends in my neighbourhood suggested we meet at one of our houses every Sunday evening with provision of food and but mostly to relieve the boredom. We did this every Sunday. This was pretty, much the situation from May 25 1997 through June 1997, July 1997and August 1997. Towards 27th August 1997 I was in my house when my telephone rang. I answered and the voice at the other end identified himself Collins cf the RUF and asked to speak to me by name. I replied that I was speaking. He then proceeded to introduce himself and said he had been given my name by a friend. The friend had recommended me as having business and commercial knowledge, having been a business executive and holding important position in the Chamber of Commerce, and that I would help him. I asked him help to do what. He replied that he had been appointed Secretary of State for Trade and Industry and that I should help him to carry out his duties. I told Lt Collins that I had not been appointed to assist him and that his suggestion was out of the question. I told him I was not going to assist him in any way. He thanked me for having spoken to him and I replaced the receiver-thinking that was the end of the matter. I had not ever met Lt Collins before then and did not know him.

After a couple of days he rang again and said he was still asking for my help. Once again I refused. He then asked me whether I was a Sierra Leonean and did I not want; to help my country progress.
I answered I was a Sierra Leonean and would help my, country once I was officially and properly asked to do so. He then wanted to know whether I was a Creole. I said I was. Did I not want to help a Creole brother. I replied not under the circumstances. He then said he had been at the Albert Academy and had grown up at the Dougherty's household at Fort Street in Freetown. He was no doubt trying to give himself some credence. Later I learnt, from one of the Dougherty's that he had lived next door to them for a while but not at their house nor was he in any way brought up by them. After a few days he called again. He was clearly trying to wear me down and this time he was coersive. He invited me to go down to his office and see him which invitation I refused. He then became offensive. He said among other things that I was refusing to help him but we were brothers and maybe the time would come when I would need him as we were neighbours, and that in life one never knew what would happen. He continued in this vein and I realised he had taken up residency in a Government Quarter two houses from my house. He then threatened me saying that we lived in the same neighbourhood and I may need his help.

He sounded ominous and I had to promise to go and have a look at what he was doing. I found out that he had a full contingent of about 15 with him at his residence ranging from small boys to a few grown men all under arms.

A few days later, this must be some time in early September 1997, I went down to the Ministry of Trade and Industry to see what he was talking about confident that I would talk my way out of assisting him. I sat in the lobby for a while observing the goings on. There was much tooing and froing of people who easily seemed to be new officials trying to get a grip on things. When there was lull I went into the secretary's office and asked her to announce me. He did and Lt. Collins rushed outside to meet me and take me into his office. This was the first, time I met Lt. Collins. He was very clearly happy that I had come. I said I was only there to visit and congratulate him on his appointment. I went on with pleasantries trying to establish a kind of rapport being neighbours. I hoped he would have nothing against me for not working with him, all the time mindful of his contingent of men on my door step as it were.

He however, brushed all of this aside and introduced me to his associates as the man who would help them do the job as he put it. He immediately trust a document in front of me, it was the draft of a speech he was going to make at City Hall outlining his policy for commerce the next day. What did I think of it? I looked through the document and asked him to delete anti (SLPP) Govt. sentiments that were in it as unnecessary, and made alterations as I saw fit. I could not extricate myself from assisting him
from then on especially as he would send one of his men to my house to remind me if I did not turn up for one meeting or another.

I assisted him in his duties until about middle October- 1997 when the Permanent Secretary complained that he was being bypassed and that his functions were being usurped. He was now willing to assume his duties fully and Lt. Collins asked me to hand over all matters I was handling over to him which I did and which then left me redundant. From then on, I made all efforts to get away from Lt. Collins and resume my normal activities.

After a few days I asked to be relieved of whatever position I had held and for me to go back and do my own business. This had mostly been neglected up to this time and I was not receiving remuneration of any kind. I suggested that I had helped enough and that it was time for me to go. Lt. Collins refused. I then said that my time came expensively and that if he wanted me to continue working for him then I had to be paid. I demanded Le.24m per annum payable in advance with a written contract. I thought his reaction would be to let me go. Instead he said he would discuss it with the Chairman. After a few days he had a draft, of an agreement prepared by the Attorney General's Dept. As we discussed the fine points of the contract we got stuck on the amount. The finance people were saying Le.24m was too much. Nobody in Govt. circles earned that kind of money. So I agreed to Le.12m knowing fully well that it will still be too much on the one hand and the mechanism for making it available difficult if not impossible on the other. I was correct because after a few days he said the 12m was still too much but what he would do was find me a position in a Government parastatal - Managing Director of Mining and General Services - which is a parastatal that is under the Ministry of Trade. I said fine. However after a few more days, and he was really trying hard not to let me go, he said that the job was not available. In as much as the substantive holder was out of the country he was an AFRC man and the brother of Jam Jalloh who was a top AFRC official. 'He would make me the Deputy Managing Director as that position. was definitely vacant as the holder had died. About 10th November 1997 he gave me a letter appointing me Deputy Managing Director of Mining and General Services. I took the letter relieved th at it would get me out of his circle and I thought once I was out I was free. I was mistaken as I soon found it was not going to be easy. Now it was left to the Permanent Secretary to effect the appointment and he started dragging his feet in classic Civil service manner. The Permanent Secretary stalled in effecting the

appointment and gave reasons everyday why he had not found the time to write the simple letter of introduction to the MAGS management. In the three months I had worked in his Ministry I had not earned a penny. Now it would seem I would be remunerated generously at least according to his standard, he did not seem to like it and made comments to the effect. He continued to stall in effecting
the appointment and I grew restless. I was fed up with having to come to the office everyday. I finally, ran out of patience and confronted him one morning and asked for the letter that would introduce me to the MAGS management. He tried to delay it even then saying he wanted to do a comprehensive letter that would include all benefits and remuneration. I insisted that all I needed was a simple letter- of authority to say what my position was and was certain that once I was installed all information would be given to me. I was trying my best to get away from Lt. Collins but the Permanent Secretary was now being personal and envious that I was going to be generously remunerated. He finally conceded and did the letter which the Secretary of State signed. I said my good"byes and left.

I went to my house and did not go to MAGS. After a few days, Lit.. Collins sent one of his men to say he had taken notice that, as he put it, the Chairman had given me work to do and I was refusing to do it. I went down to MAGS and met a reception that was not particularly pleasant. I had been appointed Deputy Managing Director and the Managing Director was out of the country and that made me the boss. The Financial Director who was in charge did not see it that way and refused to allocate me an office. It was by now about end November. I left after quite a few arguements telling him I would come back in the New Year.

I Came back at the beginning of 1998 and after some more arguments, finally agreed to sit in a dusty shop at the basement where the flopped airline ticketing agency had been. I had to stay away a few days while it was cleaned and dusted. Hereafter, I went in at 9 C' clock in the morning every working : day and came away at 4 pm in the afternoon until the intervention. I did this to appease Lt. Collins who was watching my every move. I did not do any work at MAGS. I was not asked to, nor did I ask or insist to make any contribution. I was not paid any money and did not receive remuneration of any kind. I did not ask for any and I did not receive any.

When the intervention came I stayed in my house. I did not go to Guinea or anywhere because in my estimation I had not done anything that warranted running away from my country or my home.

In the meantime it became clear that the AFRC and RUF cadres were preparing to exit the scene. Before they left armed men from Hon. Dirty' s compound came to my house, broke open my garage whilst I coward in the house. They took away my car. They also took diesel I had bought to stave off any shortage that seemed apparent. They also took a silver ice bucket and silver candlebra. They transported these in the car to their house at the bottom of my drive and as they no doubt intended this to be the first of many trips, they left one of their number armed guarding my gate. I came out of the house jumped my fence at a part where the guard would not see me wounding my hands in the process on the broken glass at the top of the wall. I ran to Lt. Collins' house and told him of the incident. He laughed. I asked him to send his men to retrieve my goods but he was reluctant to do so. I had to plead with him before he eventually gave me one of his men to assist me in retrieving my goods. We walked down to their house but they denied they had taken the diesel. Another soldier arrived at the scene. I later learnt that he had come from soldier Tarawalley's house. He told them that what they were doing was wrong. He took the car off them and drove it to Lt. Collins for safe keeping. We found a mechanic who turned the car off as the switch had been broken and later took the car back to my house. The next day when I asked Lt. Collins for the artifacts i had left with him he refused to return them.

A couple of days after they left i.e. AFRC and RUF cadres. A band of looters came to my compound broke and removed doors and windows and eventually all of the furniture, clothing and all other goods in first the house that I lived in and then t he other house in my compound. This house 23A Riverside Drive was then rented to Walid Hassan who was then out of the country. The looters were led to my compound by SSD Mohamed as we called him when he worked as security in my compound on a private arrangement.

Alfred Thompson who lives in an unfinished house belonging to lawyerr Hannah Ahmed outside my compound was responsible for broking into the garage which he had been hired to help repair in assisting a masoner Momoh Bangura after Hon. Dirty's had broken into it. Later, I retrieved from Alfred Thompson my gold chain which he was wearing and documents which belonged to me and also furniture and a fridge freezer which he had removed to his dwelling and tyres for both my cars which we had removed to thwart the usual looting soldier from taking them away. For a few days while we looked for tyres to move the cars, parts were being stolen from them, Alfred Thompson kept the tyres and denied having them until my mechanic Abdulai Jalloh who had come to remove the cars grew suspicious and insisted in looking into the room he occupied in the unfinished building, when the goods mentioned earlier were found.\

After ECOMOG troops were deployed in our area my cousin Nanette Thomas and myself reported to them. I was staying with her at No. 5 Kingharman Road as my house had been looted and vandalised. We learnt that our neighbours were already pointing fingers at us and we reported to ECOMOG to prevent our neighbours who would soon become the mob moving in on us. A corporal and a sergeant marched us from 'Kingharman Road to Adelaide Street where the headquarters for the area was. On our way the soldiers interrogated us. They said that our neighbours had already informed them about us. They wanted to know what I had done. I explained as inter alia. They asked whether I had taken part in armed activity of any kind to which I replied in the negative. They wanted to know whether normal working hours I accompanied Lt. Collins anywhere. I replied that I went home everyday and did not involve myself in any other activities. They examined me looking for military marks and found none. 'Nanette said she had continued to supply the prisons during the AFRC regime as she was the contractor

When we arrived at Adelaide St. the soldiers explained to the commander Capt. Thompson who after a few questions said we could go. As we were about to leave David Mossay, tennis coach attached to the Ministry of Education who i know as we played Tennis at the Bank Complex at King Tom rushed in and said to the captain “Officer this man” pointing at me “is RUF and should be killed”. The officer asked him to get out. He said if they did not kill me he would kill me himself. We shouted at each other until the soldiers told us to shut up and show respect. Dr. Gevao then came in and asked Mossay to leave. Dr. Gevao told me afterwards that they had been driving around together and that he had tried to refrain him from his outburst. Before the troubles Mossay had accused me of having an affair with his wife. This was not the case. I am confident that Mossay knows that it is not the case but was using it as an excuse for his animosity towards me.

On 4th March 1998 Police Corporal Jabbie arrested me outside my compound at Riverside Drive. He did not know me and when he asked me I denied my identity in an effort to evade arrest but Alfred Thompson pointed me out. Earlier Alfred Thompson had reported to the police that I had looted the house of Jusu Sheriff whose house is next door to mine. I had to go to the CID having being invited explain and clear myself. When I was being taken away that time Alfred Thompson

had said to my hearing “everything if finished now”. After going through the CID I was on the night of the same day taken to Pademba Road Prisons where I was incarcerated.

In May 1998 I was taken to the CID and asked to make a statement. This statement was taken by Jabbie who turned it over to Weilington who was in charge. Wellington read it and said I had no case to answer and that if I could arrange for something for him and his men I would be released. I called Nannette on the phone from Wellington's desk and appraised her of the situation. I handed over the phone to Wellington. Nannette spoke to Wellington and then me. She said I should leave things to her. I was then taken back to Pademba Road Prisons.

Some time in June 1998 I was taken back to the CID. Nannette had not paid the money in as much as I had left all monies I had in my possession with her when I was arrested. One batch of detainees who had fallen under my category had been released. Included in this group were Kemoh Fadika and Lloyd Beserve. She had not paid the money for my release and now she was making all kinds of allegations against me. They wanted to know why on both counts. What had I done to aggravate her? Was she really my cousin? I replied that I had not done her anything. I had been counting on Nannette to help get me out of prison but from what I was hearing I could die in prison for all she cared.

Nannette had monies belonging to me as I had stated. I had left these monies with her when I was taken to prison, but she was now refusing to part with any of it. I asked Wellington whether I could be released if I gave him a good sum. He replied in the affirmative. I then wrote a note to Nannette asking her to give $2000 (Two thousand U.S dollars) to the bearer. I handed over the note to Wellington who passed it on to Jabbie to collect. Jabbie collected the money from Nannette and affirmed afterwards that he gave the money to Wellington. I was not released.

In April 1999 who was then Minister of the Interior visited the jail and I was granted audience. I pointed out that peace was in the offing and there were quite a good number of us who had not been charged with any offence and could he recommend our release. As a matter of fact detainees who had not been charged were being released after an appearance before a committee that had been set up when parliamentarians complained after the first batch referred to earlier had been released by the police. The criteria for selection to go before the committee was not clear. Bribery was mentioned by detainees who were before the committee. I was not called before this committee. However Charles Margai did not see why the detainees could not be released en bloc and he asked me to make a list of all thos e who fell within this category. I made the list assisted by the Prison authorities and put my name at the top of it. I listed myself No. 1 for release. When the release was approved and the list read out on Independence Day as part of the usual amnesty granted by the president, my name had been deleted. My name and only my name was taken out of the list. I was not among those released, my release had not been approved, I was a special case. Everybody connected with the political problem who had not been charged was released. Also released were those I included in my list who did not know why
they were in jail, who had been forgotten as it where by the authorities and who begged me to include them. Those -released on Independence Day 27th April 1999- were not confined to my list alone. There were other lists of detainees and even convicted criminals who received the president' s mercy. I stayed in jail.

I continued to be incarcerated. I had friend and relatives make representation to the authorities, mostly to the Attorney General but all they got were evasive answers. Either there were other matters that had to be looked into or the people at Regent Village were bringing evidence against me. It was alleged that the RUF had operated from my house at Regent from where they had bombarded the village causing damage to the church and even the property

belonging to Mr. VL Thomas on the other side of the mountain. I did not see how this was connected to the political situation for which no doubt I was being detained. This matter had been settled in a court of law within the jurisdiction of which the Attorney General presided. The matter had been settled in my favour. Outside of the law I was exonerated by the Hunting Society fraternity and by the authorities who govern it. Indeed all actions i had taken had been with the approval of the Western Conference of Hunters, who were in charge of the particular Hunting concerned and who had presided over and endeavoured to diffuse the problem from the outset. At the end of the court action I had asked my lawyerr Mr. Gabriel Bayoh to ask the court to waive the costs awarded to me to the benefit of the respondent. This matter now cropped up again and the Attorney General was alleged to refer to it as reason why I was not being released. To put this matter out of the way so as not to hinder my release, I had Mr. Patrick Brown apologise on my behalf in as much as I had been the aggrieved party. He had to pay on my behalf the sum of money and provide other items of goods demanded by the society people before the matter was finally considered dropped so that it could not be used by the politica system to continue to hold me in prison. This it turned out did not in any way affect my situation.

It had been alleged earlier, even before the troubles started proper that Johnny Paul had slept in my house at Regent. This was stated over 98.1 FM time and time again and was used to whip up hate and malice and teleguide the rabble who later sacked and looted my properties and put my life in danger. It became very clear afterwards that those who said that Johnny Paul Koroma had slept at your house knew they wer passing a death sentence on you waiting to be carried out when the 'mopping up' which was the cliche used over and over again over 98.1 caught up with you. If you were unlucky and unfortunate as it did with a few others and most definitely with Sacomah, you were shot dead if you were pointed out to ECOMOG as having been the host at least for one night of Johnny Paul Koroma.

My case would seem to be special and everybody who was being released had the same question for me 'what had I done' that is over and above the usual for which all of them and some of them more so,
much more so, were being released while I continued to be in jail. I contacted a Freetown lawyerr through personnel of the Prisons social services but he pointedly refused to have anything to do with the matter. My case was special. He did not know what indiscretion I had committed that made my release unattainable and he was not going to find out or get involved.

After April 27th 1999, when I was not released, my boyhood friend Patrick Browne who had been handling my affairs whilst i was in jail informed me that he was no longer in a position to continue doing so. He let me know that he had tried his best and that he could do no more. He said he had tried to effect my release by pleading with both the Attorney General Solomon Berewa and also Chief Hinga Norman but to no avail. Now he let it be known by his pronouncements that were reported to me that mine was a hopeless case and the I was never going to be released.

As the process continued, batches of soldiers and civilians who been tried and condemned to death and imprisonment were released, i. e. people who were part of and had participated fully in the AFRC/RUF rule. The last lot were slated for release on 23rd July 1999. By then everybody connected with the troubles had been released except this last batch of civilians. All soldiers had been released but I was still in prison. The delay with this last batch as it was understood then was because their lawyerrs
had not signed -waivers on their behalf to stave of any future claims for compensation from the Government or whomsoever. Whether this was the case or not they were called to the administration office in the prison on 23rd July 1999 and even with this last lot going I was still detained, my release had not been approved. When this last lot moved out of the cells with their

belongings to be released, I was only one of three people left in the prison block. One was Jalloh who was in for murder and mentally unstable, and not in death row and one other. The main body of prisoners had left when the jail was broken into on 6th January 1999 and had not returned. This last batch was not released on 23rd July 1999 due to administrative hitches but they did not return to their cells. They went over to the hospital across from the administrative building while they waited for final clearance. That night I slept alone in my cell, the only person remaining from all those who had been incarcer4ated over the period which number at one stage was in the region of 5000 prisoners in a prison that may not have been designed for more than 300 inmates. Over double that number must have gone in and out of Pademba Road Prison during the period February 1998 to July 1999.

The next day Saturday 24th July 1999, a few of those to be released came back, to the main prison from 'the hospital where they were now waiting to be released and insisted that I take my belongings and come with them. I was hesitant, and Protested it would do no good since there had been no order for my release. They persisted and I took my belongings and went with them to the hospital. Those who had been released earlier but mainly Sampha Sesay a.k.a. Major and Abdul Salami Williams (deceased), were pressing for the release of the last batch of which I had now unofficially become a part. There was news that Attorney-General Berewa was about to leave the country and if he left we would not be released until he came back. A few recently released colleagues were running back and forth to ensure the release before Berewa left. During one of his many visits to the jail to keep us up on progress, Major said he had brought up my case with Berewa who had shown surprise that I was still in jail. According to Major, Berewa said he though I had been released a long time ago and my friends must have let me down. Major said he had however agreed to my release.

Saturday 24th passed without us being released. We hoped for the next day Sunday 25th July with apprehension. We were not sure prisoners were ever released on Sundays and rumour had it the Berewa was leaving first thing Monday morning.

However, about midday Sunday 25th July 1999 we were released. A full list of the remaining treason trialists was read out. They walked out one by one as their names were read out amidst shouts and jubilation from their friends and relatives who were waiting outside and who had brought a milo jazz band that played incessantly all morning. When their list was exhausted and all of them were out, the prison officer then produced a second list and called out my name. I followed clutching my possessions. I was free at last and last of the whole lot.

Naturally, my friends and family were jubilant that I had been released especially when by now there was apprehension whether i was ever going to be released.

I was told reliably that Mr. Browne who had come to wait outside for our release as anticipation had grown throughout the morning had said to the hearing of others he was certain I would not be released. When I was released, he was said to have remarked that my release must have been an afterthough as I was released last.

Family and friends then proceeded to my house which was full and sprawled into the compound. Word soon went round that I had stayed this long in prison because my friend or friends had let me down. Mr. Browne who was also in the house ostensibly to celebrate with me came up to say he had heard what was being said about my friends letting me down. I replied i had not said anything and would not know for sure what Mr. Berewa had said as I had not met him.

I have participated in politics in the past hoping to be able to contribute something to my country in the area of leadership. I have not taken anybody's money in the process. As I remember it I have always used my own money in the political situations I have participated in.

ALL PEOPLES CONGRESS (APC) - You have to bribe the Secretary or the minister of the Party Affairs or whatever was his designation to be given a symbol of the party to be able to participate. When I contested the 1986 General Elections I was not given a penny of party funds. There were five contestants in our constituency an i am reliably informed that three of us were helped in our electioneering with party funds. I did not ask for anything, I was not given anything, despite the fact that during the presidential campaign i had made my volkswagen bus availabel at my full expense for moving the cooks from place to place.

NATIONAL UNITY PARTY (NUP) - In the 1996 elections in which I participated under the NUP, money allocated to me to assist in taking members of my constituency to the convention was collected on my behalf by a leading member who has still to hand it over to me. All monies spent to bring constituents to the meeting and feed them came from my pocket.

A couple of days before the election, a meeting was called to vamp out final strategy at the leader's house. A stipulated sum of money was given to every constitiency chairman to assist in the final effort. I did not accept it as I said that it was a bit too late, and I could not see how it could influence anything and i did not know how to use it. I have it on good knowledge that most chairmen if not all kept the money for themselves especially when the strategy which the money was supposed to be aiding was soon afterwards acknowledged inappropriate in its timing and cancelled.

During the election, assistants in my area were fed by me and it became doubly ex-pensive as the election period was extended. I was never reimbursed.

AFRC – I was not paid a penny for assisting Lt Collins to do his job. Instead I was forced to pay most small donations from my pocket on the pretext that I would be reimbursed, which did not prove to be the case. When I asked to be paid first Le.24m a year and then Le. 12m a year in advance for my services which was a ploy to get out, I was refused on the grounds that, it was too much money. Instead I was given the job of DMD mags. This was intended to keep me with the ad-ministration and compensate me. I did not demand nor was I given any remuneration of any kind.

Three of my properties were vandalised by mobs who had been directed to such destruction either by innuendo or through radio. The assault, on my properties at 23 and 23A Riverside Drive Brookfields was led by popularly so called SSD Mohamed who had been hired as already stated to guard the properties. He was in front of the mob and led them to attack and search the above premises. They took away furniture and personal property and doors and windows, that is after stoning the properties to open them up. 'When they left Alfred Thompson who lives in the unfinished house of Lawyerr Hannah Ahmed and who had been hired to assist the masonner repair the damage caused by Hon. Dirty's men systematically took the house apart. He broke into two safes in my garage one of which was completely empty. The other contained mainly documents which were later retrieved from him and jewelry mostly belonging to my daughter – presents from her Christening and First Communion. My gold chain was taken from his neck. Other household goods including a refrigerator and tyres from both my cars which i had taken off ostensibly to prevent uniformed personnel from commandeering them, which had been the case in the past, were retrieved from his premises.

My house at Smith's Drive, off Gloucester Road, Regent Village was vandalised, and all fixtures and fittings taken away. My mother lived in the house. Malicious people in the area had lied and given information to 98.1 that J .P. Koroma had slept in the house. I do not know J.P. Koroma and I do not understand why he would want to sleep in my house. I later found out t'hat it was a way of condemning you, even to death. All they had to say was that Johnny Paul Koroma slept

yesterday in Donald Smith's house and that was enough condemnation in itself. As already stated I do not know J.P. Koroma and he has never slept in my house at Regent or in any of my houses. My mother lived in the house at Regent and I do not have any reason for military personnel to use the premises when she was in it. I have however since found out that hate, malice and jealousy led leading citizens in the area to lie that Johnny Paul slept at Donald Smith's house and this information was in turn dutifully passed through the grapevine and then passed on to 98.1who in turn broadcast this information for people with hate to interprete the way they wanted it.

A few days after the intervention my mother wrote to me to say that five men led by one Reggie Thomas of Regent had led ECOMOG troops to the house. They had dragged her outside lay her on the ground beat her and asked her if she knew i was a member of the RUF. She said she did not know anything. Reggie asked the ECOMOG to shoot her because she as the mother of an RUF member. This they did not do. They shot at the house believing I was hiding in it with heavy artillery making holes on my bedroom wall. This continued unit ECOMOG realised that this was private property belonging to a civilian, and not to a soldier as they had been to believe, that there was no arms or ammunition and that only an old woman lived there. They then left. I enclose photostat copy of letter dated 19th February 1998 sent to me by my mother, relating the incident. Reggie Thomas returned with his group to steal property in front of my mother who being old could not stop them. They then set the house on fire. Fortunately, with help she was able to put out the fire.

I wrote to the Chairmen of both Gloucester and Regent, complaining and sent them copies of the letter. These letters were delivered by a Mr. Kargbo who then lived in Gloucester.

A few days before the intervention, while i sat at my desk at MAGS, I was visited in turn about 10 minutes intervals by first Rev. Canon Adjai Nicol who said he wanted to go up to my house at Regent to give my mother Communion. I was skeptical about this offer but gave him Le.10,000 to assist him with transportation. I do not know whether he did administer the Communion. My mother did not mention it. Next was Rev. Jones, recently deceased, who was in charge of St. Andrew's Church Gloucester village. He simply wanted to know why i had left my business to come and sit with 'these people' as he put. I did not reply. I sat looking at him. He shook his head at me as if with pity and left. Next to come was Mr. Victor Williams of Regent village. I commented I was having a mountain district visitors thick and fast and what did he want. He said his son had been arrested for giving information to 98.1 and could I assist in securing his release. I asked him who said I was in a position to secure anybody's release from anywhere. He said I was RUF and it was RUF who arrested his son and that was why he had come to me. I told him I was not RUF and was sorry there was no way I could help him. He left. It was very clear that these visits were orchestrated.

I wish to state that until the day Lt. Collins called me on the phone the first time I had not met him neither in Liberia as has been alleged nor in Sierra Leone. I was not aware of his existence. I lived and worked in Liberia from 1978 to 1983 and came back to Sierra Leone at the beginning of 1984. I learnt from Gipu Felix George former head of the SLBS when were both in jail amongst others that he had given my name to Lt. Collins and made the recommendation referred to earlier. I had not known this fact when I made my original statement to the police. He apologised in front of other detainees for putting me through the ordeal as he put it.

I have never been a member of the RUF as indeed I had not met and do not know any RUF from the leadership downwards except Lt. Collins who I met in the circumstances I have described. I was not part of the AFRC nor had i met any of the men who carried out the coup of May 1997or any of the officers or men who were involved from the leadership downwards. I did not ask for nor was I offered a position in their administration even when they were desperately looking for

people. I only got to know the ones who were in jail whilst in jail and that was when they got to know me. They were surprised I had been incarcerated for activities that had to do with them.

At my first interrogation in May of 1998, Mr. Wellington the police officer conducting the investigations said after reading my statement that I was not involved and could go if I could find something for himself and his men.

As already stated my cousin who had my money and who I relied on to provide this 'something' failed to provide it. Consequently, a group was released which I should have been part of. After the release of this first group, Parliamentarians objected to suspects being released without going through some sort of screening by others other than police personnel. A committee was set up and groups of detainees determined to be without seemingly sufficient evidence for them to be charged to court went before it and were released in batches. Although my family and friends made representations and enquiries and tried to get me to appear before the committee, I was denied this opportunity.

In June 1998, I was taken to the CID for further investigation. This was mostly because Nanette had failed to pay the amount she promised for my release. I gave authority to Mr. Wellington to collect $2000 (Two thousand dollars) from Nanette Thomas. This amount was collected by Mr. Jabbie of the CID and according to Mr. Jabbie, this money was given to Mr. Wellington. I was not released.

As already stated, with the permission of Charles Margai then Minister of Interior, a list of all detainees not charged was made. My name headed the list. All persons whose names were listed were released as part of the Independence Day amnesty granted by the president that is all except me. My name was taken out of the list and I was not released.

After the main release of Independence Day 1999, in which other categories who had been charged to court and some of them condemned were released releases of different and varied groups became very frequent as the peace process was being actively pursued to meet obligations agreed to in the Peace Agreement. All soldiers condemned or otherwise were released. On 23rd July 1999 the last batch of civilian treason trialists was approved for release and i wan not going along with them. It would seem i was going to spend the rest of my life in prison.

Without going into the psychological implications of the effect of this on me as I became the object of pity and recipient of sympathy and group weeping as all other categories of detainees were released in their various groups at various times, I wish the TRC why I was kept in jail as long as I did when others who had been part of the AFRC were being released. Why was I not given the opportunity to be released and why my name was taken off the list of detainees that were released at Independence 1999. Why was I in jail when everybody had been released? What exactly did i do to deserve this? Why was I singled out for persecution?

In view of the above, I contend:

1. That there was no justification to incarcerate me.

2. That every effort was made by those in authority to keep me confined for no justifiable reason.
3. That after about four months in jail (which represents only a quarter of the total period of my incarceration), i was transferred from Clarkson House which is exclusively for political detainees to Blyden House where the most hardened criminals are imprisoned. My persecution was further intensified by this action which was intended to undermine my morale by denying and depriving me of the small comfort of being amongst my kind, and also safety

in confinement, and exposing me to the dangers of being imprisoned amongst hardened criminals. Mr. Kamara, the yard foreman who executed the transfer could only say when I asked him why, that it was an order from higher authorities.

4. That I was not charged with any offence and was denied the opportunity to appear before the Judicial committee to clear myself.
5. That my name was deliberately taken off the list of detainees that had been prepared by me approved by Charles Margai and with the assistance and support of the prison authorities, thus ensuring that at Independence day 1999, I alone was denied amnesty from the President and had to stay in detention, while ALL those detained without charge were released not to mention quite a few of those who had been convicted for political and criminal offences.

6, That there was deliberate intention on the part of the authorities to keep me in prison while those who belonged to and were part of the AFRC/RUF and others who had participated fully in their administration as ministers/secretaries of state and had benefited from such participation were released communicating the impression to all and sundry that I was a ' Special case' and that I must have committed indiscretions which only the authorities were privy to which resulted in turn in my friends shunning me, and me becoming the object of pity, with the resultant psychological consequences for myself, my family and friends .

7. That at the end when the last lot or political convicts and detainees were ordered released, there was still no order for my release thus giving credence to the by now widely held understanding to my detriment that I was never going to be released.
8. That when I was finally released, i was the last to be released.
9. That I gave $2000 (Two thousand dollars) to Wellington that was collected by Jabbie as a bribe for my release.
10. That my house at 23 & 23A Riverside Drive and 1 Smith's Drive off Gloucester Road, Regent village were looted clean of their contents, fixtures and fittings and then vandalised i.e part roofing and ceiling etc. Being ripped out and taken away.
11. That Radio 98.1 repeatedly broadcast that Johnny Paul Koroma slept in my house at Regent whipping up public hate towards me and effectively condemning me to death thereby putting my life in grave danger.
12. That from 4th March 1998 when I was arrested and jailed to 25th July 1999 when I was released, a period of about 16 months I was denied the opportunity of earning a living.
13. That as a consequence of all of the above I suffered physical, mental and psychological damage to my health.
14. That in view of all the above I hereby claim Le850m (Eight Hundred and Fifty Million Leones) in compensation.

This statement is prepared by me and is by no means exhaustive and does not precoude me from additions and oralterations I may wish to make during or in the course of any probe or investigation or in any matter in dealing with the TRC for which this statement is made.

Freetown, Western Area, Republic of Sierra Leone, 12th March,2003

19/2/98

Dear Donald,

Thanks be to God for your safety. We have been through hell on this side. The town was turned into a battle ground for five consecutive days. We were holed in the kitchen, Ali and I. On

Friday, the guns seized. On Saturday, the ECOMOG Battalion led by Reggi Thomas and one they called T.K came and stormed the house. They shot their way into the compound, gun waging. I called for them to com in. the commander asked for the keys to flush out the enemy, whom they were told were lodging in the house. They said the man slept here and there were guns and ammunitions inside the house. I told them I did not know what they were talking about. They then asked for the key. Well you know i did not have it. After about an hour of my ordeal, they forced me out and laid me down where you usually park your car. Then they stormed the house. All this time, Reggi kept telling when to shoot me because I am the mother of a rebel, high up in the AFRC. He told how you thre their business into the street. After all the mayhem the commander decided to leaver us alone, i guess he was convinced.

On Sunday morning, at about 7.30, Reggi and four others came and asked for postol. They pushed aside and i went and sat down on the tank by the back door. They then systematically looted the house. Everything including my clothes. Since the burst open the generatore place,they took the fuel away. Then told me the house was on fire. Fortunately we put the vase that they set alight out.

It is som much that happened. I cannot say anything else for now, as i am still wondering why such should happen.

I am trying to cope. I hope you are quite sure of yourself before trying to come here. You may wait at least a week or so; you know best. What you do not know is that their are a lot of people who would like to see nothing than trouble for you.

Thanks for the food. Bye now

Josephine

FROM: The Director of Prisons
TO : The Chairman, Truth and Reconciliation Commission.

25th March 2003

RE: REQUEST FOR SUBMISSION TO THE COMMISSION

..... . Reference to your memorandum dated 25th February, 2003 I forward herewith the attached submission as per request.

(F.S.Conteh)
Director of Prisons

Director of Prisons.
Prisons Headquarters. FREETOWN.

CAUSES OF THE CONFLICT

Several factors combined in various ways to cause the launching of the invasion and accelerate its course.

Sierra Leone actively supported the creation of ECOM0G by contributing troops and a military base in Freetown. The base for ECOMOG was the most significant single factor which helped the peace keeping force to curb the ambition of undemocratic elements from Liberia to take over power by force of arms.

Those who had staked huge resources in the war in the hope of reaping appropriate rewards once in power were bitter that those prospects had been eroded by ECOMOG. The fact that the Executive Secretary of ECOMOG was a Sierra Leonean could have only fueled the flames of revenge.

There were, however, certain underlying causes, which made it possible for the NPFL rebels to carry out their well-publicised threat with great ease. One of these factors was the weakness of the national defence system by a deliberate policy of' disarmament.

It was always in the self-interest of an oppressive and corrupt regime to neutralize its own armed forces by running a better-equipped internal security unit to suppress all forces of opposition. The ousted APC regime in Sierra Leone disarmed the national armed forces in a bid to forestall attempts to stage a Military coup d'etat. In such circumstances the country could hardly be defended against a serious external threat, such as was launched in 1991 by NPFL rebels.

Another reason for the incursion is linked to the need for survival felt by tile NPFL bandits. Having trapped thousands of Liberians in rebel-held areas and made normal life quite impossible, the bandits were soon confronted with the stark realities their situation. The problem was how to feed and maintain the Population in the vast areas of Liberia under their control while at the same time financing a war they knew they could no longer win. The rich agricultural and mineral resources of Sierra Leone became an obvious target for looting. Hence the attacks on Kailahun, Kenema, Pujehun and Kono Districts.

The growing disenchantment with one-party system in Sierra Leone was also to blame for the incursion. Although some moves had been made to usher in a more open society, with the setting up of a constitutional review commission and the eventual promulgation of a multi-party constitution, there were strong indications at the time of the incursion that the APC regime was determined to subvert the crucial provisions of the new constitution in order to stay in power. The feeling of apprehension about the intentions of the ruling party would have enhanced the strong probability of tacit, if not vigorous, support for any armed uprising against the government. The Liberian bandits were conscious of, and banking on this likelihood.

There is also the factor of boundless generosity, which characterises the attitude of Sierra Leoneans to strangers. Between December, 1999 and March, 1991 thousands of refugees fleeing from the Liberian conflict were received with open arms in Sierra Leonean homes. The Government did not bother to institute strict border controls or set up refugee camps to monitor the crisis situation. Instead, it allowed a lucrative trade in looted goods to take place between the rebels in Liberia and its own nationals in the border districts. In the lax security situation that existed it was easy for the NPF L rebels to gain a wide knowledge of the geography of the country that helped them to launch their sinister designs on Sierra Leone. Their naivity and infantile generosity explain why Sierra Leoneans did not initially view the rebel incursion as anything that could seriously threaten their very survival.

The role of actors Institutions and Countries as well as recommendations in regard to how a repetition of the conflict can be avoided, how victims may be assisted to over come their suffering and have their dignity restored as well as addressing the issue of how perpetrators may be reintegrated into the society in order that the nation may be healed and the society rebuilt.

In view of all these serious problems now facing the country as a result of the war, it is vividly evident that individuals as well as institutions and organizations within and outside the country must contribute in a very positive ways towards rebuilding, reconstructing Rehabilitating and also sustaining the peace through these prescribed methods. Amongst them are some Institutions concerned with Physical and Economic reconstruction. International Organizations such as the United Nations. Department for International Development (DFID), a British Organization, the World Bank and International Monetary fund (IMF) and some local Organizations have vital roles to play.

The US Government and other donors must adequately fund both the special court for Sierra Leone and the Truth and Reconciliation Commission (TRC).

The US Government and other donors should support the establishment and strengthening of national institutions and mechanisms in Sierra Leone in order to improve the capacity of the judiciary, police, prisons, armed forces and Fire Force other relevant government institutions.

The UN should continue to deploy peacekeepers in all areas of Sierra Leone and actively protect civilians, including women and children.

The UN should work with the Government of Sierra Leone to incorporate education and sensitization into all aspect of demobilization and re-training of professionals including those in the military and police, prisons, health and legal profession and educators.

The UN should ensure that rape and other forms of gender-based violence are prioritized as crimes by the Special Court and that perpetrators from all sides are held accountable.

The UN should ensure that safeguards are in place to protect those who come toward to testify - especially women. The UN should educate and inform people throughout Sierra Leone about the Special Court and TRC, and ensure that all those who want to provide information or testify have an opportunity to do so.

The UN should work with the Government of Sierra Leone to train all Special Court and TRC staff who will be working with victims, learning from experiences with other international tribunals, the UN should establish sensitive procedures that protect victims and do not further traumatize survivors of gender-based violence and other abuses. This should include the provision of counseling before and after testifying in the first language of the victim and the protection of the victim or witness upon return to her/his community.

The UN, with the Government of Sierra Leone, should ensure that w omen are represented at every level of the Special Court and TRC.

FROM: The Director of Prisons,
To: The Commissioners Truth and Reconciliation Commission.

12th July, 2003.

SUBMISSION ON THE 1998 DETENTIONS, TRIALS AND EXECUTIONS - THE PRISON AND THE GOVERNMENT

The role of the Prison service is first under the law, to hold those committed to custody (whether on remand, committed for trial, convicted and awaiting sentences or lawfully detained by court order or executive action) and to provide condition for their detention which are currently accepted to society. Secondly, in dealing with convicted offenders, there is an obligation on the service to do all that may be possible within the occurrence of the sentence to encourage and assist them to be law-abiding on their discharge.

On diverse dates in February, March and April 1998 several arrest were made by C.I.D. and ECOMOG of those that worked in collaboration with the AFRC regime that over-threw the legitimate government of S.L.P.P. Those arrested were brought to the Pademba Road Prison as Detainees.

In fulfilling our roles and responsibilities, we contained the undermentioned military personnel who were brought into our custody when the constitutionally elected Government was reinstated. We held these inmates in the conditions of security and supervision, which were appropriate for them. They had access to legal representation. They were provided with food, medical facilities beddings and humane conditions that were required of them as spelt out in our rules and ordinance. During their staying they were granted visit by family members and loved ones.

On diverse dates in May 1998 those brought for detention, at the Pademba Road Prison were taken from the Prison and escorted out of the Prison by C.I.D. and ECOMOG Personnel to obtain statement from them. Thereafter they were brought back into the Prison to be detained.

In June 1998 after the investigation have ended, at the C.I.D. those detained at the Freetown Central Prison were categorized into three (3) categories (1) the Military Officers charged to attend Court Martial presided by Senior Military Officers (2) the Civilians that worked in collaboration with AFRC were to attend the Treason Trial presided over by Judges (3) those who have little or no connection with AFRC were attending the Tejan Cole Committee Commission.
All of them were incarcerated at the Freetown Central Prison.

The Court Martial sittings started on or around the 23rd July 1998. During the sittings, the Prisons Department provided Officers to escort the Detainees to and from Court whilst the ECOMOG Personnel provided Armed Personnel for security reasons. These inmates were discharged to attend the Court Martial, and brought back into the Prison upon the request of the President of the Court by then.
On or before the 12th October 1998 when the Court Martial ended, thirty four (34) Senior and Junior Military Officers including One (1) Female were Condemned to death by the Military Tribunal. The undermentioned three Military Personnel were acquitted and discharged and were released from the Freetown Central Prison on the 26th October 199S upon the orders of the Attorney General
1. Lt. A.B.Bah
2. Lt. Alimamy Keita
- Col. S. A. Sinnah

The undermentioned (Ten) 10 Officers were sentenced to life imprisonment by the court martial court. They were latter on granted presidential pardon on the 17th July 1999 by His Excellency the President Alhaji Dr. Ahmed Tejan Kabba and were released from the Freetown Central prison on the same day.

1. SL. 355 Major Tamba A. Abu
2. SL. 415 Lt. Comd. L. D. Howard
3. SL. 527 Captain R. B. Harleston
4. SL. 652 Fly Officer Arnold H. Bangura
5. SL. 152 Col. Alpha Saba Kamara
6. SL. 215 Col. A. C. Nelson Williams
7. SL. 848 Lt. Cdr. Francis M. Duwai
8. SL. 300 Lt. Col Bashiru Conteh
9. SL. 214 Col. A. B. Mansaray
10. SL. 18163392 W.O.II Showers J. D.

On the 12th October, 1998, twenty four (24) male including one (1) female, were condemned to death by firing squad namely:

1. SL 674 Captain Abu Bakarr Kamara
2. SL 272 Lt. Col. P. F. Foday
3. SLA 18163273 Sgt. Abu Sankoh Alias Zagalo
4. SL 429 Captain Idrissa Khemolai
5. SL 501 Captain Simbo Sankoh
6. SL 301 Col. James Max Kanga
7. SL 144 Col. David K. Anderson
8. SL 462 Captain Albert Johnny Moore
9. SL 417 Maj Abdul M. Koroma
10. SL 200 Brig. Hassan K. Conteh
11. SL 223 Lt. Col David Boisy Palmer
12. SL 495 Maj. Bayoh Conteh Alias Bios
13. SL 531 Lt. Marouf Sesay
14. SL 412 Lt. Comd. Abdul Aziz Dumbuya
15. SL 240 Col. Samuel F. Y. Koroma
16. SL 650 Lt. Jim Kelly
17. SL 220 Col. John A. S. Conteh
18. SL 339 Maj. Kula Samba
19. SL 465 Maj. Augustine F. Kamara
20. SL 405 Lt. Comd. Samuel K. B. Gilbert
21. SL 448 Sq. Leader Victor King
22. SL 434 Capt. Josiah Boisy Pratt
23. SLA 18164384 Cpt. Tamba Gborie
24. SL 207 Col. Abdul Karim Sesay

On the 18th October, 1998 I was told by the Deputy Inspector General of Police who is the Sheriff that he has received Orders for the execution of 24 Junior and Senior Military Officers who were condemn to death by firing squad at the Court Martial.

On the 19th October 1998 the Sheriff (Deputy Inspector General of Police came into the Central Prison Pademba Road demanding for the twenty four (24) Military Officers. We handed them over to the Sheriff hand cuffed with no resistant. Later, the Prisons Department escorted them out of the Prison into a Police Vehicle that was packed in front of the Prison. All the 24 Sentenced Military Officers boarded the vehicle and ECOMOG provided security. The vehicle drove off from Pademba Road into the Goderich firing range where they were handed over to the Military Personnel we met at the firing range. The (24) were then escorted to the firing range for execution by firing squad.

The then Deputy Inspector General of Police Mr. Kandeh Bangura, the Prisons Immam Assistant Superintendent of Prisons Mr. Ibrahim Sankoh, the then Prison Chaplain, Rev. Jesa Williams, the Prisons Medical Officer Dr. J. D. Sandy and my very self, were present during the execution by firing squad. The execution took place on the 19th day of October 1998 and was done by Military Personnel at the Goderich firing range in Goderieh. After they were executed, the Prisons Medical Doctor Dr. J. D. Sandy examined them to certify that they were dead. Thereafter the corpses were handed over to the Prisons Department, and they were buried at Kissy Mess Mess Cemetery in the East end of Freetown.

Immediately after the execution (Twenty four) 24-death certificate were issued to me which was signed by the Deputy Inspector General of Police in the presence of the Prisons Immam, the Prisons Chaplain and the Medical Doctor for record purpose.

The Sierra Leone Prisons Service welcome and appreciate the Establishment of the TRC by the Government of Sierra Leone in pursuant with Article XXXVI of the Lome Agreement, 1999, to

address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of Human Rights violation to tell their stories and get a clear picture of the past in order to facilitate genuine healing and reconciliation.

F.S. C

F.S. Conteh
Director of Prisons

CC: The Attorney General & Minister of Justice
The Executive Secretary T. R. C.

NAME: Francis Darlington Musa
ADDRESS: 13.HardingStreet. Fonikoh layout
Kenema.Former Address-8. Kahunla Street. Shimbeck, Kenema
NATIONATIONLITY: Sierra Leonean
OCCUPATION: Farmer, politician
RELIGION: Muslim
AGE: 60 years

BRIEF STATEMENT AND RECOMMENDATION TO THE TRUTH AND RECONCILIATION COMMISSION,KENEMA

I was an elected Member of Parliament for the Kenema central constituency from 1986. to 1992. In 1992 the government of the then A.P.C (the only political party)under the leadership of Ex-President Joseph Saidu Momoh was overthrown by the N.P.R.C Junta led by Capt.V. Strasser.

1. In June 1992,I was invited by Capt. Ngaujiah who was then commanding officer Kenema District for the NPRC to meet with my Land Rover WU21918 to. When I went there, he Capt. Ngaujia ordered me to handover the keys of the said Land rover WU.21918. When I asked him to tell me why he ordered me to give up possession of my land rover he told me to hand over to save myself from gross disgrace. I then handed over the keys to him and came home. The Landrover was in his care till September 1992 when he invited me again to his Hangha road secretariat to collect it. On my arrival at his office, I was told to collect my land rover from where it was stationed (alongside of short street off Hangha street road) within twelve hours or be in

readiness to paying (2000/00) two thousand Leone daily to him as security fees. I took it as it was in a damaged condition as follows: 1 without its gearbox, 2.cransaft, 3.four tyres and all 4 seats.

I went all out for redress through his boss, Capt. Tom Nyuma but I was not listened to, instead many threatened remarks were my answers from ends.

In the early hours of February l0th 1999, at about 2 o'clock a.m., I was arrested by some armed men who led by one Lt. Ngevau of the RUF then stationed here in Kenema as members of the then AFRC Junta. He told me that his boss col. SAM Bockarie "moskito"was who ordered them to arrest and detain most prominent people in Kenema including myself. They took me to their H/Q or secretariat at Hangha road and locked me up into their cell. I was detained there with many others including(a)Andrew Quee who they later killed,(b)the late PC Moinama Karmoh of Nomo C/dom late B.S.Massaquoi-"portor portor",Dr.Francis Momoh - now Hon.M.P Kenema District and more. During the time of my arrest on 10th February, 1999 I had with me (11,500,000/00) eleven million five hundred thousand Leones owed by me and kept secretly aside in one of my bed drawers. I also had some money for feeding and sundry expenses the total of which did not exceed (LE 30,000/00) thirty thousand leones but the exact amount I cannot tell because it was not counted. Lt. Ngevau and his men took me out of my room that night and they remained inside to search for arms and secret documents as they said. Two of his men held me out side the room while Lt. Ngevau and (5) five others were left in my room carrying out their search. After an hour's search in my room, Lt Ngevau and his five men left my room and took me off to their secretariat at Hangha road and locked me up. Lt. Ngevau and his men were (7) seven in number. The names of the (6) six others were all names of fun and trouble e.g. Borbor Peper, Kaqmajor killer big man disgrace, No Talk, Eye to Eye and kill man no trouble. I was with them in their Hangha road secretariat cell for two days. On that second dayl2th, February, 1999,they took me out of their cell and went with me into one of there offices called info.dept. where I found Lt. Ngevau and some C.I.D. police officials were. I saw (4) four of my documental files placed there these police officials were reading through the files to ascertain any needed information they wanted that may be offensive to their A.F.R.C Junta. Lt Ngevau was busy questioning me to know if I knew any thing about the Kamajors, their formation and whereabouts.

I denied having any knowledge about the Kamajors, their formation or where about. He asked me to undress myself which I did. He watched all over my body in search of Kamajor marks or sign but found none. He again questioned me why I kept off from their Government (the A.F.R.C.) and at the same staying in Kenema which is or was under their control. I answered in a manner to please him by saying, "I do not hate you or your government but the fact is-you will not trust me whole heartedly as I was once an elected Member of Parliament in the A.P.C. regime even though it was a one part system by then. He laughed at me and said, "now this is your government-join us now". I too laughed and said, "I will hang head over your suggestion but what about my present detention?" He, Lt. Ngevau then turned and questioned the police who were reading my files if there was any thing bad found in them. They said no, it was not offensive to the A.F.R.C. Junta. He led me to Col. Sam Bockarie "Moskita" where he said I had no fault to be wanted for. Col. Moskita then asked me to go home and be reporting twice (10 a.m and 4 p.m. daily). The police officials later asked me to pay the sum of (Le.150,000) before allowing me to go home. I then pleaded with them to go home and come with said (Le.150,000) One hundred & fifty thousand Leones as I had nothing with me when I was arrested at night and brought to the secretariat. They accepted my plea, but on my return home, I found nothing (money) in my drawers, nor even the little for feeding in my pockets. Six pairs of shoes, three three-piece western suits, six Arabic gowns of brillion materials, three brief cases full of wearings, one cassette recorder and one philips portable radio of 12 bands plus FM/AM. Upon my discovering of this ugly event and situation, I sat on the floor and wept bitterly. My daughter,

Mrs. Messie Show went to her husband, Mr.Abubakarr Show and fully explained my situation and financial stand to him. Mr. Show had with him (100,000.00) One hundred thousand Leones, which he sent to me through Messie my daughter. We borrowed the balance of (Le50,000.00) fifty thousand Leones and added it up to make the requested (Le 150,000.00) one hundred and fifty thousand Leones and took it to them.

I was reporting to them twice every day until one morning after a week's period when Kamajors brieflv attacked Kenema through the Clock Tower via the Kenema police stations. The A.F.R.C. rebels repelled the Kamajors and went ahead and killed uncle B.S.Massaquoi, Andrew Quee and many others. This sad event gave me more worries that I fled the town into the bush through Fonikoh Layout off Blama Road, Kenema to secure safety.

In September,1999 I travelled to Freetown where I stayed until 3rd January,2003 when I returned to Kenema. This is the little I can remember happened to me directly.

Faithfully Submitted by:
Francis Darlington Musa,
Hon. Ex-M.P.Kenema Central
Sian:.....

RECOMMENDATIONS:

1. All leading officials in government and Private sectors should take initiative in setting an example both in study and in learning techniques about human behaviours at work and in private life style. Some leaders urge only their subordinates to study and learn while they themselves do not do so. This is not correct in nation building particularly for unity, peace and development, which is now our hallmark.

2. Leading functionaries should also be a model in daily life. Those who lead the masses should be ahead of others and set correct examples for them to follow in the economization of materials, funds and vehicles, in hygienic and cultural work and in the struggle to establish a sound way of life. As I see, some leading functionaries criticize others for mishandling of government properties and funds, drinking and idleness at work, nepotism and discrimination while they themselves continue to do so. While they do this; their subordinates will not pay attention to them. To criticize others for their immorality and idleness, one must lead a steadily life himself.

3. The salaries of key-hard-working employees should be made to enhance them make ends meet in accordance with the present living conditions.

a. Pensions to Pensioners particularly those pensioned during and immediately after the 11 years of war without proper preparations are too small if one is to consider his past position, land even these are not promptly paid, Government should also enhance pensioners to establish a Union and mandate that Union to verify all existing Pensioners in Person so as to eradicate Ghost ones and those one payment vouchers which monies are left in the hands of Treasury Officials.

OATH.

I, Francis Darlington Musa, do hereby (in the name of Allah Swear) (Solemnly on the Quran) that the statement or presentation I have made is true and nothing but the truth, so help me oh Allah.

Faithfully submitted by:

Francis Darlington Musa,
Hon. Ex-member of Parliament,
Kenema Central Constituency, Kenema Dist.

1998 TREASON TRIALS AND COURT MARTIAL

(TRC)

APC STATEMENT AT THEMATIC HEARING

MONDAY 14TH JULY 2003 – Victor Bockarie Foh

PREAMBLE

In March this year, the All Peoples Congress (APC) made a comprehensive submission contained in a 31 (thirty-one) page booklet. In paragraph 15 at pages 24, 25 and 26 of that parent submission are found the party's position on the 1998 Treason Trials, Court Martial and the NPRC Extra-Judicial Killing of James Bambay Kamara and others.

When President Kabbah was re-instated in 1998, he abandoned the pacific and reconciliatory line as was required by the fluid military and political situation then. The SLPP vigilantes and Kamajors were let loose like wild dogs on defenseless people. In a most unprecedented manner, Public Servants and many officers who were collectively called collaborators were arrested and tortured. It is reported that the number of so-called collaborators who were detained at the maximum-security prison at Pademba Road numbered about 5,000 people. This is a prison with a capacity for less than 400 inmates. Perceived political opponents of the SLPP government were all rounded up, tortured and detained. Many unfortunate Sierra Leaneans were lynched or burnt alive by hysterical SLPP youths and kamajors. People like Musa Kabia, Sheikh Mustaba, Sakoma and Abu Black -- all members of the APC - suffered this fate. Radio 98.1. played a decisive role in instigating those murders.

THE SLPP 1998 **TREASON TRIALS AND COURT MARTLAL**

Those trials were vengeful acts and a travesty of justice. All suspects were tortured and brought before the three

established treason courts. They were described by Solomon Berewa, now Vice President, as "collaborators". The Treason and State Offences Act 1963 has no place for collaborators! Was President Kabbah himself not collaborator during the NPRC Junta which he served as Chief Advisor?

Public Notice No. 4 of 1998 issued by Vice President Berewa, then the Attorney General, is a disgrace to the integrity of all Sierra Leeneans. By that Public Notice which was issued after the offence of the alleged treason Solomon Berewa deprived accused persons of FAIR HEARING and violated Section 25 of the Constitution.

Public Notice No. 4 of 1598 also changed the old age Criminal Procedure Act of 1965 and the standard, historic and unanimous 12-man verdict of the jury to a politically manipulated 8-man verdict of the jury. This was at the expense of the lives of innocent ordinary citizens of our country.

The treason trials were irregular, unfair and emotionally dressed up as the law even though they were not legal. In a desperate and exasperating effort by the Kabbah/Berewa SLPP **Administration** to **exterminate perceived political opponents, that obnoxious Public Notice was issued. The APC appeals to the TRC to address that miscarriage of justice against political opponents in the interest of national reconciliation.**

THE 1998 SLPP COURT MARTIAL

Never in the history of Sierra Leone has a government proclaiming itself a democratically elected government of the people, descended to such barbarous depths of brutality and revenge killings. When President Kabbah was re-instated in 1998, he appealed to all rebels and soldiers to surrender and promised that those who surrendered would be protected. A **large number of soldiers this surrendered to ECOMOG or to the Guinean authorities in the Republic of Guinea. Killing surrendered soldiers did not encourage their colleagues in the bush to lay down their arms. As a result, some soldiers joined the RUF rebels in a self-defensive move. It was that group that invaded Freetown, broke into Pademba Road prisons and set free all inmates.**

With indecent haste and reckless indifference, the Kabbah SLPP administration having Solomon Berewa as hatchet man, killed

24 (twenty-four) soldiers - most of them Senior Officers. - They were shot and killed after a very poorly conducted Court Martial.

The current head of the Armed Forces of Sierra Leone and Nigerian Military Officers helped President Kabbah and Berewa to do this dirty job. No appeal was allowed! Can such act engender national reconciliation in a democracy? The answer is an emphatic No!

Of the 24 soldiers executed, only 2 (two) were coupists **-** *Tamba Gborie and Abu Sankoh a.k.a* Zagallo. Both Gborie and Sankoh confessed in open court but Kabbah and Berewa refused to listen. To satisfy their whims and caprices, they tied valuable lives to stakes and shot them in cold blood. A woman Military officer, *Major Kula* Samba in charge of. rehabilitating child soldiers and combatants, was amongst those killed in cold blood.

We appeal to the TRC **to investigate those Court Martial trials. The APC believes that President Kabbah's revenge arrests, trials and executions cannot promote national reconciliation. They are a bad precedence for our fledging democracy.**

EXTRA JUDICIAL KILLINGS BY THE NPRC JUNTA

The NPRC **Junta was an illegal, treasonous, brutal and inhumane regime. The APC believes that no legality could come out of an illegality and we humbly submit that whatever the** NPRC **did cannot be justified let alone the brutal extra judicial killings they committed.**

The NPRC executed 29 people who had been allegedly convicted by a Military Court headed by Lt. Col. **Kesboyaft for allegedly plotting to overthrow the Junta. All those executed with the exception of a handful of military officers including Major A.S. Jalloh and Col. Kahota Dumbuya were already in prison having been arrested on the 29t" of April 1992 on the day of the coup. Bambay Kamara the ex-Inspector General of Police and Lt.** Col. **Yayah Kanu for example had been arrested and detained on the day of the said coup. All 29 people were allegedly tried on the night of 29t" December and executed on the 30th December 1992. The APC submits that no formal trials were conducted, but rather those 29** unfortunate Sierra Leoneans were tortured and killed extra judicially.

The victims of those extra judicial killings included 19 civilians who were arrested in a drinking pub at Lumpa village. Police had declared all of them innocent of the alleged crime. However, whilst detained at Pademba Road Prisons under the State Emergency, they were dragged out of the Prisons and killed.

It is strongly alleged that those extra judicial killings were far in excess of 29 persons as announced by the NPRC Junta at the time. We appeal to the TRC to ascertain the number of bodies dumped in a mass grave at Kingtom Cemetery after those executions. In the interest of national reconciliation, the APC appeals to the TRC **to recommend compensations to the families of the victims of this heinous crime. In addition we request that the** TRC **recommends that the ring leaders of the NPRC Junta including its leader, Capt. Strasser and their Advisors come forward and confess their sins and ask for forgiveness.**

The following were declared by the NPRC Junta to have been slaughtered on 29' December, 1992:

(1) James Sambay Kamara

(2) Yayah Kanu

We believe many more were killed by the ruthless and illegal NPRC Junta and their collaborators than has been made public. The APC request that the NPRC makes a clean breast of these murders. As a party, we are disturbed at such gross day light murders committed against our people in violation of section 16 (an entrenched clause) of the Sierra Leone Constitution.

We hear of mass graves being discovered in the provinces. We know that Bambay Kamara and others were murdered and dumped into a mass grave here in Freetown. In the interest of national reconciliation, the APC requests the TRC to look into the NPRC extra-judicial killing of so many of our party members, James Bambay Kamara and others.

Faithfully submitted: APC

THE TRUTH AND RECONCILIATION COMMISSION

DETENTIONS, TREASON TRIALS, COURT MARTIAL AND EXECUTIONS OF 1998

APC PRESENTATION - BY VICTOR BOCKARIE FOH

-

INTRODUCTION

As a result of the illegal overthrow of the civilian government of President Ahmad Kabbah on 25th May 1997, the Armed Forces Revolutionary Council (AFRC) usurped the reins of the government of Sierra Leone.
President Kabbah and members of his government and many common citizens fled to next door Conakry, Guinea. Those who did not were harassed and or detained by the AFRC Junta. A **large number of civil servants, civil leaders, business people and others who did not flee the country, stayed on, and continued in their various positions as under the ousted civilian government.**

This was a repetition of events five years earlier, when on 29 April 1992, the legitimate civilian government of President Joseph **Momoh** was **illegally overthrown by the Armed Forces and replaced by the National Provisional Ruling Council (NPRC) Junta. The NPRC committed TREASON, yet their God Fathers, the SLPP shields them.**

Like in 1997 when President Kabbah fled to Conakry, President Momoh also fled to Conakry in 1992, Guinea and those members of his government who did not flee were harassed, detained and persecuted by the notorious NPRC Junta. However, most civil servants, civic leaders and business people and others stayed on in the country and carried on their business as usual. Many were punished, harassed, tortured, detained, frog matched and others killed with due process of law by the NPRC Junta.
In 1997, due to the ferocity of their take over of the government, coupled with the fact that the Revolutionary United Front (RUF) joined them, there was strong resistance to the takeover by the AFRC Junta.
Moreover, the regional peace-keeping force of the Economic Community of West Africa, (ECOWAS), ECOMOG, was deployed to counter and reverse the AFRC military takeover. After a sustained military campaign, ECOMOG was successful in ousting the AFRC from power in February 1998 at great loss of lives of innocent common citizens and

valuable private and public property. These events got the endorsement of President Kabbah who was restored to power and a complete restoration of the 1991 Constitution of Sierra Leone ensued.

THE TASK FORCE -AN UNFORTUNATE CREATION

In early February 1998 when a largely Nigerian ECOMOG Force invaded Freetown and chased out the AFRC/RUF Military Junta from power, President Kabbah and the 1991 Sierra Leone Constitution were restored.

However, President Kabbah stayed behind in Conakry, Guinea and sent 10(ten) of his most trusted SLPP aides as a TASK FORCE to carry out a nasty "Hit and Kill" anti-SLPP elements in Sierra Leone.

Vice President Albert Joe Demby, Attorney General Solomon Berewa, Julius Spenser and Alie Bangura of Radio 98.1 were among the trusted Kabbah allies in this Task Force.

Nigeria Ecomog, the Mende Tribal Kamajor Militia, Radio 98.1, the Kabbah appointed Task Force agitated hoodlums and pro-SLPP hot heads into violence and mob action. Perceived political opponents and their families were targeted for killing and torture and their properties for destruction, looting and burning.

The spate of killings and burnings in Freetown and the regions ware as a result of this measure of miscalculation and intended vengeance by the Task Force. Most unfortunately, Alhaji Musa Kabia, Sheik Mujtaba, Sakoma suffered this unfortunate ordeal. Properties worth millions were razed to the ground. Many innocent common citizens suffered the same plight.

This notorious Task Force later metamorphosed into a very corrupt money making screening panel of the several thousands of alleged anti-SLPP detainees in police cells all over the country and at the Pademba Road Maximum Security Prisons. This most unholy and dirty job was done, ironically, in the name of restoration of democratically elected government of Tejan Kabbah.

THE 1998 SLPP TREASON TRIALS AND COURT MARTIAL - GENERAL

When President Kabbah was re-instated in 1998, he abandoned the pacific and reconciliatory line as was required by the fluid

military and political situation then. The SLPP vigilantes and Kamajors were let loose like wild dogs on defenseless people.

In a most unprecedented manner large numbers of persons, including civil servants, civic leaders, business people and others, were molested, subsequently arrested, tortured and detained. Some were later charged with treason under the Treason and State Offences Act, 1963. Soon after his restoration, President Kabbah by Proclamation, declared a State of Public Emergency and pursuant to this, Public Notice No. 4 of 1998 dated 9th April 1998 was issued. This Public Notice amended the Criminal Procedure Act 1965, No. 32 of 1995 and certain aspects of the law of evidence and procedural rules relating to criminal trials in the country. This was, without doubt, done in bad faith to facilitate the trial of persons perceived as anti-SLPP. (For ease of reference, Public Notice No. 4 of 9t~' April 1998 is attached.)

Those charged with treason were regarded as "collaborators" in the eyes of the SLPP Kabbah government and its supporters. They were perceived as such for having stayed on in their home country after the overthrow of the SLPP government and, in most cases continued in their positions and businesses. Therefore, it was felt, they collaborated with the military junta of the AFRC and facilitated its stay in power, however brief. The irony, of course, cannot be missed that in 1992 when the previous APC civilian government of President J.S. Momoh was overthrown, and almost every civil servant stayed on during the interregnum of the NPRC junta, there was no feeling or talk of collaboration even though several key members of the Kabbah SLPP government including President Kabbah himself and Vice President Berewa served in key decision making positions during the illegal NPRC junta rule.

The use of the Rules contained in Public Notice No. 4 of 1998 for the trial of persons charged with treason following the events of May 25, 1997 gave rise to many problems in view of the provisions of the national Constitution 1991 and the laws of our country. These problems concern fair hearing and the validity of the Rules themselves.

The number of so-called collaborators detained at the maximum-security prison at Pademba Road was about 5,000 people. This is a prison with a capacity far less than 400 inmates. Perceived political opponents of the SLPP government were all rounded up, tortured and detained. Many unfortunate Sierra Leoneans were lynched or burnt alive by hysterical SLPP youths and Kamajors. Musa Kabia, Sheikh Mustaba, - Sakoma and Abu Black - all members of the APC - suffered this fate. Radio 98.1 played a decisive role in instigating those murders. Scores of those detained died in prison in awful conditions of detention.

THE *SLPP* 1998 TREASON *TRIALS*

Those trials were vengeful acts and a travesty of justice. All suspects were tortured and brought before the three established treason courts. They were described by Attorney General Solomon Berewa, now Vice President, as "collaborators". The Treason and State Offences Act 1963 has no place for collaborators! Were President Kabbah and Solomon Berewa not collaborators during the NPRC junta which they served as Chief Advisors?

Public Notice No. 4 of 1998 issued by Vice President Berewa, then the Attorney General, is a disgrace to the integrity of all Sierra Leoneans. By that Public Notice which was issued after the offence of the alleged treason, Attorney General Solomon Berewa deprived all accused persons of FAIR HEARING and violated Section 25 of the Constitution.

Public Notice No. 4 of 1998 also changed the old age Criminal Procedure Act of 1965 and the standard, historic and unanimous 12-man jury verdict to a politically manipulated 8-man jury verdict. This was at the expense of the lives of innocent ordinary citizens of our country.

Such a fundamental change regarding the unanimity rule of jury verdict, must be brought about by Parliament in an Act clearly and unequivocally stating so.

Dilution of the rule of unanimity of the verdict of the jury, by ad hoc Emergency Regulations contained in the notorious Public Notice No. 4 of 1998 on the eve of the trial of persons on grave charges not arising from any alleged breach of the Emergency Regulations themselves prejudiced their chances of a fair trial and acquittal by the jury. It hurt many sections of the Constitution and particularly Sections 23 and 25 (5)d. These Rules amounted to an amendment of the Constitution contrary to the proviso in section 29(6)(d).

It is difficult to reconcile the several provisions contained in the notorious Public Notice No. 4 of 1998 with important provisions of the Constitution stipulating the fundamental human right to a fair hearing. Thus, the use of the provisions of Public Notice No. 4 of 1998 in the trial of accused persons following the AFRC Coup of 25 May 1997, fell foul of the Constitution. Such manipulation of the Laws of Sierra Leone cannot engender National Reconciliation.

The APC is convinced that the Rules in Public Notice No. 4 of 1998 were neither fair nor regular and not in conformity with the provisions of the Constitution. They were an emotional and ad hoc response dressed up as legal rules, albeit, to meet an exasperating political situation. The APC holds the view that this was bad experiment by the SLPP government and such act cannot enhance national reconciliation.

These kangaroo treason trials were irregular, unfair and emotionally dressed up as the law even though they were not legal. In a desperate and exasperating effort by the Kabbah/Berewa SLPP Administration to exterminate perceived political opponents, that obnoxious Public Notice was issued. The APC appeals

to the TRC to address that miscarriage of justice against political opponents in the interest of national reconciliation, the Rule of Law and the promotion of true democracy.

There were 3 (three) Treason Trial Courts: -

Court No. 1 (one) - Victor Bockarie Foh and 17 others:

(1) Victor Bockarie Foh *

(2) Hilton Ebenezer Fyle*

(3) Alieu Badara Kamara*

(4) Ibrahim Ben Kargbo*

(5) Denis Smith*

(6) Gipu Felix George*

(7) Olivia Mensah*

(8) Darlinda Lebby (Acquitted and Discharged)

(9) Dr. Christian Kargbo*

(10) Ibrahim Manty Foday Sesay*

(11) Kaifen Tablay Kallay*

(12) Mohamed Alikadi Bangura*

(13) Mohamed Kuraray Bangura*

(14) William Saybana Bangura*

(15) Sheku A.T. Bayoh*

(16) Edward Akar*

(17) Professor William Taylor*

(18) Mohamed Kekura Daramy (Acquitted and Discharged)

NOTE: 16* were sentenced to death by Judge Cowan

Court No. 2 (two) - Modibo Leslie Lymon and 20 others: -

(1) Modibo Leslie Lymon*

(2) Ajina Sesay*

(3) Kweku Dixon*

(4) Tarik Dumbuya*

(5) Alisious Fofana*

(6)Samuel Sampha Sesay (5 years imprisonment)

(7) Claude Campbell*
(8) Patrick Tommy*

(9)Lawrence L. Lamin (10 years imprisonment)

(10) Basiru Savage*
(11) Kainde Bangura*

(12) Mayila Yansaneh*

(13) Philip Sankoh (5 years imprisonment)

(14) Harry B. Alpha (5 years imprisonment)

(15) A.B. Sankoh (Died during Trial)

(16)Jalloh Jamboriah (Acquitted and discharged)
(17) Mabinti Scott (Acquitted and discharged)
(18) Nancy Steel*

(19) Samuel Sani Sesay (10 years imprisonment)

(20) Winnifred Cummings (Acquitted and discharged)

NOTE: 11* were sentenced to death.

Court No. 3 (three) Agibola Manley Spaine and 21 others

(1) Ajibola Manley Spain

(2) Baila Leigh

(3) Matilda King

(4) David Bangura

(5) Saidu Daniel Bangura

(6) Hamid Abdul Kamara

(7) Joseph Saidu Momoh

(8) Stephen Cathys Bio

(9) Hassan Barrie

(10) Victor Brandon

(11) Sheik Abubakarr Nabie

(12) Umaru Deen Sesay

(13) Dennis Kawuta Kamara

(14) Abdul Salami Williams

(1S) John Tommy

(16) Pastor Ajisafe

(17) Gibril Massaquoi

(18) Winston Crowther

(19) Alpha Omega Bundu

(20) Eben Victor Coker

(21)Alhaji Ibrahim Kargbo

Evidence adduced and verdict of guilt were at variance. Hearing of these matters by any competent court of Appeal would have, without doubt, acquitted and discharged all. By an interesting scenario, the carefully selected treason trial

judges who presided over these Kangaroo Treason Trials are currently in sweet romance with the SLPP government of the day.

Michael Birnbaum Q.C. an Observer from the Commonwealth Secretariat to the 1998 Treason Trials and Court Martial wrote thus: -

"The Prosecution submit that all the defendants in all 3 civil trials are guilty of treason. The Defence submit that none of them are. Indeed many of the defendants go further: they claim that they are entirely innocent of any wrongdoing. My own belief is that the true position may be somewhere between these 2 extremes. In my view it is arguable that under the law of Sierra Leone:

(a) merely assisting an illegal government to perpetuate its existence is not treason.

(b) as a matter of law treason is complete once the lawful government has been overthrown and its powers usurped. Acts commencing after overthrow and usurpation are not acts of treason. I leave it to others to decide when exactly this point was reached in relation to the AFRC coup against the government of President Kabbah. But it is difficult to argue that the process of overthrow and usurpation lasted beyond about the end of June 1997."

In his foot note, Birmbaum Q.C. said:

"It may be helpful to add a footnote re the death penalty. It is now accepted that it is discretionary (see Sorie-Fornah). It follows in my view that anyone convicted of treason has the right to mitigate and call evidence in order to seek to persuade the judge to exercise the discretion not to sentence him to death. It also follows that if he does not succeed at first instance he is entitled to the normal statutory rights of appeal against sentence."

THE **1998** COURT **MARTIAL**

That unfortunate Court Martial indictees were:

1..SLA 18164384 Cpl. Tamba Gborie and 37 others
2.* SLA 18163273 Sgt. Alfred Abu Sankoh*

3.SLA 200 Brig. Hassan Conteh

4.* SLA 301 Col. James Max Kanga*

5. SLA 207 Col. Abdul Karim Sesay*

6. SLA 448 Sqn. Ldr. Victor L. King*

7. SLA 144 Col. Daniel Kobina Anderson*

8. SLA 204 Col. Samuel F. Y. Koroma*

9. SLA 405 Lt. Cmdr. Samuel Gilbert*

10. SLA 223 Lt. Col. David Boisy Palmer*

11. SLA 214 Lt. Col. Anthony B. Mansaray v

12. SLA 152 Col. Alpha Saaba Kamara v

13. SLA 220 Col. John Amadu S. Conteh*

14. SLA 339 Maj. Kula Samba*

15. SLA 215 Col. Claude Nelson-Williams v

16. SLA 417 Maj. Abdul M. Koroma v

17. SLA 404 Lt. Cmdr. Francis M. Duwai ~

18. SLA 465 Maj. Augustine F. Koroma*

19. SLA 358 Maj. Tamba Anthony Abu v

20. SLA 495 Maj. Bayoh Conteh*

21. SLA 462 Capt. Albert Johnny Moore*

22. SLA 674 Capt. Abu Bakarr Kamara*

23. SLA 501 Capt. Simbo Sankoh*

24. SLA 439 Capt. Idrissa Keitta Khemolai*

25. SLA 650 Lt. Jim Kelly Jolloh*

26. SLA 434 Capt. Josiah Boisy Pratt*

27. SLA 634 Flying Officer Amold H. Bangura ~

28. SLA 527 Capt. R. Beresford Harleston %o

29. SLA 531 Lt Marouff Sesay*

30. SLA 18163392 W.O. II Jonathan Dero Showers ~

31. SLA 272 Col. P.F. Fode*

32. SLA 415 Lt. Cmdr. L.D. Howard*

33. SLA 300 Lt. Col. Bashiru S. Conteh %o

34. SLA 412 Lt. Cmdr. Abdul Aziz Dumbuya*

NOTE: *24 were hooded, tied, shot and killed

%o 10 got their sentences commuted to life imprisonment

FREED

1. SLA 270 Lt. Col. Saa Anthony Sinnah
2. SLA 765 Lt. A.M. Keita
3. SLA 675 Lt. A.B.S. Bah

DIED IN PRISON

1. SLA 18130395 Pte. Gilbril Din-Sesay

Never in the history of Sierra Leone has a government proclaiming itself a democratically elected government of the people, descended to such barbarous depths of brutality and revenge killings. When President Kabbah was re-instated in 1998, he appealed to all rebels and soldiers to surrender and promised that those who surrendered would be protected. A large number of soldiers thus surrendered to ECOMOG or to the Guinean authorities in the Republic of Guinea. Killing surrendered soldiers did not encourage their colleagues in the bush to lay down their arms. As a result, some soldiers joined the RUF rebels in a self-defensive move. It was that group that invaded Freetown, broke into Pademba Road prisons and set free all inmates on 6th January 1999.

With indecent haste and reckless indifference, the Kabbah SLPP administration having Solomon Berewa as hatchet man, killed 24 (twenty-four) soldiers - most *of* them Senior Officers. - They were tied to stakes, shot and killed after a very poorly conducted Court Martial.

The current head of the Armed Forces *of* Sierra Leone and Nigerian Military Officers helped President Kabbah and Berewa to do this dirty job. No appeal

was allowed! Can such act engender national reconciliation in a democracy? The answer is an emphatic No!

Of the 24 soldiers executed, only 2 (two) were coupists - *Tamba Gborie and Abu Sankoh a.k.a* Zagallo. Both Gborie and Sankoh confessed in open court but the SLPP, Kabbah and Berewa refused to listen. To satisfy their whims and caprices, they tied valuable lives to stakes and shot them in cold blood. A woman Military officer, Major Kula Samba in charge *of* rehabilitating child soldiers and cambatants, was amongst those killed in cold blood. (Attached are sworn statements *of* Cpl. Tamba Gborie and Sgt. Abu Sankoh (Zagalo). Also attached are photo-copies *of* pictures *of* the 24 (twenty-four) soldiers that were inhumanely executed with indecent haste, callous indifference, abuse of their human rights of appeal and denial of fair hearing.

The APC appeal to the TRC to investigate those Court Martial trials. The APC believes that President Kabbah's revenge arrests, trials and hasty executions of 24 (twenty-four) soldiers cannot promote national reconciliation. They are a bad precedence for our fledging democracy. By these executions, the Sierra Leone Army lost many of its best brains, mush of its dignity, moral, prestige and hope.

CONCLUSION

The Truth and Reconciliation Commission is making a historic bridge between the past of a deeply divided society characterized -by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy, peaceful co-existence and development opportunities for all Sierra Leoneans, irrespective of region, tribe, class, belief or sex. The pursuit of national unity and reconciliation for the well-being of all Sierra Leonean and peace requires reconciliation between the citizenry and a genuine and sincere reconstruction of our society by government.

The All Peoples Congress (APC) is of the hope that a secure foundation for the people of Sierra Leone shall transcend the divisions and strife of the past, which generated gross violations of human rights, the transgression of humanitarian principles during our horrible and violent civil conflict and the legacy of hatred, fear, guilt and revenge which the civil war brought onto our country.

There is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for dignity for Sierra Leoneans but not for victimization and need to advance such reconciliation and reconstruction in respect of acts, omissions and offences committed with political and tribal objectives and vengeance

Without forgiveness there really is *no future.* It is with this in mind that the Honourable Ernest Bai Koroma, Leader of the All Peoples

Congress and the rank and file membership of our party has promised forgiveness for all and sundry including those **who took up arms to destroy Sierra Leone with the pretext of removing the APC from State Governance.**

The All Peoples Congress (APC) appeals to the TRC to make fitting recommendations through which genuine national unity and reconciliation could be achieved in our democratic experiment.

1998 ARREST AND REASON

BY ABU NOAH

The democratically elected Government of His Excellency, President Alhaji Dr. Ahmad Tejan Kabbah returned to power from exile in Guinea in 1998 and was received with tumultuous ovation by citizens. In the wake of the national jubilation over the forceful removal from power of the AFRC/RUF interregnum, many citizens who bore grievance and /or malice against other citizens exploited the state of confusion that followed the temporary absence of State Governance. That state of affairs came about as a result of the fact that the newly reinstated government had not yet settled down to assume full control of the administration. Most of the senior officials, including the Attorney General, were shuttling in and out of the country on important state missions. The police, which was infested with AFRC/RUF sympathisers, appeared ineffective to maintain law and order, and in some cases, such as my case, aided and abetted the perpetration of criminal acts against some citizens; especially those whom they felt, sometimes unfairly were hostile to the ousted regime.

The prevailing atmosphere was awash with treachery and chicanery. Vendetta led to peddling of malicious stories that were baseless and scandalous. Those stories were recklessly supported by the semblance of authority represented by the police and led to erroneous mob justice. A lot of citizens, including soldiers, religious leaders, business people and politicians were burnt alive and their property burnt down and /or vandalized. Female victims, adults and girl children alike, were grossly abused. All these actions were perpetrated on an incomprehensible charge of collaboration. In short, any relationship with the ousted junta, be it a word, an action, an article in a newspaper that was misconstrued constituted a capital crime for which one suffered death. Those who were lucky to escape death suffered arbitrary imprisonment. Those actions were effectively approved and supported by the ECOMOG. In most cases the ECOMOG was the executioner by arbitrary firing squad.

The situation got so bad that one felt that one was in a strange environment with beasts. Arbitrary killing and burning-alive of citizens seemed to excite the macabre appetite of the ECOMOG soldiers. No one was safe except those who were identified as non-

collaborators. The pain was that most of the youths who were perpetrating those acts were the very gatekeepers of the AFRC/RUF. On the return of the democratically elected government, the perpetrators automatically transformed themselves into pro-government thugs. And to distort the truth of their involvement with the ousted rebel regime, they became boisterous and demonstrably vociferous and militant. It was those youth that the police and ECOMOG used in the early days of the reinstated government to settle. scores, the basis of which was only known to them. But many died brutally and many more suffered in jail wrongly. I was one of those who suffered arbitrary imprisonment for two long boring weeks until the Attorney General (AG) took my matter up with the President who magnanimously righted the wrong by releasing me.

WHAT WAS MY OFFENCE

In 1997, while the ousted democratic government was in exile in Guinea and military intervention was on the air, a conciliatory meeting was held in Guinea between the democratically elected government and the international community on the one hand, and the ARFRC/RUF junta led by Major Johnny Paul Koroma. At that meeting it was suggested that the ECOMOG Commander, General Victor Mallu and Johnny Paul should meet in Freetown to arrange a smooth transition to civilian rule to obviate military intervention. Both parties acceded and the General left Guinea for Sierra Leone and went to his base at Lungi. From Lungi he invited Johnny Paul to cross over to Lungi for the meeting they were supposed to hold in Freetown. Johnny Paul was reluctant to go over and that act of seeming refusal to go led to the heightening of tension. Military intervention appeared very imminent.

Citizens went wild with dangerous speculations including an invitation for military intervention. Johnny Paul's claim that General Victor Mallu was to come over to Freetown for the meeting to take place at State House was translated as recalcitrance and the intervention troops were generally urged to enter the city. To me, that was a dangerous development. I knew that it was going to be very disastrous. Lives, property, security would all be recklessly and without discrimination, devastated. The effect of military intervention would be catastrophic. In my humble view, I argued,

both parties were afraid of each other. Johnny Paul was, quite plainly, afraid because of his vulnerable position. He had very insignificant national support, no international support, no trained Army, no sophisticated weaponry, indeed, he had nothing absolutely on which to fall back if things went wrong. On the contrary, Victor Mallu was a professional soldier and he had among other things, a highly trained and motivated army, :sopoisticated weapons, air and ground support. National and international support weighed very heavily in his favour. Besides, he had seen actions in various theatres of war.

It was a very candid view that Mallu was at fault in refusing to come over to Freetown to meet with Johnny Paul as was mandated at Conakry, Guinea. While Johnny Paul had very good reason to be afraid to go over, General Victor Mallu had no reason whatsoever to be afraid to come to State House. That argument was published in a newspaper captioned `Johnny Paul's statement is ok.' That publication was my offence and it earned me the negative term "Collaborator" and sent me to jail. My imprisonment was occasioned by some policemen who claimed that the article was collaborative with the junta regime. The irony was that the very people who sent me to jail served the junta from the first day to the the day it was kicked out of office by the interventionist force. Th ECOMOG officer who was posted to the Wilberforce/Hill Station axis went to the Criminal investigations Department (CID) to enquire why I was arrested. They told him it was on orders from above. Capt. Abiodun, the ECOMOG Commander, asked who was the 'above' to which the CID Personnel had no answer. Captian Abiodun than went over to Police Headquarters and confronted Deputy inspector General of Police, Mr. Kanyako, with the matter. Mr. Kanyako also referred Captain Abiodun to the mysterious 'above'. Abiodun next went over to the Inspector General; he also directed him Attorney General (AG). Unfortunately, the Attorney General was out of the country. That was how I got goaled again wrongly for 2 weeks.

Finally, generally, as I explained in my presentation on the 22nd of July, 2003, at the YWCA New Hall, Brookfields, I was wrongfully jailed for 15 (Fifteen) years, of which I served 10 years 8months. I had been previously imprisoned for three months and nine months for speaking out couraly against undemocratic acts and abuse of human rights. I also suffered loss of employment and terminal and retirement benefits. As a matter of fact, I still have not received any letter of either dismissal or retirement. Perhaps the TRC may look into my case and help.

THEMATIC, EVENT-SPECIFIC AND INSTITUTIONAL HEARINGS AT THE SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION REF/TRC/FBK/20: THE JANUARY 6 1999 ATTACK ON FREETOWN.

Mr. Chairman, Commissioners, Distinguished Ladies and Gentlemen. My name is Samuel J.M. Maligi II.

Prior to the conflict, I was and I am still employed as the National Executive Director of the Sierra Leone Opportunities Industrialization Centres (SLOIC) with the National Head Office here in Freetown.

In 1995, I was appointed Secretary of State by the National Provisional Ruling Council (NPRC) in charge of Local Government Rural Development and National Security (Internal Affairs), for which I took a leave of absence from SLOIC for a year.

Mr. Chairman and Commissioners, you may wish to know what SLOIC is and what it does. SLOIC is a Human Resource Development Programme specifically designed or structured to help young men and women acquire skills so as to provide employment possibilities and at the same time making them productive citizens and assuring them of their self esteem.

Thus the current mission of SLOIC is, ""to assist the Government of Sierra Leone with the rehabilitation, reconstruction and resettlement/ reintegration of ex-combatants, war-affected individuals, unemployed youths and school leavers into productive society through training in technical/vocational skills and job creation, entrepreneurial

development, credit assistance, counseling and peace building for reconciliation".

WHAT ARE OUR OBJECTIVES?

Our Specific Objectives Are To:

-develop marketable knowledge and skills increase -income and productivity

-expand employment opportunities, self-sustainability of persons and groups to enable them to rise above the devastations of war.

Our philosophy therefore is based on the idea of self-help as we believe that everyone can learn and acquire marketable skills, though at different scales and under different conditions. We achieve this through our fee-free practical and appropriate training programmes in instructions paced for the individual rather than the class, and an ongoing counseling.

TRAINING AND SERVICE CENTRES

The Sierra Leone OIC Programme expansion in response to community expressed needs as at June 1996 reveals that SLOIC has seven Training and Service Centres and a National Co-ordinating Office in Freetown.

Bo Vocational Training Centre (1977)

Freetown Counselling and Business Development Institute (1978)

Bo Small Enterprise Development Centre (1989)
Makeni Vocational Training Centre (1990)

Makeni (Gary Robinson) Small Enterprise Development Centre (1991)

Mattru Jong Integrated Rural and Women's Development Centre (1993)

Freetown Vocational, Rehabilitation and Resettlement Centre (1996)

MY EXPERIENCES DURING THE CONFLICT

I believe that the conflict really started in 1991 and during that time, we still continued with our SLOIC operations at the various centres. Infact the Makeni (Gary Robinson) Small Enterprise Development Centre was officially opened in 1991, and the Mattru long Integrated Rural and Women's Development Centre was established in 1993. Eighteen months after the start of the Mattru Jong Centre the rebels overran Mattru long making it a no go area. This was the beginning of anxious moments for me. I was worried over the lives of the trainees and staff and also worried over the building materials that were first shipped to Mattru.

I am very thankful to God that He made it possible for me to send some money over to help them move to either Bo or Bonthe from where most of them were brought to Freetown by sea. Our movement was now limited to Bo and Makeni from Freetown but not without hindrance. There were at least thirty seven (37) check points between Freetown and Bo, about thirty (30) between Freetown and Makeni. At that time the check-points were mounted and manned by soldiers and Special Security Division Police Personnel (SSDs). Travelling was not fun.

At the end of that year 1994, I was appointed Secretary of State, Internal Affairs and Rural **Development** in charge of Local Government in January 1995. During my brief period of service, I recommended the formation of the Council of Chiefs at each administrative level District, Provincial and National which was approved by the council of state. The idea was to have an organized group of chiefs that government can interact with and relate to. I also sent chiefs on missions in

different parts of the country. I also travelled extensively within the country to talk to our internally displaced people and once to Guinea, a trip that created some problems for me. I cannot remember what I said in Kbekedou in one of our refugee camps that angered Foday Sankoh which made him to declare me a wanted man dead or alive. The radio announcement was intercepted by our ambassador in Guinea when Sankoh was communicating with his commanders.
He, (the Ambassador), quickly informed Freetown which caused the beefing up of my personal security team.

I believe I did my best inspite of disagreements here and there until I was relieved of my duties in January 1996 after the palace coup.

I came back to my office at SLOIC and in June 1996, we opened the Freetown Vocational, Rehabilitation and Resettlement Centre which immediately started training internally displaced persons and wives of service men that were either killed or missing in action. We trained over one thousand five hundred people.

We were about to organize a certification ceremony when the Johnny Paul Koroma coup took place that weekend, May 25t" 1997.

I **had planned to stay in the country but was advised to leave immediately. Four days later, I left for Conakry, Guinea. While in Guinea, I worked with FAWE and wrote a proposal to UNDP which was approved for the opening of a school for our refugee children. We registered over two thousand primary, secondary and**

tertiary pupils and students. UNICEF helped with school materials. Over eighty five Sierra Leonean teachers were employed.

While in Conakry, my house at Murray Town was completely looted, and most of the vehicles taken away. Those that could not be taken away became spare parts. I was later called from our office in the U.S. that my home was bombed. They apparently saw it on the CNN news.

PLANS FOR THE FUTURE

My plans for the future are to work hard enough to establish OIC in every district in Sierra Leone. At the moment, few districts interest group committees have been formed. These include Kailahun, Kono, Kenema (Panguma) and Koinadugu. The other plan is to ensure that SLOIC provides a "'handy man" in every community in Sierra Leone. All of these require support from the government,donor organizations and the people of Sierra Leone.

MY **SPECIFIC KNOWLEDGE AND EXPERIENCE OF JANUARY 6 1999**

ATTACK ON FREETOWN.

Mr. Chairman, Commissioners, Ladies and Gentlemen. The events of January 6t'" 1999 and beyond are common knowledge to every one that was in Freetown. I will therefore limit myself to events that affected me as an individual, family head, head of an organization and a responsible citizen.

At about 1:30am of January 6t'", I heard a heavy bang on my door like a detonation and in panic heard the voice of my nephew, "Uncle Sam, den don enter", I was half naked when I got up and asked, ""they who?" "The rebels!", he replied. He said his friend just called to tell him. This was not quite a surprise, so I frantically made a few telephone calls to the east side of town to know if it was true and to check on my staff

and relations that were on that side of town. We however continued monitoring the situation until day break.

From that Wednesday morning of January 6t", it was like hell on earth for everybody. My greatest concern was for staff members most of whom were on the east end and some relatives especially my younger sister who served as a juror on the last treason trial before the events of January 6t" . After two agonizing nights, I succeeded in

either hearing from or seeing most of my staff and relatives. By the end of that weekend I had over sixty people in my house.

A little over a week after the 6t" or there about, a team of ECOMOG soldiers entered my compound and launched two rocket propelled grenades (RPG) into my home and sprayed my bedroom windows with bullets. Few minutes later they banged at my door ordering us to open the door or risk being killed. Most of my people ran to the basement of the house leaving few of us including my ailing mother in her wheel chair.

I however braved it to the door and opened it and immediately there were about five guns pointed at my chest and pushing me further into the house from the door. They immediately ordered everyone outside including my mother in her wheel chair. It was at that point that I lost patience and was ready to die by their guns. I slowly wheeled my mother out and they asked all the men to prostrate with their faces on the ground and pushed me with their guns into the house again.

They kicked every door opened and each time they opened **a door, they will push me inside before they will enter.**

They searched every bag, box and corner of each room before I was matched outside again. While we were outside, my cousin Patrick Tucker was identified as some one they saw spying on them from our veranda and was given a nasty slap. They later ordered me to go with them to their base down at Murray Town. It was on our way to the base that I learnt that **somebody was shooting at them from my compound. I was not even given a chance to either explain or defend myself. I was shocked when I was shown some bodies floating near the base with the remark "don't worry you will soon join your people" referring to the floating bodies and I was ordered to sit on the bare ground to wait for the last order from their boss who was at that moment out of the base.**

Mr. **Chairman and commissioners, you can imagine how I was feeling at that moment. I became very indignant.** I **must for ever be grateful to a private soldier by the name of Joseph Peters who materialized from nowhere to save my life. I was labelled a 'rebel' and we all know that at that time there was synonymity between rebel and death. Joseph was prepared to lay his life for me and even after their boss, a colonel, came, Joseph argued to a point that the argument was changed into a Nigerian language so that I could not understand what was being said. Today I sit here to talk about it because my life was eventually saved by that young man who was only demonstrating gratitude for what he believed I had done for him and colleagues in the past. I was later released that evening and Joseph was asked to bring me home. While I was there I was very worried about my mother because of her condition but I must confess that my mother was by far stronger than me.**

When they brought me back, my mother laughed that she knew I was coming back while the rest of my relatives and staff were crying knowing that anyone that was taken to the naval base never returned at that time.

One important thing I forgot to **mention was the President's declaration of ceasefire when all that divided us and the rebels was the Congo cross bridge.**

I was so mad **that I developed diarrhea. I must have visited the rest room four times in thirty minutes knowing fully well that the rebels were occupying the greater and best part of the city. Thinking about it now, I say thank God the President made that declaration because the greater part of Freetown would have been in ashes if the confrontation had continued and we would have lost far more lives than we did. Indeed the President was acting from his head while most of us were thinking from our heart.**

A few days after the naval base scenario, news came that my step father's home was burnt down and that he and his eldest son were shot dead by gun men at Kissy Mess-Mess. One such gun man was identified as a Mr. Kamara also known in the area as "baboo suck lem". It took us over a week to inform our mother, definitely not by me; she could not have learnt that from me.

In any case my sisters and some friends developed enough **nerves to tell her, much against my cautionary position. I was however surprised when my mother called me and in a seemingly pleasant mood asked me to sit by her on her** bed, **she rose up and held my feet**

and said, "Sam my son, buy your last blessing from me" what do you mean, aunty? I asked. "Do not allow Tom and his son to be buried like dogs; exhume their bodies and give them a decent Christian burial". "If I have the money, I will, aunty" I said. "Do not worry God will give you" she said.

About two weeks later, I came back to tell her that Mr. Tommy King and his son had been exhumed and given proper burial. "I know", she said, and continued to say that they were trying people who were involved in killing. After that statement my mother never spoke to me again, in any case, nothing sensible until her death in the hospital nine days later. Up till this day I still cannot understand what she meant by: **they were trying those who were involved in killing other people. May her soul Rest In Peace. Although I did not understand what she was saying, but that was the last, may I say, serious statement** she made to me.

Yes, I saw quite a few killings around. Two of such killings that shocked me most took place at the stadium hostel while we were waiting for an inter-agency meeting. One young lady was shot over four times for her friend's missing baby. The disheartening thing was even after the young lady was shot about four times she still struggled to get up and both ECOMOG and SSDs dragged her to the cemetery and sprayed her body with bullets. In less than thirty minutes a young **man was shot dead. The bullets went through him and nipped a man who was just by me.**

Both people were killed by ECOMOG. Upon the arrival of the two officials we were waiting for, the Chairman of RRR then and the deputy Minister of

Finance Development and Economic Planning I made a bitter complaint to them and asked my staff members to go home without attending the meeting.

The unfortunate case of "Evil Spirit" was public knowledge. I however did not see any of his killings but practically everyday reports were made about his madness.

The retreating effects of the rebels were very high and disastrous especially in the East-end of Freetown and its environs. It was even worse for us as an organization when they made their base in Makeni. During that period, the SLOIC Centres in Makeni were completly looted of training tools and equipment. The buildings were unroofed, doors and windows removed and damaged beyond repairs.

Mr. Chairman and Commissioners, the January 6th" attack on the City and resultant activities caused extensive damage to an already inadequate economic and social infrastructure hence exacerbating poverty and under-development, further resulting into high unemployment, low salaries and wages, low investment levels, poor and in most cases negative attitudes towards work responsibilities. There is also a high level of social instability and inadequate training of the available manpower. This has impacted negatively on the government.

Also, payment of SLOIC staff salaries were unduly delayed and thus caused massive exodus of dedicated personnel to International NGOs and other organizations. Regardless of all human efforts within the powers of SLOIC management, this situation has still not been alleviated up to this moment of my submission in this commission.

However, the signing of the peace accord in Lome on the 7th July, 1999 was a relief which signaled the end to this senseless rebel menace. Inspite of the prevailing security which I believe is also necessary for the displaced people to return home, some of them still occupy the SLOIC training centre in Freetown, thus making the environment unattractive to donor support.

Notwithstanding this, the cessation of hostilities also enhanced the security necessary for the revival of SLOIC's full operations. It is because of this atmosphere of peace and tranquillity that DFID constructed part of the Makeni OIC and promised to furnish this centre with tools and equipment. European Union (EU) assisted in the rehabilitation and reconstruction of Mattru Jong OIC. Also, part of Bo OIC training hall was renovated by the Government of Sierra Leone through Ministry of Education. EED, a German agency, is currently assisting us in skills training programme at Mattru Jong, Bo and Freetown Vocational Skills Training Centres. Now, SLOIC, with the support of OICI, has trained and contracted female counselors to help raped women in SLOIC operational areas to regain their rightful place in society. Presently, we are managing to deliver skills training and counseling programmes to over a thousand trainees in all the centres excluding those on OJT (on the job training) and participants under the outreach programmes.

CAUSES OF THE WAR

Mr. Chairman, Commissioners, Ladies and Gentlemen so much has been said about the causes of the senseless war and key amongst them is corruption. As true as this may seem, I see it a little more than that. I believe that the main cause is allowing our formal organizations to degenerate into informal organizations creating lawlessness, incompetence, tribalism, discrimination and injustice.

Formal Organization is any social unit which is deliberately organized for the explicit purpose of

reaching a specific goal or goals, and it operates on definite rules. On the other hand, informal Organizations have no formal Organizational Structure. They may have leaders and followers, procedures and taboos but there are no written rules or "elected" offices.

Prior to 1967, you will agree with me that our government had firm formal structures, I mean organizational structures. The loosely structured approach to governance was followed by many concerns. These were concerns that gave bureaucrats freedom to set their own policies and rules as long as they were about to show profitable results of personal desires to the hierarchy in the bureaucracy.
This was how corruption had roots in our system. I will be most deceitful to say that prior to 1967, there was no corruption in this country. There is no corruption free society.

Mr. **Chairman, Commissioners, Ladies and Gentlemen, what are bureaucracies set for? Bureaucracies are to establish efficiency, uniformity and the prevention of corruption.** If **we accept these three functions of bureaucracy, are we convinced that our state bureaucracy since 1967 has given us this satisfaction and pride?**

It reached a point in this country when bank customers have to bribe to withdraw what they want from their accounts as opposed to what the banks want to give them.

Scholarships were awarded not on merit but affiliation and how much one can pay to the bureaucrats. Jobs were offered on the same principle. People were made Paramount Chiefs not on merit but by might. What are the effects of all of these on our society?
Brain drain - most of our highly qualified professionals who cannot stand the heat or make meaningful changes left for other countries. The youths who became frustrated and have no means of leaving are found in the streets or pot corners and this is not by choice. A few will try to get some money and go to Liberia and prefer to struggle there for survival.
Some will stay here dissatisfied and in exasperation waiting to take advantage of any opportunity that creates chaos to vent their feelings and dislike of the system. Such youths were the easy converts of Foday **Sankoh and his likes.**

The looseness of the system also creates inconsistencies, laxness and of cause ideological deviations. Go to some government offices with very serious concerns, your first shock will be either the Receptionist or Secretary. You will be lucky to **have him/her return your greetings not to talk about him/her perceiving your presence. She may either be buying bread and accara with the seller's dish by an expensive computer, on the telephone for hours** unend, **polishing her nails or engrossed in either a conversation or argument with a friend. Time is nothing for them. And when finally she decides to pay attention to you, you will not finish with your enquiry when your answer will be given and most often, negatively. Officials who are supposed to make important decisions on issues bothering or concerning**

peoples lives are hardly in their offices and most times out on personal business. Public Officials in most cases are very insensitive to other citizens' concern especially if there are no direct personal rewards. For those who are helpless, they will go back with negative feeling and thoughts about the system.

Again, such people will also wait for an opportunity to express their feelings and in most case violently and some times influence the youths to be violent.

Another serious problem has been the bifurcation of allegiance in the public service.

The few honest public servants who believe that they must be of service to the public and thus go by the books and their commitment to service versus those who believe that the public is to support them and view their services as favour to the public. This misplacement of allegiance also frustrated the few honest public servants to a point of not putting in their best for fear or persecution.

THE EFFECTS OF THE PRE-WAR AND THE WAR

1. **EXTREME POVERTY**

2. **LACK OF TRUST IN OTHERS AND THE SYSTEM**

3. **PARANOIA**

4. APATHY

Mr. Chairman, Commissions, Ladies and Gentlemen. I do not believe that I have to convince any of you here today that poverty is at its highest level in our country now.
Unlike other countries where they have: upper class,

upper middle class, middle class, lower middle class and lower class, Sierra Leone has the very rich, the rich and the very poor. I **have always referred to this phase of our development as the hang over period of our yesterday's drunkenness.**

We now have no trust in each other as a people and this is greatly affecting the system in which we operate and being part of.

And where there is no trust do not count on love to exist and therefore respect is coerced. There is an **increased level of lawlessness which in the opinion of others is high level of awareness. The activities of some people during the war, like people** who **went to rebel camps in the forest to buy looted properties brought them back for sale in towns have lost face. There was a time rice bags that were sold in shops in the provinces were stained with blood. That was "blood rice" looted during ambushes on the highways. King Jimmy was the depot for other items. Does this mean anything to us?**

People who thought they were well off now see themselves as paupers and at the mercy of God. I know Mr. Chairman and Commissioners that these people still

dream that they are rich only to face the reality that there is nothing. Can we now see the reason for the high rate of heart attacks hypertension and sudden deaths? One must have Jesus in him to be free from such attacks. Some people just believe that the whole world is against them.

I must confess Mr. Chairman that in the most recent past this is how I was feeling but for God I probably could not have been here today. As I speak to you now, my staff members have not been paid for close to four months because of the insensitive attitude of some Public Officials. Yes, this is what people who are providing free skills training to the youths of this nation deserve.

Most people have lost emotional attachment to Sierra Leone. It is like fighting losing battle. What is even worse now is that most of the leaders in public places are in cocoons surrounded by their so called "trusted ones". It is this so called "trusted ones" they listen to, influence decisions and actions of the leadership. The reality of the situation is most often kept away from the leadership until in some cases is too late.

RECOMMENDATIONS

The following Ministries must be strengthened:

- **defence**
- **Health**

- **Education**

2. **TRC to be given additional responsibility as a follow-up to reconciliation.**

3. **Complete overhaul of the Civil Service.**

4. **Leadership to be more open and be more responsive to public opinion.**

5. **Youth engagement.**

PRESENTATION BY THE CHIEF OF DEFENCE STAFF, MAJOR GENERAL TS CAREW, ON THE THEME " `THE JANUARY 6, 1999 ATTACK ON FREETOWN" AT THE TRUTH AND RECONCILIATION COMMISSION (TRC) PUBLIC HEARINGS AT TIIE YOUNG WOMEN CHRISTIAN ASSOCIATION (YWCA) HALL, BROOKFIELDS, FREETOWN, ON TUESDAY 15TH JULY 2003

Mr. Chairman
Members of the Commission
Invited Guests
Ladies and Gentlemen

1. It is with great honour and privilege that I appear here for the third time to make a submission at this public hearing of the Truth and Reconciliation Commission. Foremost, I congratulate you, Mr Chairman, your Executive Secretary and gallant commissioners for organizing such a symbolic event at this auspicious time in the history of our beloved Sierra Leone, and also for nominating me as one of the speakers. The topic: "The January 6, 1999 Rebel Attack on Freetown" which YOU wish me to give a talk on, is indeed, very fundamental to the people of Sierra Leone as that particular date, commonly called J6, is an unforgettable date in the minds of all Sierra Leoneans, especially Freetonians. Though the topic sounds interesting, the horrible memories of the actual events of that fateful day will linger in the minds of Sierra Leoneans for many years to come.

2. In making my presentation, I will use the usual military style as I did in my previous presentations, with an introduction, then the aim, scope and conclusion.

AIM

3. The aim of this presentation is to discuss the sad events of the 6th January 1999 rebel attack on Freetown and its effects.

SCOPE

In discussing this topic, I shall attempt to cover the following:

a. Events before the attack.

b. The attack.

c. Effects of the attack.

EVENTS BEFORE THE ATTACK

5. Two weeks before that fateful day of January 6, intelligence reports were coming in that the AFRC/RUF rebels were planning to invade the city of Freetown. During that period, the intervention force, ECOMOG was solely responsible for the security of the city and indeed the entire country. It was the same ECOMOG that won the single credit of flushing the AFRC junta from Freetown thereby paving the way for the restoration of the democratically elected government of President Ahmad Tejan Kabba to power. By that time, the national army was dormant and the bulk of the surrendered personnel had been camped at 3 main locations, namely, Lungi Garrison, Benguema Barracks and the National Stadium Swimming Pool. The first major problem ECOMOG faced was total lack of unity and cooperation within the top ranks. This was compounded by the fact that, there were visible aspects of rivalry between the Commander of the then ECOMOG Task Force Sierra Leone (ETFSL), Brigadier General Abu Ahmadu and the then Chief of Defence Staff of the Sierra

Leone Armed Forces, the late Brigadier General MM Khobe. The strained relationship is attributable to petty jealousies for supremacy. Due to the total lack of cooperation and unity between both commanders, they could not work as a unified team to marshal their men, put contingency plans in place and/or launch a preemptive strike against the rebels to frustrate their diabolical intention of attacking Freetown.

6. For their part, the rebels took advantage of the prevailing s**ituation on** the ground, coupled with the countless problems ECOMOG was facing by then. The Nigerians, who were the dominant force in ECOMOG, were not so conversant with our terrain as they were strangers and new on the ground. Furthermore, ECOMOG troops were overstretched with numerous thin deployment that could not mutually support one another in the forward areas. Other problems that bugged ECOMOG operations also included, the nature of the terrain, poor road network, sparse population centers, absence of national security awareness, long line of communication, inadequate logistic supplies a**nd lack of the long awaited troop** contributions from other ECOWAS member states to booster ECOMOG strength, equipment and morale.

7. So the rebels took advantage of all these setbacks and started launching series of fierce attacks on ECOMOG positions across the country, Their plan was to rapidly and simultaneously attack the overstretched and thin ECOMOG deployments, taking maximum advantage of the terrain and the local geography to penetrate and sometimes bypass our troop deployments. A **notorious faction of the rebels** launched **separate assaults on ECOMOG positions from the northern axis under the command of the late Captain SA.J Musa. I**n **this way, ECOMOG troops were cut off from the rear and in other instances completely isolated. In this way, locations like Alikalia, Kono, Magburaka and Makeni were overran after fierce**

encounters. Within a short space of time, the rebels materialised around the outskirts of the Western Area with the intention of invading the capital. Benguema Training Centre, now the Armed Forces Training Centre, near Waterloo, was their first target.

8. At that time the ECOMOG leadership and indeed the traumatized populace did not fully trust the SLA troops. So ECOMOG made sure all the encamped SLA's personal arms were securely kept in the barracks armoury. So when the rebels eventually launched a surprise attack on the encamped troops at Benguema, our unarmed troops withdrew in disarray and Benguema easily fell to the rebels. In their follow-up mopping up operation after their short-lived victory, the rebels proceeded to destroy everything they could lay hands on including expensive military equipment, stores and ordnance. They broke into the armoury and took out all the light arms they could carry and decided to destroy the heavy and bulky weapons to render them useless to our troops in case of any counter attack by government forces to dislodge them. Without thinking of the dangers involved, SAJ Musa gave instant orders to his rebels to set fire to the amoury building, which by that time was full of high explosives, heavy shells and dangerous bombs. In **the ensuing huge explosions, several of the rebels who were within the danger zone of the explosions were all torn to pieces. SAJ Musa who gave the orders for the armoury to be burnt down was himself on the spot also met his tragic and painful end. Fragments from the explosions tore through his helmet and ripped his skull in addition to other fragments from the explosion that riddled his body. The injury, profuse bleeding, pain and agony were grave and unbearable for the vicious SAJ Musa and within a short space of time, he died on the spot.**

9 . Such was the demise of the man who had caused so much havoc and catastrophe on his fellow citizens and who was nursing the ambition to become president of Sierra Leone only to die in disgraceful circumstances. But this was indeed divine providence and divine justice. Hours after the explosions, the few surviving rebels managed to drag his mangled body from the scene along with the other casualties and dumped their corpses in unmarked graves without any fanfare or military honours. SAJ Musa's death was indeed **a sad blow to the rebels but a big blessing for government forces. With the death of their feared and notorious commander, the rebels were demoralized** and **temporarily thrown** into **disarray** with no **credible commander to take over the mantle of leadership.** The **junior rebel commanders tried strenuously to put the men together to plan their diabolical invasion of the city.**

THE ATTACK ON THE CITY

10. **The rebels invaded the city on Wednesday 6 January 1999. The actual invasion reached the ears of ECOMOG High Command from forward ECOMOG troops at about 4:00 am. It was not only a big surprise but also a great shock for the unsuspecting ECOMOG troops who took the invading rebel forces for civilians. The actual invasion started from the eastern sector of the city in the Calaba town general area. The rebels disguised themselves and mingled with the huge exodus of civilians who were entering the city in the waves as displaced and dispossessed persons.** The **rebels also tactically made maximum use of the prevailing darkness to conceal their identity and true strength. Before daybreak, they had penetrated the centre of Freetown and had started firing from all directions in the east and centre of the city to throw residents into a state of panic, confusion and pandemonium.** In **no time, the rebels had taken over these areas to the absolute surprise of the entire residents of**

Freetown and indeed the entire country. Even the EC0MOG Generals in the ECOMOG Headquarters at Cockerill were all shocked, astonished and confounded as to how this ugly incident could happen with very little or no resistance from the ECOMOG frontline troops. The rebels further took maximum advantage of the chaos, anarchy and stampede of the **civilian populace to seize all key points in the centre and east of the city including Parliament Building and even State House.**

11. I**n their attempt to dominate the entire Freetown, the invading rebels proceeded to extend their attacks to the west end of the city, but were met by a very strong ECOMOG resistance at Congo Bridge, where they suffered incredibly fatal casualties. This was, in actual fact, the first offensive operation of ECOMOG of which I was part, to halt the invading rebels. The ECOMOG troops under the command of one Major Musa sprang a surprise and deadly ambush that totally engulfed the leading elements of the rapidly advancing rebels. All the leading vehicles and their occupants were blown to pieces in the barrage of fire and explosions. This greatest single victory against the rebels broke their invincibility and put a final halt to their rapid advance into Western Freetown.**

12. **As I said earlier ladies and gentlemen, during all of this period, the national army was dormant. ECOMOG was solely responsible for the security of the country with Nigerian-born General Timothy Shelpidi as ECOMOG Force Commander, General Abu Ahmadu as ECOMOG Task Force Commander and General Khobe as the Chief of Defence Staff of the dormant SLA. To drive home the point that the Nigerians were totally in control of everything, let me give you a short example. During the invasion period, I was a Colonel then in charge of Administration and Quartering at the then Defence Headquarters at Cockerill, working with**

General Khobe as a principal staff Officer. You will be surprised, Mr Chairman, to learn that a Nigerian Captain who was a Grade 3 Staff Officer for Logistics in the same branch was in full control and had absolute powers over the entire branch. Hence, as an SLA senior officer, I was just a nominal head of that staff branch.

I3. Now back to the Congo Bridge encounter. Having halted the rebels' advance towards the west at Congo Bridge, ECOMOG finally seized the initiative and embarked on decisively attacking pursuing the retreating rebel elements. After three days of fierce gun battle and massive bombardments, ECOMOG forces, in a 3-prong simultaneous assault on rebel positions cleared the rebels from Brookfields, Kingtom, New England-Pademba Road areas and the whole of central Freetown on to Eastern police end. Having suffered serious casualties and setbacks, the rebels had no choice but to beat a hot retreat in the face of the rapid ECOMOG assault. The fleeing rebels resorted to venting their anger on defenceless civilians and carrying out wholesale burning of **Government buildings and civilian residential houses and vehicles. They did not stop there; they started the grisly act of amputating, mutilating and massacring innocent civilians, including women and children.**

14 The major casualty that government troops suffered at the hands of the rebels at that time was the shooting by sniper fire of Major BJ Aroh and Junior Sawaneh. This sad incident actually occurred in the fierce gun battle to clear the rebels from PZ-Sani Abacha Street area. In that bloody fire fight, General Khobe and myself were personally involved and both of us were at the dead front commanding the men and instilling morale and confidence in them. As a result of these 2 casualties, government

troops temporarily halted the pursuit to evacuate the casualties and wait for fresh reinforcements. General Khobe and myself coordinated this. Early the following day, troops reinforcements arrived on the ground and we resumed the offensive operation to dislodge the fleeing rebel remnants from the eastern sector. The morale of the rebels at this time was very low and in the absence of SAJ Musa there was no respected commander to exercise absolute and maximum command and control in their ranks.

15. **When the rebels realized that they had lost the initiative and could no longer halt the momentum and rapid advance of government troops towards the east in our bid to clear the entire city of rebel remnants, the rebels decided to intensify their usual atrocities - abduction of beautiful women, massive burning down of houses, vehicles and shops, etc. Instead of standing and confronting government troops head on, the rebels turned their guns on innocent civilians with boldly and fatal consequences. After 2 weeks of these bold but tedious operations, ECOMOG troops eventually gained control over the entire city. Because the rebels were in total disarray with extremely low morale, no command and control structure and scarce logistic supplies, ECOMOG took maximum advantage of this to bloody them and chase them out of Freetown to as far as Mile 38.**

16. After **suffering serious defeat at the hands of ECOMOG, with maximum casualties, the retreating rebels split into two factions. One faction returned to Makeni to re-join their colleagues whilst the die-hard elements retreated and established a notorious hideout base at Okra Hills. This group called themselves the Westside Boys. It was this same group that stubbornly held out at this base even after the transition from ECOMOG to**

UNAMSIL. It was the same group that launched series of attacks on Masiaka and its environs, ambushed the Waterloo-Masiaka Highway countless times and dug several ditches and death traps across tarred highway to hinder the flow of vehicular traffic. When the Westside Boys went out of the way and **abducted some British soldiers on routine patrol around Okra Hills vicinity, this spelt the end of the Westside nightmare. Force was eventually used, as this was the only language the hated Westsiders understood. The British-led "Operation Barras" did not only succeed in demolishing the notorious rebel base, but it also routed the bandits, exterminated stubborn rebel elements and captured the key leaders who are presently at Pademba Road Maximum Security Prisons.**

EFFECTS OFJANUARY 6 ATTACK

17. **The effects of the AFRC/RUF attack on Freetown on the 6 January 1999 were very immense. In the east and center of the city itself, the rebels attacked defenceless civilians and committed so many act of massacre, rape, arson, mutilations, amputations, abductions and conscriptions on a grand scale. Sierra Leoneans as well as the international community were witness to the huge scale of destruction of human and material resources that accompanied the January 6 invasion, which was appalling and shocking not only to Sierra Leoneans and Africans but also to the entire international community. The rebels carried out their trademark atrocities on a grand scale right in the wake of the attack and these reached the highest degree during their pullout from the city under ECOMOG fire and bombardments.**

18. **Following their crushing defeat and pursuit from the capital, the rebels resorted to the wanton destruction of**

lives and property before fleeing the capital. Government buildings and other state facilities were, of course, their primary targets for looting and burning. Police stations, SIERRATEL telephone exchange **gadgets, machines and buildings, NPA substations and power lines, and even houses of worship were not spared. Civilian residential quarters and private homes were razed to the ground thereby displacing hundreds of thousands of people.** A **greater part of the east end of the city and parts of central Freetown were reduced to ashes bearing clear evidence to the scale and degree of destruction caused by the fleeing rebels. This was a big psychological blow to the affected people who were not only displaced, but had no hope of getting the necessary resources to rebuild those burnt out houses.**

19. **The National Stadium, Kissy Mental Hospital, schools, churches, mosques and market places overnight became makeshift homes for the hundreds of thousands of displaced, dispossessed and traumatized men, women and children, around the city. These people had lost everything and had nowhere else to go. Similarly, transport owners, motorists, car sellers, fuel dealers, and shop owners, etc also suffered greatly as the retreating rebel burned down, hundreds of trailers, trucks, fuel tankers, buses, vans, bikes and cars as well as shops, with impunity. For most residents of Freetown, their only means of survival and livelihood were cut off by the invasion and the drastic and bloody consequences that accompanied its aftermath.**

CONCLUSION

20. Mr Chairman, distinguished guest, ladies and gentlemen, for the past 30 minutes or so I have been

discussing the January 6, 1999 rebel attack on the city of Freetown. I **first said that the lack of unity and cooperation in the ECOMOG military hierarchy coupled with various other problems bugging ECOMOG operations in the country at that time gave the AFRC/RUF rebels big scope and advantage in successfully invading the city on 6 January 1999.** I fu**rther went on to discuss the invasion itself, and stressed that it was initially planned by the late Captain SAJ Musa, who had committed heinous Crimes against the people of this country but died in disgraceful circumstances on the outskirts of the Peninsular. Perhaps I should add here that SAJ Musa was divinely rewarded with his early call to the grave. Having contributed so immensely to destabilize this country, he was suddenly and untimely called to eternity to answer to the crimes he had committed against humanity not** by the **Special Court this time, but by the true and everlasting Court of God Almighty,**

[2]1. I finally ended by mentioning some of the effects the invasion had on the **people and the entire country. Mr Chairman and members of this commission, invited guests, ladies and gentlemen, I** thank **you for listening to this presentation of the sad chapter of our nation's history.**

22. Mr Chairman, esteem ladies and gentlemen, I thank you for the honour of inviting me to make this presentation. I further thank you for your patience and attention.

PRESENTATION BY THE CHIEF OF DEFENCE STAFF, MAJOR GENERAL T.S. CAREW ON THE THEME "TAKING OF UN PEACEKEEPERS HOSTAGE IN SIERRA LEONE" AT THE PUBLIC HEARING OF THE TRUTH AND RECONCILIATION COMMISSION (TRC) AT THE YOUNG CHRISTIAN COUNCIL ASSOCIATION (YWCA) HALL, BROOK FIELDS, FREETOWN, ON THURSDAY 17TH JULY 2003.

1. I stand here today **in response to the task assigned to me with reference to the taking of United Nations (UN) peacekeepers hostage in Sierra Leone in 2000.**

2. I was deployed in Freetown when the hostages were taken. Many stories have been told to inform the pensive world. What I intend to talk about is how we got to the hostage taking stage, how the hostage taking impacted on national and international political scenes and the response of the international community. I may not clearly comment on any existing shortcomings in the government that I am advising as head of the armed forces. I am neither a legal person nor am I a diplomat. I will however attempt to describe the peculiarities of the war years and how these peculiarities played out in West Africa and beyond. I will conclude by recommending some reforms and practices aimed at protecting UN peacekeepers in the management of ceasefires during civil wars.

PRIOR TO THE CONFLICT AND DURING THE CONFLICT

3. Before the war broke out in 1991, I was deployed as adjutant of Lungi Garrison at Lungi. At the outset of the war I got posted to the Mano River Bridge. I was later posted to Potoru in the Pujehun District. I was subsequently posted to Koribondo as Battalion commander in 1993. I became 3 Brigade Commander in

the Southern province in 1994. The Brigade **was headquartered in Bo. My rank was Colonel.** The **rebel war was a strange `animal' to many a soldier and to the RSLMF at large.** However, in a **very short space of time my troops became `inoculate' and stood firm to face the enemy - Revolutionary United Front (RUF). The armed forces saw bad images of war painted by the RUF rebels. The rebels, for fear of long-term identity wore the uniforms of our fallen regular soldiers and we became labeled as 'sobels'. The National Provisional Ruling Council (NPRC) and the Armed Forces Revolutionary Council (AFRC)/Revolutionary United Front (RUF) alliance created regimes of interregnum and** the one **time combat-focused armed forces again became blemished because of the lack of that mark of distinction and identity between the RUF and that portion of the RSLAF that went into marriage with them.**

4. In the future, like I have **always done,** I will **implore our soldiers/sailors/aircraftmen to do their constitutional duties and only perform all other tasks when our civilian masters pass instructions within the provisions of the 1991 constitution of Sierra Leone.**

MY EXPERIENCE OF THE TAKING OF UN PEACEKEEPERS HOSTAGE

5. The arrest of about 500 UN peacekeepers after a brief scuffle between the UN forces and the RUF was related to 3 issues in my view: the problems of the relief in place (RIP) operation between UN forces and the Economic Community Monitoring Group (ECOMOG) forces in Sierra Leone, the legalistic principle of impartiality on the side the UN and the civil/military relations problems in Sierra Leone at the time. At the time the UN decided to deploy its forces in Makeni, 140 kilometres away from

their Freetown headquarters, the force size was small, the mandate was not combative, and there was no established relationship between the UN forces and the splintered regular RSLAF, which monitored almost everything about the RUF/AFRC's future plans. Because of lack of mutual trust, as it were, the international community mistook the AFRC/RUF alliance for the entire RSLAF.

6. Before the Kenyans headed for Makeni, a team visited the Armed Forces Training Centre (AFTC) to inform the RSLAF trainers and security personnel who had joined the Nigerians to liberate Freetown after the RUF invasion on 6 January 1999. The SLA advised that the AFTC had monitored an RUF radio that suggested the arrest of some Peacekeepers in order to improve on their stake in the peace process.

7. Sierra Leoneans felt jitters in their f1esh. I am sure even the UN personnel felt the same _jitters. However, that situation forced the UN to improve on their mandate, which allowed us to see UN personnel exercising that natural element of self-defence. My disappointment was that the hostages were only released to the President of Liberia, Mr Charles Taylor who hand the former hostages to the UN authority in Freetown. We thank God our colleagues resurfaced although some died at the initial stage of the hostage taking. But that is what it takes to manage uncertainty.

8. Nevertheless, I personally learnt the following lessons and I wish to share them with the TRC:

- **That UN peacekeepers must observe the partnership of willing local forces in order to gain any entry point into secure and credible peace operations.**

- **National government should exhibit a `right of offer' of their security space to the UN. This arrangement will**

leave national governments and their security agents to brief the UN peacekeepers before they keep the peace.

- **Peacekeepers should be trained and organised to transform into a peace enforcement role by deploying a force protection party should the situation demand it.**

9. I am looking at where reforms in the RSLAF should happen **in this regime of restructuring of the Ministry of Defence. But such reforms need to be enhanced by the international community, especially in areas such as Peace Support Operations (PSO) within and outside West Africa.**

10. **To summarise, I saw the beginning and the end of the civil war. Restructure with the aim of inducting the military to work within the armbit of the laws - national and international.**

1 1. As for the hostage taking of the peacekeepers 140 km away from the UN headquarters, there was an asymmetry between ECOMOG's exit strategy in 1999 and the UN's take-over tactics in 2000.

ALL PEOPLE'S CONGRESS
(A.P.c.)

Motto: Action Progress Commitment

Head Quarters:	Eastern Region:	Northern Region:	Southern
137" Fourah Bay Freetown.	1,1 Smith Lane, Kenema.	4a, Masuba Road, Makeni.	18, Mattru Maxwell
Tel:	Tel:	Tel:	Tel:

Our Ref: Your Ref: Date: 23r° July, 2003

FROM: Victor Bockarie Foh - All Peoples Congress (APC)

TO: The TRC

ATTENTION: Mr. Ojielo Ozzonia

Dear Sir,

THE DESTRUCTION OF KORIBONDO

Kindly receive the attached corrected submission in place of our earlier submission of same date and topic.

Errors in our earlier submission have caused its withdrawal and replacement.

We regret the inconvenience, please.

Yours faithfully,

Victor Bockarie Foh

TRUTH AND RECONCILIATION COMMISSION (TRC)
THE DESTRUCTION OF KORIBONDO

An APC Presentation - Friday 18th July 2003 - Victor Bockarie F oh

1. HISTORICAL

Koribondo is an ancient cosmopolitan town that started as an important trade route village in the then Njaiama Chiefdom of the Bo District, in Southern Sierra Leone. It is situated about 32 Kilometers (2O miles) South of Bo, and links the old District Headquarter towns of Bandajuma (now relocated in Pujehun District) in the Vai-Mende land, and two important ancient trading centers of Blama, Small Bo Chiefdom, in the Eastern Province, and Sumbuya (another District Headquarter town, now relocated in the Bo District) in the South-West. Koribondo is reputed as a center of mixed tribal population and commerce, with a cultural flux that **accommodates** tribal and religious tolerance. **Koribondo gained dominance sometime during the reign of Chief Foday-Musa through extension of colonial rule to the Protectorate, now the Provinces. Koribondo never became the Chiefdom Headquarters of Njaiama Chiefdom because of its location on vast flat plain that posed a threat for easy attack. This settlement was the scene of frequent political disturbances as towns of mixed population and commerce tend to be.**

Koribondo grew rapidly as Fulani and Lebanese traders settled there and had inter-marriages with indigenous Mendes. They built houses and opened small shop business. Koribondo became very strategic economically, politically and militarily, much to the disadvantage of the Njaiama Chiefdom Headquarter town of Kondor, about 4 Kilometers (2.5 miles) to the North-West. In **the 1970s, Njaiama Chiefdom was amalgamated with the Bongor Chiefdom to form the Njaiama-Bongor Chiefdom. Koribondo did not lose its importance as a cosmopolitan political, commercial and population center although it never became the Chiefdom Headquarter.**

2. THE CIVIL WAR AND KORIBONDO

When civil war broke out in Sierra Leone in 1991, Koribondo became a target for rebels of the Revolutionary United Front (RUF). The timely action of the APC Government under President Momoh to locate a military base at Bo in the

Southern Province frustrated the rebel determination to take over Koribondo. The NPRC put a military base at Koribondo.

It is reputed that between March 1991 and April 1996, when the SLPP were elected to take over government from the National Provisional Ruling Council (NPRC) Military junta which overthrew President Momoh and the APC government in 1992, Koribondo suffered more than 35 unsuccessful attacks by RUF rebels. Throughout this period and right up to January 2002 when peace returned to Sierra Leone, the civil population of Koribon.do suffered the dilemma of being caught between the rebels and the military such that they earned the name "Collaborators". At one time or the other, the people of Koribondo were said to be either rebel collaborators or military collaborators.

By 1993 the NPRC Military junta realized that to win the rebel war militarily, they must get the assistance of local hunters otherwise called Kamajors in Mende. Then Hinga Norman started training Kamajors at Telu, in the Chiefdom Headquarter town of Njaiama-Bongor Chiefdom about 24km. (15 miles) from Koribondo without the express approval of the Sierra Leone Army. Consequently, the Military base at Koribondo saw Kamajors being trained at Telu as a parallel military set-up. As a result, in October 1994, soldiers from the Koribondo Military base are said to have attacked and killed about 60 Kamajors at Telu and blamed it on RUF rebels.

Even before that time, the Koribondo base became a dreaded town because NPRC soldiers killed anybody suspected as rebel collaborator. By this behaviour on the part of the NPRC, several innocent civilians were killed by soldiers without proper investigation or due process of the law. This may have given cause to the entire civil population of Koribondo to take sides against the Army. Some civilians became dangerous informants for the military. An Afro-Lebanese called Attala and a driver, Sheku Gbow and many others became such informants for the NPRC military outfit.

It must also be recalled that a bitter Chieftaincy contest between the various ruling houses of the Njaiama-Bongor Chiefdom following the death of P.C. Foday-Kai in 1989/1990 got to a very dangerous stage that brothers and sisters falsely reported on each other to ensure important contestants being eliminated.

In consequence, many towns and villages around Koribondo such as Telu, Kandor, Mende-Kelema, Bendu, Niagerihun etc. were destroyed **and many of their prominent citizens were killed in the process. My own village and birth place Jimmi Bagbo, 12 miles South of**

Koribondo was not spared in the Koribondo attacks and destruction. My personal villa., La Veekee was burnt to ashes on Hinga Norman's orders.

When the SLPP government of President Kabbah took over from the NPRC in April 1996, the Kamajor movement and its fighting capacity were intensified all over the country. President Kabbah appointed Hinga Norman his Deputy Minister of Defence, Norman, himself a Kamajor, with the support of President Kabbah the substantive Minister of Defence and Vice President Albert Joe Demby, this Chief Kamajor Hinga Norman continued to operate the Kamajor Militia movement.

About this same time, the Military had become divided among themselves into factions fighting to amass **wealth.** The **SLPP government's support for the Ka.majors coupled with the open challenging hostility of Kamajors against the SLAF brought the soldiers together to bring down the Ka.major movement. This awful development resulted in more attacks on Koribondo. Kamajors are believed to have made over 46 unsuccessful such attacks on Koribondo in order to dislodge the Military and establish a Kamajor base at Koribondo.**

The Military fell out completely with the Kamajors because the Deputy Defence Minister, Chief Hinga Norman, was biased in favour of Kamajors leaving the Military to perish when infact he was supposed to work with and protect the Army from Kamajor harassment.

In **May 1997, President Kabbah and his SLPP government were overthrown by the AFRC Military Junta of Johnny Paul Koroma. The AFRC called RUF rebels to join them in governance** and an **AFRC/RUF Army occupied the military base at Koribondo.**

AFRC/RUF Army continued fighting Kamajors for Koribondo. Kamajors were attacking Soldiers and vice verse. This fight spread to Bagbo, Tikonko, Jaiama/Bagbo, Sowa and Wonde Chiefdoms.

In the end, AFRC/RUF Soldiers withdrew from Koribondo when the AFRC were ousted by ECOMOG. Kamajors headed by Joe Temidae and Joe Nuni, the Kamajor Battalion Commander, took charge of Koribondo and since then, there was no more fight for Koribondo.

A **Kamajor Military Base was established in Koribondo by Chief Hinga Norman and his peers in the** SLPP. **Sadly, the SLPP government did not remove Kamajors from Koribondo. Kamajors in Koribondo with the support of Deputy Defence Minister Hinga Norman, President Kabbah and Vice President Albert Joe Demby continued supporting the Koribondo Kamajor base. Very many properties including dispenser Lamin's (Mike Lamin's father) dispensary and Atala Mohamed's cinema were destroyed.**

The ignition point of Army/Kamajor clashes for Koribondo came about when the AFRC put out announcement that Kamajors should surrender their guns to the nearest Police Station. The SLPP government in exile may have asked the Kamajors to refuse.

The APC submits that the entire Kamajor arrangement by the SLPP was in violation of the constitution of this country and an affront to the integrity and dignity of the Sierra Leone Armed Forces.

Hinga Norman's appointment to the position of Deputy Minister of Defence in charge of the Army, was in the view of the APC, a gross miscalculation which ignited the Military/Kamajor armed rivalry. Before his appointment as Deputy Minister, the NPRC Government had appointed this very Hinga Norman as Regent Chief of Jaiama-Bongor Chiefdom in which Koribondo is situated. On Hinga Norman's assumption of the Office of Deputy Defence Minister, he used the opportunity to suppress the legitimate Sierra Leone Armed Forces. He took away valuable funds meant for military logistics and welfare and diverted them for the use of the unconstitutional and unprofessional Tribal Militia we all now know as Kamajors.

As a Parry, the APC regrets the destruction of Koribondo. The APC left Koribondo and Sierra Leone intact. The vile ambitions of the RUF, NPRC and the SLPP appointed Chief Kamajor/Deputy Minister of Defence Lt. Hinga Norman, the man who staged the 1967 coup, in our view, are responsible for the destruction of Koribondo.

The APC recommends that the township of Koribondo and her people be assisted. Other areas destroyed all over the country should also be assisted.

Faithfully Submitted, Victor Bockarie Foh
All Peoples Congress (APC)
18th July, 2003

SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION
ALIMAMY PALLO BANGURA

After the May 1997 coup d'etat that led to the formation of the Armed Forces Revolutionary Council (AFRC), I was invited and I accepted to serve as Secretary of State for Foreign Affairs and International Cooperation, in which capacity I headed delegations to peace negotiations; thereafter, I was a delegate to the negotiations in Lome; was appointed Minister of Energy and Power; and contested the May 2002 elections as Presidential Candidate. Before May 1997 I had served in other capacities which have, however, become submerged beneath the deadweight of condemnation and vilification attaching to, in consequence of, my association with the AFRC and RUFP. In the face of this fact, it would be too easy to use this occasion to try to exonerate myself or to debunk the epithets of "junta collaborator," "rebel," "traitor," "opportunist," etc that have been bandied about and flung at me. This is not by any means the purpose of this submission. I have elected to let the inevitable efflux of time and unfolding of events take care of the negative labeling and stigmatization. By this submission, my intention is purely, simply and solely to place on record the way I have led my life, or, in plain text, allowed myself to be divinely led.

I was born in Mabonto, Kafe-Simiria Chiefdom, Tonkolili District, Northern Sierra Leone, on the 14`h July, 1950, to Paramount Chief Alimamy Bangura II and Haja Fatmatta Bangura. I started schooling at the District Council School, Mabonto, before transferring to the then boarding school of Our Lady of Fatima Roman Catholic Primary School in Makeni. I took my Selective Entrance Examinations and entered the St. Francis Secondary School, Makeni, where I spent the next five years at the end of which I sat to the General Certificate of Education (G.C.E.) Ordinary Level examinations. Then, my father was gracious enough to send me to the United Kingdom. For five years I did various odd jobs before I went to Leeds and did my G.C.E. "A" Levels at the Park Lane College of Further Education. Three years later I graduated from Leeds University with a B.A.(Hons) degree in Social and Public Administration, to return to London and register at the School of Oriental and African Studies (SOAS), University of London, obtaining, two years later, an M.Sc. degree in Politics.

Having for long yearned to add a German ingredient to my academic make-up, I went to the University of Heidelberg to read for the Dr. Phil degree in Political Science, Sociology and English. This project was aborted due, essentially, to financial difficulties and I returned to London where I had qualified to stay indefinitely. I registered at SOAS for a Ph. D in Political Science but worse disaster struck when fire gutted my apartment and I lost my research materials and personal effects. I decided at that point to return home and live down the sad experiences. For a few months, I was employed as a Temporary Officer in the Ministry of Foreign Affairs. After I resigned I got a Lectureship in the Department of Political Science at Fourah Bay College, University of Sierra Leone, where I

acted as Head of Department for three years and was elected President of the Senior Staff Association of the University.

After the National Provisional Ruling Council (NPRC) took power in 1992, I was appointed, first, Councillor in the Freetown City Council; second, Commissioner in the Lynton B.O. Nylander Commission of Inquiry; third, Member of the National Advisory Council; fourth, Ambassador to Ethiopia and concurrently Permanent Representative to the Organisation of African Unity (OAU), now the African Union (AU), and the United Nations Economic Commission for Africa (ECA) in Addis Ababa; and, fifth, was reassigned as Ambassador and Permanent Representative to the United Nations in New York. In June 1996 I was recalled as Ambassador and was not reassigned. In February 1997, I was appointed Diplomat-in-Residence and Adjunct Professor in the Department of Politics and Government of the University of Hartford, Connecticut in the United States. Renewal of this appointment was dependent on readjusting my status from that of diplomat and re-applying for the appropriate visa, to effect which I had to come home and apply for the visa.

It was principally for this purpose that I left New York on May 19 for Freetown. Furthermore, whilst I was Ambassador, I did not receive all my salary and allowances regularly as a result of which there was an accrual of arrears. I decided that coming to Freetown would enable me pursue this issue of arrears more effectively. Besides, I had also seriously considered returning to my former Department at Fourah Bay College as another option to explore whilst in Freetown. So I flew to Freetown, arriving on Wednesday, 21St May. On the following two days, I commuted between the Ministries of Finance and Foreign Affairs, winning the promise that some payment would be made to me on Monday, 26t". At the same time I wrote to Fourah Bay College to express my desire to resume my lectureship.

Then, on Sunday, 25t" May, the AFRC coup took place, throwing my hopes and plans awry. I stayed indoors until the intensification of bombardment in June. One evening, I was invited to meet with the then Chairman, Major Johnny Paul Koroma, at his residence in Lower Pipe Line. At this meeting he informed me that he had been told of my presence in town and that I had been recommended to him. He declared to me that he was looking for a diplomatic way out of the crisis and appealed to me to work with Dr. John KarefaSmart in suing for peace. I accepted and agreed to travel with Dr. Karefa-Smart to New York. When I got to Senegal I could not get the necessary visa. I was told to apply for it in Freetown. I thus had to return to Freetown.

With the prospects for a negotiated settlement becoming feasible, I was invited to head a group to prepare for the negotiations. It was not an easy task, given the make-up of the group, the prevalent tense situation, and the suspicion and aggravation on various fronts. My problems were compounded when I was

appointed Secretary of State for Foreign Affairs. By then the UN had imposed a travel ban on AFRC members, including myself.

At this point I will give a seriatim summation of ensuing events after which I will make an overall statement:

- I led the AFRC delegation to the first meeting with the ECOWAS Committee of Four in Abidjan, La Cote d'Ivoire. At this meeting, I read out a prepared statement basically containing proposals for a thorough discussion of the underlying problems that needed to be addressed if we were serious about finding a solution that would avert any relapse into such conflict in future and thus ensure enduring peace and stability. This meeting went well and we made some considerable progress. My delegation returned to Freetown to prepare for a follow-up meeting.
- At the second meeting, again held in Abidjan, the talks were difficult but we were making slow progress. This was scuppered by a broadcast the Chairman made in Freetown, at the height of talks, without consultation with us in Abidjan. The talks collapsed. I felt shattered and disgusted and faxed the Chairman a letter of resignation. I did not return to Freetown but remained in Abidjan under the auspices of the Ivorian Government. At the United Nations in New York, I had developed close personal relations with the Ivorian Foreign Minister, Mr. Amara Essy, and these relations grew during the AFRC interregnum and proved helpful in facilitating my brief sojourn in his country.
- I made efforts to get my visa business sorted out so that I could have returned to the US, but without obvious success.
- The Chairman appealed to me through the Ivorian Government to return and take charge of renewed efforts at negotiations. I accepted and came back to Freetown. The Chairman reaffirmed his commitment to peace and to give me a free hand to engage in talks with the now expanded ECOWAS Committee of Five.
- I undertook trips to Conakry, Abidjan, Lome, Ouagadougou and Niamey to drum up support for a resumption of the talks.
- I led the AFRC delegation to the meeting in Conakry that culminated in the signing of the Conakry Plan of Action. I returned to Freetown in a mood of optimism, which soon waned and was clouded by problems of interpretation of the Plan.
- I traveled to Conakry, Monrovia and Abidjan for further discussions and clarifications of positions.
- I was in Abidjan when the regime was ousted. After a few days I was asked by the authorities to leave La Cote d'Ivoire.
- I was allowed to go to Burkina Faso. Whilst serving as Ambassador in New York, I had cultivated a personal rapport with my Burkinabe colleague and through him his Foreign Minister, Mr. Ablase Ouedraogo. I had even been helpful, as Chairman of the African Group at the UN in October 1995, in getting my colleague to win membership of an important committee. This background

redounded to my advantage and so I went to Ouagadougou, where I became born again.

- When negotiations were to start in Lome, Togo, I was invited to take part on the side of a combined RUF/AFRC team. It was in Lome that I became acquainted with the RUF Leader, Pa Foday Saybana Sankoh. The acquaintance was not easy at first but with time, patience, tolerance, diligence, and by God's Grace, we were able to get on.

- Pa Foday vowed to me and, in my presence, to H.E. President Gnassingbe Eyadema of Togo, and H.E. President Olusegun Obasanjo of Nigeria, his firm commitment to lasting peace in Sierra Leone. This formed the basis of, and went a long way to sustain, our working together.
- After the signing of the Lome Agreement, I was nominated by Pa Foday and was appointed by His Excellency President Kabbah as Minister of Energy and Power. I was serving in this ministerial capacity when there was trouble in May 2000 and I ended in the Central Prisons at Pademba Road, where I was detained until my release in August 2001.
- By this time, Mr. Issa Sesay was Interim Leader of the RUFP; the DDR Programme was being implemented; and tri-partite talks had begun between Government, UNAMSIL, and the RUFP. Mr. Sesay invited me to become Secretary-General of the RUFP, to help him keep the spirit of Lome alive, and to prepare the party for the pending elections.
- Eventually I was nominated Presidential Candidate and contested and lost the May 2002 elections.
- Although I have for quite some time been unemployed, rejected and condemned, God has not abandoned me. I am blessed and highly favoured and enjoying the goodwill of some relations and friends, and I am currently working on a project that brings me exceeding excitement, joy, and satisfaction. The project relates, studies, and applies Biblical faith and principles to a host of issues, situations, circumstances, and developments. It transcends reigning orthodox approaches, methodologies, and paradigms. In other words, it looks for and interprets God's Mighty Hand in our fallen and depraved world, outside of the dominant philosophical or political theories or treatises. This project follows the traditions of the Biblical prophets, who told the truth and proclaimed God's justice, held up alternative visions, and helped the people to imagine new possibilities. They encouraged people to be suspicious of concentrations of wealth and power; to mistrust ideological rationales that justify subordinating persons to causes; and especially to become sensitive to the poor, the disenfranchised, the marginalized, the outsider, the excluded, and the stranger. Humankind is made of clay that has been so hardened, misshapened and flawed that were it not for God's rich mercy, and his constant recycling, we would have been discarded or disposed of like nappies.

After this brief summary, I will now proceed to my promised statement. First of all, I want to underline that throughout my life I have neither condoned nor taken

part in or supported any form of violence. I have always been a pacifist and fervent and implacable believer in peace and the peaceful resolution of crises and conflicts. As Lecturer, I not only taught and instructed, but also consistently advocated peace and reconciliation.

Although many of those in power at the time were my friends, some were my affine or relations by propinquity, and still others by consanguinity, I never even thought of taking advantage of this fact, to use it as a flag of convenience to further my personal goals or interests. Nor, conversely, did this deter me from being critical of the regime on radio programmes and in my regular column in the Vision newspaper. Coming from a goldiferous Chiefdom, whose Paramount Chief is my father, I could easily also have exploited this fact to enrich myself. But by God's Grace, I firmly resisted that allure. Indeed, I was content to remain devoted to my teaching and waiting on the Lord. My faith, trust, and confidence have been built on God's assurance to His children that He will never leave nor forsake them. This assurance has dispelled apprehension and gloom in me, and helped me to overcome hardship and difficulty. Witness how it later took the NPRC, by God's Grace and Mercy, to appoint me to public positions which I did not expect, lobby or campaign for.

As Ambassador in Ethiopia, I undertook to galvanize the Sierra Leonean community to take a stand for peace and we were actively working on this when I was re-assigned to the United Nations. Immediately I arrived in New York I took up the cause I had started in Addis Ababa and succeeded in getting my compatriots in the Tristate Area to form a Peace Council, that was dedicated to advocacy for a peaceful resolution of our conflict. When after the 1997 coup, the AFRC's Chairman Koroma invited me to help in securing peace, I only had to look around me, at the pervasive and preponderant misery and mayhem, chaos and kafuffle, to decide without hesitation or demur to accept.

In his Second Inaugural Address on 4 March 1865, the great American President and widely acknowledged Father of democracy, Abraham Lincoln said: "Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, `The judgments of the Lord are true and righteous altogether.'" I decided to work with the AFRC on the clear understanding that we would be working for peace rather than to hang on to power. That was why I had no qualms about resigning when there was the slightest hint of going back on this commitment, or returning, when the commitment was re-affirmed and I saw sincerity, to head the team that was able to sign the Conakry agreement.

Since the demise of the AFRC, I have looked on unfolding events and happenings in general and my own life in particular, in Biblical terms, as my wilderness

experience, the trial of my faith. The highest purpose of our faith in God is not to change our circumstances and situations but to change us. I know that despite everything my God lives and He is with me; He is my Strength and Helper. "When things are looking down for you, you can always look up. In the midst of the hurt and the pain in your life, God is reaching down and blessing you."

In every desert of grief, God has an oasis of grace. When God orders or allows a storm in our lives, it is because He wants us to change to get rid of our extra cargo before it sinks us. It is in storms, if we do not abandon ship, that God's winds will blow us back on course. I may not know what the future holds for me, but I know Who holds the future.

At the invitation to take part in the Lome talks, I sacrificed my personal, marital and familial considerations and predilections to put my nation's interests first, without counting the costs. God afforded me yet another opportunity to contribute in bringing an end to the sordid chapter in Sierra Leone's history in the only way I believed in. It had even been suggested before the commencement of the talks that the AFRC be represented as a separate entity from the RUF. But I was one of those who did not think that this was a good idea and argued strongly against it. I thought that this would have unnecessarily complicated things and played into the hands of the detractors, not to mention its potential for fractiousness and fissiparous consequences. Besides, with the ouster of the AFRC, I felt that it should be considered as at an end and steps be taken to build confidence and that the military should be allowed to go back to its constitutional role of serving the nation and being loyal to the Government.

After Pa Foday nominated me and I was appointed Minister, he was accused of tribalism and condemned for nominating someone who was not considered as one of the RUF, in that I had not suffered in the jungle nor carried an arm. He however stood by his decision, defending it on the basis of my self-sacrifice, competence, diligence, and the need of the Party. This accusation was to be repeated when Mr. Issa Sesay appointed me SecretaryGeneral of the Party, and even more especially when I was nominated Presidential Candidate. I was prepared to live with this. At no time did Pa Foday or Mr. Sesay talk to me in any other than in terms of their firm resolve to consolidate the newly won peace and to structure the party. I buried myself in my onerous ministerial, later Party, responsibilities, and for this decision to work for the RUFP, I was accused of betraying the AFRC, of compromising my integrity, and of opportunism. Just as I have been accused, in unrepeatable terms, of all manner of infractions after I resigned the SecretaryGeneralship, withdrew completely from the RUFP and disengaged from active politics.

I am of the firm conviction that regardless of who may have wished, planned, or gloated over my spending some sixteen months in Pademba Road Prisons, my incarceration, subsequent alienation and ostracism have been as God wills. He has permitted it in order to serve His own plan and purpose in my life. I have no room

for bitterness in my heart. Bitterness, after all, is like drinking poison and you who are bitter will be the most affected. The same loving God has given me a happy marriage and family and had been kind to me, in respect of my Lectureship, Ambassadorship, and my being Minister of Energy and Power post-Lome, for which I did not complain and was not openly vilified. If therefore I should be condemned, contemned, vilified, calumniated, alienated, ostracized and have consequently remained unemployed for this long, as well as kept under a travel ban and, hence, from my family, it is because the God I believe in and so faithfully serve has permitted, and is continuing to permit it.

Besides, my yesterday is gone; it is now a cancelled cheque; my tomorrow is not yet; it is a promissory note; it is my today, my here and now, that is cash that I have in hand; I must spend it wisely. God's ways and thoughts are simply not our human ways and thoughts; they are just and perfect. "There is a sense in which the very worst of times can be the best of times.... It is in darkness that the light of God's love shines its brightest ...It is in the midst of pain that His healing love can be felt most keenly ...It is in the weakness of utter defeat that we can be filled up with His strength."

In times of difficulty and hardships we tend too easily to feel deep, dark despair and cannot see the blessings of God shining through the darkness. Whatever God's purpose is, I simply trust that He knows best and however seemingly painful or unpleasant or indeterminate, it will ultimately be for the best. God requires of us to praise Him amid our hardships and to savour with profound gratitude every good thing He sends our way. We should always be willing to taste, see and say that He is right and good, even when life seems not to be so or is not. When we comprehend the way God is blessing us, when life seems unfair and our burdens seem to be unbearable, that is the time we begin to live in complete peace and contentment. The blessings of the world may last for a season, but they may fade and not be everything they were made out to be, whereas God's blessings are true, constant and endure forever. The world can honour you in one moment, and destroy you in the next, but not so God. God does not hold us responsible for our success but for our faithfulness. Whilst the world crowns success, He crowns faithfulness. As I fight the good fight of faith to win, I have in me no room or reason for depression, despair and dejection. God has an uncanny way of shaping and moulding His children, chipping away to get them to the point where they fit perfectly in His eternal plan.

As stated earlier, I would have lobbied for positions, especially under the era of President Momoh, but I fobbed off the temptation and looked to my God whom I have allowed to give and lead me to His assignment for me and to unravel my destiny. When God assigns or calls, He gives the desire, faith and ability to do the job. It is in this light that I have therefore eschewed inordinate ambition, lobbying, solicitation, judgementalism and condemnation, believing that the Good Lord, who knows best and is all-powerful is in and will take and maintain control. It is thus spiritually inspired that I did not feel compelled to decline to

accept to work in the cause of peace in the AFRC and the RUFP. I wonder what would have eventuated if nobody had the courage and nerve to stand for navigating this country away from confrontation into the pacific route that was long vehemently opposed and despised but that we have eventually taken and has brought us to where we are today. What would the military option have brought or left us? I am persuaded that like others of the same ilk, it has taken great courage and a lot of sacrifice to steadfastly work towards the attainment and sustenance of peace rather than align myself with the pontificators, strikers of a holier than thou posture, and letting things drift almost inexorably to obvious catastrophe. But I leave it to posterity to be the judge.

It should be clear by now that my statement lacks the kind of political, academic or intellectual analysis that may have been expected, or that I may have been disposed to make aforetime. But I hope, however, that by now it would have been obvious also why this is so. The reason is simple and straightforward. I am at a juncture in my life in which experience has taught me and providence has impressed upon me to look beyond the political, sociological, economic, anthropological, etc. to find the true causes of and the answers and solutions to our manifold problems in a fragmented, dysfunctional, severely asphyxiated, egotistic, crooked, perverse, and unpredictable world with upturned, debased values.

In saying this, I am not denying the relevance of these other factors. I am however emphasizing that at the end of the day, when all is said and done, taking our situation, for instance, the depths to which we have sunk, including the despicable barbarities of amputations and malevolent destructions, the festering, suppurating wounds and lingering hurts and hates, and the prospects for our emerging therefrom and soaring into the stratosphere of peace, progress, prosperity, democracy and development, reveal a profundity and perspicuity and perspective that go well beyond ordinary socio-political, economic, etc analyses. Like the Russian writer, Alexandr Solzhenitsyn, so rightly states in his book, Rebuilding Russia, "The strength or weakness of a society depends more on the level of its spiritual life than on its level of industrialization ...If a nation's spiritual energies have been exhausted, it will not be saved from collapse by the most perfect government structure or by any industrial development: a tree with a rotten core cannot stand. This is so because, of all the possible freedoms, the one that will inevitably come to the fore will be the freedom to be unscrupulous..." We can expand `level of industrialization' to encompass democratization, governance, civil society organization, empowerment, gender balance, capacitation, etc.

We must not forget for a moment that man is not only a political, social or economic being, but a spiritual being as well. Some three centuries ago, Blaise Pascal articulated this when he said that "there is a God-shaped vacuum in the heart of each man which cannot be satisfied by any created thing, but only by God the Creator, made known through Jesus Christ." This vacuum must be filled first before politics, economics, democracy, good governance, etc can be possible, or at least meaningful. Similarly, what President Vaclav Havel of the Czech Republic said in his New Year's Address in 1990 is germane: "We live in a spoiled moral environment. We have become morally ill... We have learned not to believe in

anything, not to care about each other... The concepts of love, friendship, mercy, humility, or forgiveness (have) lost their depth and dimension." Again to quote Solzhenitsyn: "The structure of the state is secondary to the spirit of human relations. Given human integrity, any honest system is acceptable, but given human rancour and selfishness, even the most sweeping of democracies would become unbearable. If the people themselves lack fairness and honesty, this will come to the surface under any system."

Like Reinhold Niebuhr said: "man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary." Our human minds can create all kinds of democratic institutions, organizations and structures, but they will not work or endure if we do not appropriately change and put our hearts to them and love one another with a pure heart, including loving and caring for those whom society declares to be unlovable and teaches us to hate; not considering whether they deserve our love or not, or that we may or may not gain anything by loving them. "Rather than asking what we can get, we should be asking what we can give. Instead of seeking to please ourselves, we should be seeking to please each other".

Abraham Lincoln expressed a belief and faith that deserve our attention, command our admiration, and are worthy of emulation: "... believe that (God) will compel us to do right in order that He may do...things, not so much because we desire them as that they accord with His plan of dealing with this nation, in the midst of which He means to establish justice. I think He means that we shall do more than we have yet done in furtherance of His plans, and He will open the way for our doing it. I have felt His hand upon me in great trials and submitted to His guidance, and I trust that as He shall further open the way, I will be ready to walk therein relying on His help and trusting in His goodness and wisdom."

Gary Allen, President of the Christian Mission to the United Nations Community in New York, and who has spiritually inspired me in no small way, re-echoes this in one of his works, Governing in Partnership with God: "Each nation was established by Almighty God who is actively seeking to work out His plans for that nation ...For a national leader to try to fulfill his responsibilities without seeking to understand the mind of God and depending upon Him would be analogous to...piloting a ship through the barrier reef around Bermuda without using the navigational maps that are available....If a leader fails to view himself as the junior partner in this relationship and ignores God's purposes and plans for the nation,... untold, unnecessary suffering will be experienced by the people, suffering that cannot be fully alleviated no matter how much money or manpower is poured out in an effort to overcome the problem... It would be foolish to view a national leader's expression of dependence upon God as a sign of weakness."

In considering whether a Head of State can discern the mind of God with regard to his nation, Lincoln had this to say: "I have had so many evidences of His direction, so many instances when I have been controlled by some other power than my own will, that I cannot doubt that this power comes from above. I frequently see my way clear to a decision when I have no sufficient facts upon which to found it. But I cannot recall one instance in which I have followed my own judgment, founded upon such a decision, where the results were unsatisfactory, whereas, in almost every instance where I have yielded to the views of others, I have had occasion to regret it. I am satisfied that when the Almighty wants me to do or not to do a particular thing, He finds a way of letting me know it....If it is probable that God would reveal His will to others, on a point so connected to my duty, it might be supposed He would reveal it directly to me...

It is my earnest desire to know the will of Providence in this matter. And if I can learn what it is, I will do it."

The ten-year war in Sierra Leone reminds us all so painfully that the history of humankind is also the sorry story of injustice, hostility, tyranny, brutality, anger, hatred, egoism, inhumanity, violence, greed, and revenge. Whilst man's nature desires justice for himself, he nevertheless is prone to denying it to others. As Benjamin Spock has observed, "Man can be the most affectionate and altruistic of creatures, yet he is potentially more vicious than any other. He is the only one who can be persuaded to hate millions of his own kind whom he has never seen and to kill as many as he can lay his hands on in the name of his tribe or his God."

Walter Moberly has said: "the veneer of civilization has proved to be amazingly thin. Beneath it has been revealed, not only the ape and the tiger, but what is far worse - perverted and satanic man." This is so familiar in our once so peaceful, God-fearing and fun-loving Sierra Leone. But all is not lost. Like John F. Kennedy wisely counseled, "our task (now) is not to fix the blame for the past, but to fix the course for the future." Henry Ford, too, has said, "don't find fault, find a remedy." With Martin Luther King, JR and a God-inspired and filled spirituality, we can believe that a prejudiced, vengeful, hateful, egotistic, and desperately wicked and malevolent mind and diabolical Satanism can still be changed, that "man, by the Grace of God, can be lifted from the valley of hate to the high mountain of love." We must, however, first trust that God is able to teach, enable, and empower us to rise above our past, our fears, misgivings, insecurities, hates and incapacities if we believe in Him, confess our faults, pray for, love, one another and inculcate a moral and spiritual care for the wellbeing of one another. If we keep our eyes focused on God, even if we may be drifting in the ocean of life's tempests, troubles, trials and tribulations, He will be with us, look out for us, take care of us, and get us safely to shore.

We have the clear example of Jesus Christ we can follow: without compromising His claim to truth, He taught us to love not only our neighbour but also our enemy. Without compromising His character or any absolute value of His Father, He earned the reputation of being the "Friend of Sinners." He has bequeathed to us a loving attitude, in the manner of our Father in Heaven. It is this that provides the basis for our deep need for forgiveness. To be able to forgive those who have truly hurt us is one of the most basic principles of the great spiritual revolution. We are inhabitants of a fallen world, bent out of shape by our sinfulness, afflicted by the moral and spiritual sickness of a disobedient people. In order to survive as a nation we have " to dismantle the engines of anger, bitterness, hate and vengeance, and cut off the fuel; strip away illusions and lies, clean the ground, and build a new foundation for a new world." We should "envision our society as one of Shalom, an ordered life characterized by joy and justice, piety and plenty, kindness and caring."

The best way to change society is not through changing governmental modes but by first and foremost changing the human heart and putting Christ on the throne of our lives. The foundation that we must now build includes cultivating or shall I say enabling the emergence of statesmen who are God-fearing leaders or imbued with the spirit of serving their people and meeting their needs. The type of leadership has profound implications or consequences for the polity and people. Like a cancer whose cells mutate, so are the consequences of fallen, misguided or bad leadership. As the leader's actions or inactions grow, multiply and take over, their deleterious effects spread their poison and affect everybody and undermine the entire edifice. Two options come with leadership: the temptation to be self-serving, and the opportunity to serve the people, i.e. to be a servantleader.

We can draw considerable inspiration from the way the Bible deals with leaders like David. The Bible does not cover up their faults and sins nor invent attributes they are not possessed of. On the contrary, it shows them up as they truly are, through prophets. The greatest legacy David has left us is of knowing his place before God so well, that he confessed his faults, foibles and frailties openly. His unique humility makes him an exemplary model, leaving the timeless message that God leads His leaders. The greatest message we get from our leaders is not the one we hear from them, i.e. their utterances and pronouncements, or from their spinners, but the one we see.

Leaders need healing as much as the rest of society. They experience as much, if not more, pain and confusion than the average citizen. If they do not deal with their emotional wounds, faults and limitations and inadequacies, and making decisions out of incorrect motivation or calculation or speculation, not only will the decisions be faulty but their consequences will be far-reaching. Thus, leaders must deal with their hurts and weaknesses not only out of a sense of public responsibility and personal fulfillment, but because of their

impact upon their leadership. It is only a healthy leadership that can lead a wounded and hurting people to health.

A former President of Columbia University in New York, in asserting that the true leader must serve his people and meet their needs, reminds us of the useful distinction between what people want and what they need. What people need may not always be what they want. Nevertheless, God always knows what we need and is always ready to give that to us, even if we have to wait on Him. He went on to note: "Our world is made up of three kinds of people: the few who make things happen, the many who watch things happen, and the great majority who have no idea what is happening." The distinction between need and want, but more especially between statesman and self-seeking politician, is critical and significant.

According to Edmund Burke, the statesman sees into the future, acts on enduring principles and for immortality, and lives for politics, while the politician regards only the present and lives by the day. For J.F.Clarke, the politician thinks of the next election, looks for the success of his party and is satisfied to drift, whereas the statesman thinks of the next generation, looks for his country's success, and wishes to steer.

And Ord L. Morrow says that the politician sees which way the people are going and tries to stay ahead of them, whereas the statesman sees what is best and right and does that even if no one follows. In the venerable assertion of Winston Churchill, "the nation will find it very hard to look up to the leaders who are keeping their ears to the ground." Statesmen do not need to court adulation or acclaim or expect always to be at the summit of power. Nevertheless, they make useful contributions, as the example of William Wilberforce attests. Five years after entering Parliament as the youngest Member, and despite being a gifted orator, a talented politician and a rising star with the possibility of becoming Prime Minister, Wilberforce chose to withdraw from Parliament to serve God. He declared, "It was not so much the fear of punishment by which I was affected, as a sense of my great sinfulness in having so long neglected the unspeakable mercies of my God and Saviour... The first years I was in Parliament, I did nothing - nothing that is to any purpose. My own distinction was my own darling object." After he changed his heart and goals and forged a new relationship with God, he could write two years after leaving Parliament, "God Almighty has set before me two great objects - the suppression of the slave trade and the reformation of manners." Thenceforth, he worked assiduously for spiritual change, i.e. change of heart toward God, and social change, on the basis of the application of Biblical principles and justice. This preoccupation found expression in the foundational history of this city that has become the capital of our country.

I want to finally conclude with an appeal, entreaty and affirmation that come from the bottommost part of the deepest part of my heart. I know that the Lord I serve, and before whom I am weak and sinful and vulnerable, does not delight in

offerings and sacrifices, but rather in a broken and contrite heart and spirit, which He will not despise. "The ultimate measure of a man," Martin Luther King, JR. maintained, "is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy." Every challenge that comes in our lives is an opportunity to rise. We do not learn character or the greatest lessons of life in times of ease and prosperity, but in times of our most serious heartaches and difficulties. If, therefore, I have in any wise wronged or given offence to anybody because of decisions I have taken, the manner in which I have acted or carried myself, or in statements I have made, I am sincerely sorry and hereby unreservedly ask for forgiveness and pardon. A person can be sincere, but sincerely wrong.

Like Governor Clarkson did, when he asked God in his prayer for Sierra Leone, I pray that, "if I have been deceived, I am sorry for it, and (God), may Thy will be done. But I implore Thee to accept the sincerity of my intentions and my best endeavours to improve the talent committed to my case. Only pardon the intuity of my nature, and I will trust to Thy mercy." For my part, I want to state most sincerely that I bear no one any malice, blame or grudge for whatever has been said to or about me, or done to me, and the suffering or pain I have felt and had to endure. God does not give us a battle-free life but trains us through each battle to be strong enough to face more difficult ones.

Oswald Chambers, in his timeless devotional book, My Utmost For His Highest, insightfully tells us, when we reflect on our expectations, to "notice God's unutterable waste of saints, according to the judgement of the world. God plants His saints in the most useless places. We say - God intends me to be here because I am so useful. Jesus never estimated His life along the line of the greatest use. God puts His saints where they will glorify Him, and we are no judges at all of where that is ...A saint realizes that it is God who engineers his circumstances; consequently there are no complaints, only unrestrained surrender to Jesus. Never try to make your experience a principle for others, but allow God to be as creative and original with others as He is with you."

I am thankful to the Almighty for His sparing Mercy and Grace, and for giving me the great opportunity to learn about myself and others from a unique vantage point and range of experiences, but most crucially from His Word! I am deeply in debt to my family for their undiminished love and support; for not giving up; and for being there for me. I am grateful to my Church, especially the pastorate, for the Godly mentoring and shepherding, and for the Word. I cannot miss this opportunity to express my heartfelt appreciation to the National Democratic Institute (NDI), for the privilege of using their Resource Centre, more particularly to produce this submission. I have been richly blessed and benefited enormously from this privilege. May God richly reward them!

The conscience of this our beloved nation has been seared and defiled and must be sanitized and resurrected. "May the heart of (Sierra Leone), O Lord, imbibe the spirit of meekness, gentleness, and truth; and may (Sierra

Leoneans) henceforth live in unity and Godly love, following as far as the weakness of their mortal natures will admit, that most excellent and faultless pattern which Thou hast given us in Thy Son our Saviour, Jesus Christ, to Whom with Thee and the Holy Spirit be all Honour, Glory and Thanks, Now and Forever! Amen."

SIGNED.....

DATE.....

THE **UNIVERSITY OF SIERRA LE0NE**

Thematic, Event-Specific and Institutional Hearings of the Truth and Reconciliation Commission.

Presentation on the Theme: "The May 1997 Coup"

By

Prof. Ernest H. Wright

Vice Chancellor, University of Sierra Leone

June - July 2003

CONTENT PAGE

Page

A. My understanding of the antecedents of the coup as well as the events leading to the coup and the role played by any institution, group or organisation. 2-6

B. The work of my institution prior to the conflict as well as experiences during the conflict. The involvement of my institution if any in the events leading to the coup. 6-8

C. Some detailed discussion of the nature of the situation before and after the coup and its impact on the society 8-10

D. Existing shortcomings in the system including legal political and other issues 10-13

E. The peculiarities of the situation and how these play out in inter group or other relations and affiliations 13-16

F. Any consideration whether social, economic, cultural, etc. which perpetuate and entrench existing structures and practices 16-17

G. The consequences of all the foregoing and whether any existing structures or processes provide any remedies, and the level of access that exist to the remedies. 17-21

H. Recommendations, reforms and practical solutions 21-23

A. MY UNDERSTANDING OF THE ANTECEDENTS OF THE COUP AS WELL AS THE EVENTS LEADING TO THE COUP AND THE ROLE PLAYED BY ANY INSTITUTION, GROUP OR ORGANISATION.

It is unarguable that political disorders leading to military intervention in politics in a state are as a result of a combination of factors that have been in existence for a very long time. In doing justice to this first topic of my presentation, it would be helpful to limit the discussion of the antecedents of the May 1997 coup to a host of political events marking the four year regime of the National Provisional Ruling Council (NPRC), culminating in the circumstances surrounding the democratic presidential and parliamentary elections in February and March 1996, respectively. In this respect my discussion will focus on the rather immediate antecedents by looking at the political and security factors which led to the deposing of the then chairman of the junta regime (Captain Valentine Strasser) by his own colleagues led by Brigadier Maada Bio in a bloodless palace coup, and the worsening insecurity situation brought about by the failure of the junta regime to prosecuting the rebellion of the Revolutionary United Front (RUF).

It is however widely believed that the increasing frustration within the ruling military leadership at the time to fulfil their trumpeted promise of ending the war, and the territorial gains of the RUF whose military campaign was closing in to the capital, Freetown may serve as a catalyst to the springing up of a strong and virile civil society which voiced the need and demanded a return to a civilian rule. It became known to every Sierra Leonean that the majority of the military corp of elite had agreed to the clarion call mounted by civil society for a return to the democratic process to such an extent that they had shown willingness to abide by the time table set for the democratic election on the 26`h February, 1996. To demonstrate this commitment, on January 16, 1996 the NPRC Leader -Captain Strasser, was overthrown by Brigadier Maada Bio, for allegedly attempting to usurp this democratic process by

imposing himself on the nation through a manipulation of the elections on February 26, 1996.

It is thus important to recall the U-turn dimension of the war which had grown in intensity up to the end of 1995. The RUF who had earlier on categorically rejected offers for peace talks with the NPRC and an end to hostility, gave a swift response in declaring a one-week cease-fire and a return to the table with the New Leader Bio, was seen by many as a ploy to derail the democratic process. The decision by the new military leader to postpone the planned elections in February 1996 to hold peace talks with the RUF set into motion a series of events in which civil society played a critical role in determining the course of events in the history of the nation.

In **the meantime, there had been a first conference held at Bintumani on the 17-18 August 1995 popularly known as the Bintumani Conference during which 56 voted as against 14 in support of peace before election. This time round, a similar conference - known as the Bintumani II conference was held on February 12, 1996 called principally to elicit views and consensus among civil society as to whether or not to defer elections. The unquestioning outcome of the conference was the overwhelming decision by civil society in favour of elections on schedule on February 26.**

At this juncture, let me point out the underlying logic of the arguments relating to the crucial question of peace before election, or the reverse. The underlying arguments of those who preferred postponement of February 26 elections was that the thousands of displaced and refugee population in neighboring countries and beyond would not be able to vote - a painful disenfranchisement of people affected by war. This category of people argued for peace or at least a temporary cessation of hostility before election to avoid or reduce the scale of violence and to give fair opportunity to every Sierra Leonean at home and abroad to vote. On the contrary, the majority whose uncompromising stance was for elections on schedule reasoned that not holding democratic elections could set the stage for the military to prolong their grip on power, and pave the way for further disruption of the peace. At the end of the day, they won.

What so far precipitated the hastening of the exit of the military from power, and the strengthening of the will and determination of the general populace was the exemplary conduct of the eminent chairman of the Interim National Electoral Commission - Dr. James Jonah.

With his astute leadership and notable achievements of election experiences from other regimes in Africa, Dr. Jonah came to represent the true wishes of Sierra Leoneans and whose interest in redeeming the nation from the chaos it had sunk, no doubt galvanized civil society into a strong force, encompassing the shades from every walk of life. Everywhere and in every circle, the term Jonah! Jonah! came to be a clarion call awakening the spirit of nationhood and patriotic sentiment. In short, his uncompromising stand for sound principles and democratic values did a lot to keep off the balance any who wanted to derail the process.

A look at the events during the elections and immediately after confirms the tenacity and courage of Sierra Leoneans whose frustration and despair at the unprecedented change in political circumstances had by then one final hope to rescue the nation from its long nightmare - that is the 26 February 1996, presidential and parliamentary elections.

In the face of heightened insecurity, and fabricated violence as evidenced in the desire of the greater portion of the military not to relinquish power and to thwart the democratic transistion process, the people defied the sounds of guns and bullets to vote on Febraury 26, 1996. Aided by other well-meaning persons from civil society groups for instance Madam Zainab Bangura of Campaign For Good Governance, the elections went ahead as planned. Even though the results of first elections did not produce a clear winner of any one single party by obtaining 55% of the vote, there had to be a run off between Dr. Tejan Kabbah of the SLPP and Dr. John Karefa-Smart of the UNPP which was set for March 15, 1996. Again tensions grew to a larger degree for the presidential run off elections as fear increased not only from tribal rivalries as manifested in the outcome of the first polls, but for the possibility of these factors which might be used by

the military as a pretext to annul the election and perpetuate their stay in power.

To, every ones surprise, on March 15, 1996, not a single short was fired and voting took place even in the remote inaccessible parts of the country without hitch. On 17th March 1996, Dr. Tejan Kabbah was proclaimed the winner sweeping 60% of the votes, and the Sierra Leone Peoples Party (SLPP) stepped into the corridors of power after almost 30 years in political wilderness.

The newly-elected civilian government led by president Kabbah had many formidable challenges to confront. More importantly, the inability of the junta regime to fulfill their mandate of ending the rebel war, the re-organisation of the economy, and of eliminating corruption represented the crucial focus of the new democratic government. A major thrust of the new government's short term vision was to seize the opportunity of advancing the political solution as an alternative option to ending the war, the foundation of which had been laid by the former junta regime chairman - Brigadier Maada Bio. In November 30, 1996, a negotiated peace settlement was reached with the rebel forces known as the Abidjan Peace Accord, which among other things made provisions for disarmament, demobilization and reintegration, the inclusion of some top political leaders of the RUF into the New Government, and the transformation of the movement to a full-pledge political party.

If one attempts to find answers to the reasons leading to the May 1997 coup, a little over a year after the newly-elected democratic government came to power, then we must try to analyse some events that may pin point some of it causes. It was common knowledge to most critical Sierra Leonean that the majority of the military were dissatisfied with the apparent exposure of serious abuse and misuse of public funds in prosecuting the war they themselves had not succeeded in ending. Allegations continued to be highlighted about massive corrupt practices and embezzlement of public funds in key sector ministries such as Finance, Education, Mineral Resources, Defense and so on.

What followed was a major purge in the army in a bid to rid off the institution of junta elements. For example Brigadier Joy Toure and Chief of Army Staff-lieutenant Colonel Kumba Monde were replaced by Colonel Hassan Conteh. In addition to this, there were serious moves by the democratic government to implement major reforms directed at improving the system of accountability and transparency in the financial management of the army. At the heart of this reform within the Defense Ministry alone was the issue of downsizing the blotted figure of the army and the review of the quantity of rice allocated to this sector every month.

Another issue which was regarded as a sensitive factor which displeased the army was the Kamajoh - soldier relationship against the RUF as the common enemy. Before this time, the kamajor as a local militia force mobilized by the Deputy Defence Minister Chief Hinga Norman had stemmed the tide of advances of the RUF mainly in the southern region of the country. With the coming into power the SLPP - led democratic government, there were plans to integrate the fighters into the regular army, and the somewhat increased attention paid to their welfare fueled speculation of the desire of the SLPP stalwarts to create a private army to manipulate their continued stay in power. Thus it was obvious that an uneasy calm characterized their relationship which grew worse when there were reports of serious fighting between the army and the kamajoh at mile 91 sometime around the end of 1996.

> There was also to my understanding the added factor of the diminishing of confidence in the integrity of the army to provide security among the civilian population. Throughout the four-year era of the NPRC junta regime, the horrific nature of the brutality orchestrated against the civilians especially in the provinces, and the consistent success of the rebels in controlling over half of the country was blamed entirely on the ludicrous charge of collaboration between some elements of the army and the RUF. Suspicion grew about the role of the government forces when in 1994, the NPRC set up a tribunal to probe into alleged involvement of government troops in the capture as Tongo Field

and Panguma. Several arrests were made but some were released later.

B. THE WORK OF MY INSTITUTION PRIOR TO THE CONFLICT AS WELL AS EXPERIENCES DURING THE CONFLICT. THE INVOLVEMENT OF MY INSTITUTION IF ANY IN THE EVENTS LEADING TO THE COUP

Prior to the May 1997 coup events, the University of Sierra Leone comprising it constituents arms (FBC, NUC, COMAHS and IPAM) was running its normal academic programmes and activities as a non political institution of higher learning. It is however worthy to note that the University Community reflects the microcosm of the Sierra Leone nation embodying views and opinions which constitute the general perception of what may be described as the "public good," or in the nation's general interest.

As the University fulfills its daily mission of equipping and enriching the human capital of the nation, so it has always come under increasing pressures from time to time to react to events in society within which it operates. At this point, it is important to recall the role of played by the university in the events before the coup. Generally the academic community was in support of the restoration of democratic rule even before the February 26,1996 elections. Representatives of the Academic Staff Association as well as the Students Union, were active participants and delegates during the Bintumani II Conference, which strongly advocated for elections before peace.

After the May 1997 coup, members of the academic community and the students body continued to protest against the junta regime, and in one instance, the students protest and demonstration led to serious clashes with the military government which was heavily suppressed, resulting in beatings and deaths of many students in August 1997.

The University Administration During The AFRC/RUF Period

The resulting atmosphere of insecurity and lawlessness, and the breakdown of law and order led many senior academic staff to flee the country in fear of their lives. The then Vice-Chancellor, Prof. D. E. B. Chaytor, including myself, Prof. E. H. Wright then head of the' Chemistry Department FBC, students and several others all left the country.

Academic activities ground to a virtual halt in all the campuses of the constituent arms. However, there was a semblance of a functioning Administration. The three Principals of the constituent arms (Prof. Strasser-King, FBC, Prof. Harry Turay, NUC, Prof. Ahmed Taqi of COMAHS), and Mr. I. B. May-Parker, Director of IPAM and the Secretary and Registrar of the University, Mr. J. A. G. Thomas were all at post. In a stern effort to return the nation to normality, the junta regime focussed their attention on reopening the University for normal academic work. Pressures were mounted on the Senior University Administrators at post and one of the strategies used was to invite them to meetings at State House to persuade them to support the regime by resuming academic activities in their different campuses.

In some cases, they were invited directly by the chairman of the junta regime - Major Johnny Paul Koroma to entice them to re-open the colleges. **This included the offer of funds to meet the cost of running the University and the offer of vehicles to the Principals.**

A crucial issue of discord within the University academic community was the matter of who was the University Chancellor. There was a major disagreement in the University as to who was its chancellor in accordance with the University Act of Parliament in 1972. This issue was not satisfactorily handled, and the stalemate continued the same throughout the period.

C. SOME DETAILED DISCUSSION OF THE NATURE OF THE SITUATION BEFORE AND AFTER THE COUP AND ITS IMPACT ON THE SOCIETY

The preceding sections of this presentation have focused primarily on the nature of the situation which precipitated the May 1997 coup, as well as the role played by groups or institutions, all of which have thrown sufficient light not only on incidents prior to the coup but also their causes and impacts leading to the coup. This section will discuss in some detail the impact of the situation particularly after the coup on the society.

An **apt description of the situation during and immediately after the coup is that Sierra Leone as a nation had sunk into deep and complex political emergencies. That means there was an apparent and virtual breakdown of all politico-social and economic structures on which the foundation of the nation lay. This situation and its attending debilitating consequences on the psyche of every Sierra Leonean will be ever remembered in the sad chapters of the history of the nation.**

The experience of the army's alleged collaboration with the rebels, and its inability and stark negligence in defending the lives and property of the citizens left every well-meaning Sierra Leonean in serious doubt as to why the army in the first place should exist, and for what purpose did the nation spend such huge resources towards its upkeep and maintenance.

Because of the apparent frustration of the civilian populace about the role of the army in the entire conflict, confidence waned remarkably in the army as an institution for serving the public good. Civil military relationship experienced a serious strain, as the army acquired the notorious image of "Sobels."

When elements of the Sierra Leone Army (SLA) seized power in a military coup on 25^{t}"' May 1997, they immediately formed the Armed Forces Revolutionary Council, under the leadership of major Johnny Paul Koroma and invited the RUF to join them. Their leader was at the time at Pademba Road prison detained some months back for allegedly plotting to overthrow the **democratic government of president Tejan Kabbah. Criminals who were on roll for prosecution for either treason or serious allegations of theft of both government and civilian properties were all let loose from the prisons. This period was the most volatile, uncertain, and insecure that the nation had ever experienced.** In **the face of hostile reaction from both the people in the nation and the international community, the junta clinged onto power and even sought to attract support from both within and outside the nation.**

Systematic, planned and large scale human rights abuses and atrocities against the civilian population continued unabated. In such a situation of political emergencies, there were no

structures or mechanisms for addressing these massive violations of human rights as the junta's main pre-occupation at the time was to legitimize its stay in power. All major socio-economic facilities and amenities suffered greatly as a result, to the extent that public dissatisfaction with regard to the provision of these basic facilities grew with the passage of time.

There were no schooling, university functioning, and no public health facilities, electricity and maintenance of roads. All this coupled with the ever-increasing decline in the quality of living of the **civilian population created** a general **mood of melancholy and utter dissatisfaction and a sense of helplessness and hopelessness for the future of the nation.**

To make matters even worse was the complete halt of economic activities as both private and public sector workers stayed at home and were not being paid.

With the exception of the Sierra Leone Commercial Bank, all other financial institutions were not in operation, and there were grave difficulties of accessing money even for those who had accounts in the Sierra Leone Commercial Bank.

All the relevant freedoms associated with people as humans disappeared completely during the dark days which followed the May 1997 coup. Protests and demonstrations were violently and mercilessly suppressed and the regime was very intolerant with its critics. A regime of terror was unleashed on the civilian population, and there were large-scale arrests and detentions without trial. The unpopularity of the regime grew worse when in August 1997, a group of unarmed and peaceful students demonstrating against the regime was severely beaten and live shorts fired at the crowd. Many students were killed during the fracas.

The only source of hope during this uncertain period was the broadcast of the 98.1 democratic radio in exile, which seriously challenged the autocratic rule of the junta regime. No one dared to listen loudly to this station, and hunting of alleged collaborators of

this station continued throughout the period, resulting in beatings, arrests and in some cases deaths.

D. EXISTING SHORTCOMINGS IN THE SYSTEM **INCLUDING LEGAL, POLITICAL AND OTHER ISSUES**

It is a matter of public knowledge that, at the core of issues widely associated with the progressive collapse of the political system and structures of the nation over the last three decades is that of bad governance, compounded by the apparent lack of a sense of direction by successive governments. The political period which followed soon after the nation gained independence from Britain in 1961 is always remembered to have been left with vibrant, progressive and result-oriented national institutions and structures within which the foundations of a successful democracy were laid.

It is , thus saddening to note that the nation's tremendous political fortunes did not continue for long after independence following the death of its astute leader, Sir Milton Margai, in 1964. Then the nation started experiencing all the socio-economic and political shortcomings associated with bad governance.

The emploria associated with the emancipation from the trammels of colonialism backed by a well-educated public service and enviable and abundant natural resources in the early part of the 1960s, soon started to disappear, when the nation entered into one-party rule under the All Peoples Congress Party (APC) from 1972 onwards. One of the dominant weaknesses of this political era under the rule of Dr. Siaka Stevens was the over centralization of governmental power and authority and the rapid decline of state institutions that used to encourage mass participation of the populace in governance. A key institution which suffered from this was local government structures and systems. The dissolution by the one-party rule of local government councils in 1972 that had been experiencing political crisis from 1964-1972, left in its wake the denial and marginalization of popular participation in overall national development. There could hardly be any doubt that the political maneuverings which marked the 1967 elections and its aftermaths contributed in no small measure to laying the tragic foundation for

much of the political turmoil which pervaded the nation throughout the two-decades of the one-party rule and the successive governments throughout the 1990s period. Every sector fell into a serious state of disrepair. There were alleged widescale corrupt practices in most state institutions as the economy fell into shambles. One key sector - the judiciary responsible for promoting good governance and administering justice appeared to have become an instrument freely manipulated to satisfy the few against the disadvantaged majority. The judiciary as a legal institution was considered to be heavily politicized and subsumed under government control, particularly under the regime of president Siaka Stevens and later Joseph Saidu Momoh. Appointments of judges and magistrates appeared to be skillfully manipulated in many cases, and were seen by the general populace as an instrument of not only state power, but also of wealthy interests. Equitable and impartial justice and its mechanism were seen to have been perverted as a rather slow and cumbersome adjudication and arbitration process became the order of the day. There was hardly any surprise that deep seated feelings of resentment and of unfairness developed towards the judiciary from those who perceived they had received unfair treatments at its hands. The tide of attacks on the Pademba Road prisons since 1991, and its breaking in May 1997 to free Major Johnny Paul Koroma who was being held in detention on charges of involvement in a coup plot may well have been conceived by some as a response to a supposedly corrupt judicial system and practice.

Another area which epitomizes the collapse of state institutions was in the appointment of Ministers and public officials, and their poor performance records. The exercise of exclusive power by the political system throughout the period meant that only those seen to be loyal to political party interests were appointed to key managerial positions, majority of whom were considered incapable of playing effective leadership roles in national bodies. Confidence in their ability to manage effectively state institutions waned among the citizenry, and this laid the basis for the rapid decline of the economy. Decisions on several economic and social issues were overshadowed by the desire to

satisfy the interests of the powerful business concerns rather than in the interests of the nation. In short, the utter disregard of regulations in most Ministries, like finance and mineral resources, provided the focal point for a variety of shady and fraudulent activities. Stories of wide scale corruption and embezzlement of state funds became the order of the day.

The consequences of the existence of this pervasive trend of circumstances was a deplorable standard of living of the ordinary people. The issue of increasing poverty in the midst of abundance of natural resources reflected the magnitude of the decline the nation had fallen into. Thus, hope disappeared among the ordinary citizens for a future in the nation, as going round the back door in order to become wealthy became the vogue of society. Basic social amenities such as education, housing and healthcare were grossly inadequate. What seemed to hasten the degeneration of the social and economic infrastructure was the belief in the proclamation that "where a cow is tied there it shall graze" during the whole period of the one-party rule especially under the rule of president Siaka Stevens. As this statement became endemic, there was a lax system for promoting accountability and transparency. This state of affairs was further compounded by the absence of patriotism and commitment to national ethos. Another debilitating factor within this scenario was the issue of tribalism and sectionalism which seemed to worsen during the era of president Joseph Saidu Momoh. The semblance of regional and inter-ethnic unity and balance, under the regime of Dr. Siaka Stevens, gradually disappeared under the regime of president Joseph Momoh to such an extent that he even became the godfather of his own Limba tribal Association known as `Ekutay."

> **It is no secret that loyalty to the interests of this ethnic-based institution took precedence over the APC party itself, the government and the nation, thus preparing the stage for the nuturing of long-nursed vendetta and discontent that found visible expression in vicious political and rebel conflicts.**

E. THE PECULIARITIES OF THE SITUATION AND HOW THESE PLAY OUT IN INTER GROUP OR OTHER RELATIONS AND AFFILIATIONS.

In **discussing the calamities that have befallen this nation since independence, what stands out as a peculiar situation is the glaring failure of the nation to harness its rich and endowed natural resources to the general national good of its people. Sierra Leone, a small country with less than four million people at independence was a land of great promise, and an envy to most of its West African neighbours.** In **the early 1960s under the astute statesmanship of its fatherly figure - Sir Milton Margai, there were positive indicators of a booming economy characterized by a flood of capital and goods, rice, the staple food, was exported to the neighbouring countries and the diamond trade boomed. The nation was governed in line with promoting national values which emphasized the prioritization of the nation's interest above selfish ends.**

It was not long after that the nation's future took a dramatic turn. The death of Sir Milton Margai in 1964, succeeded by his brother Sir Albert Margai who ruled from 1964-1967 when he was removed from power after loosing the elections of 1967/68, heralded the birth of a multitude of political changes and instability, leading to the collapse of nation's great promise and hope. The tragic events which accompanied the 1967 elections are often seen as providing the root causes of the maze of social, political and economic ills which have confronted the nation right up to this day.

The peculiarities of the political situation of the nation have always been attributed to the ill defined methods by which the political transition process was effected. The prevalence of several coup and coup attempts, which greeted the political landscape from 1967 to 1997 manifested the deep-seated tendency of many individuals and groups to seek power solely to satisfy their selfish ends, regardless of any other national considerations.

The spate of executions of key military and public personnel following these coup attempts or alleged coup attempts by successive regimes exacerbated the high tension and simmering resentments, that provided the framework for the political instability the nation has had to endure for a very long time. For instance the unsuccessful coup attempts between the 70's and 80's resulted in the executions of many politicians including Ibrahim Bash Taqi, Brigadier Lansana and even Brigadier Bangura who had earlier relinquished power to Dr. Siaka Stevens. Foday Sankoh, the RUF leader himself was convicted, and sentenced to 5 years imprisonment in an alleged coup attempt in the early 70s. In the NPRC era, their four-year rule was filled with rumours of coup attempts even within the army. The overthrow of captain Strasser by his colleagues in 1995 revealed the high level of mistrust, and suspicion that characterized their relationship at all levels within the army cadre.

The apparent political divide in the country fostered and encouraged especially under the one-party presidency of Major - General Saidu Momoh led to deepening of regional, sectional and tribal sentiments which played a crucial role in inter-group and other affiliations. The North was widely perceived as the strong hold of the All Peoples Congress Party and other anti-Sierra Leone peoples party (SLPP) groups, whereas the south and south east inhabited mainly by Mendes were perceived to be SLPP strongholds. The North inhabited by one of the largest ethnic groups - the Temnes, and other northern ethnic groups like the Limba had been associated with the power brokers throughout the two decades of the APC rule. The south and east of the country represented the strongest opposition-the SLPP party, who had been excluded from politics since the 1970s and, given the apparent recklessness with which the country had been governed, there was hardly any surprise that the civil war started in the east of the country, by individuals who perceived themselves as having been relegated to the doldrums of politics for a very long time.

A **glaring feature of the peculiarities of the situation was the issue of wealth acquired by the ruling political class. Throughout the recent history of the nation, there had been such great disparity**

in the distribution of wealth that the claims of corrupt practices in high places were given enormous publicity by the press.

Getting rich by all means and at all cost became the order of the day, as dubious businessmen were often favoured with illegal contracts for supply of every conceivable items, and mineral resources exploited with little regard for the laid down laws and regulations set up by the respective national bodies.

Within this scenario, effective public administration was left in tatters as public officials preoccupied themselves with acquiring illegal wealth to the detriment of the people. Education and employment opportunities were limited for the young people, who because of the nation's failure to provide adequate educational facilities for self fulfillment became a disgruntled group who were manipulated by politicians to act as destructive elements especially during elections. This perhaps may help to explain the readiness of youths to become active players and agents throughout the nation's political crises

At this point, it is but fitting that our attention should be focussed on how these issues we have identified play out in inter-group or other relations or affiliations. To start with, it is inevitable that a system that is beguiled with such malaise, would attract hostile criticisms from the ordinary people in whose interest it purports to serve. The general citizenry gradually became far removed from the daily activities of the political class as the existing political structure was perceived as grossly inefficient and insensitive to fulfilling the social contract that exists between the Government and the governed.

Such an unhealthy relationship between the Government and the general populace was manifested in various forms such as the existence of inter-party conflicts, the formation of different affiliations brought about sometimes by the need to pursue a common goal, and divisions even within the security apparatus of the nation. Compounding this situation further was the polarization of the political system that often led to increasing tensions and rivalries as the ruling party resorted to unconstitutional measures to exert full control of the state. From this perspective, the Sierra Leone society,

having progressively and systematically degenerated because of wrong and inimical policies for over three decades, bore all the hallmarks of a weak and failed state, incapable of delivering the promise upon which it drew the mandate of the ordinary citizens.

Thus, the relationship between the two parties was one that was marked by all sorts of conflicts ranging from conflict of interest to one of hostile perception of the ruling class, all of which combined to provoke complex political emergencies and the emergence of civil strife in the nation.

F. ANY CONSIDERATION WHETHER SOCIAL, ECONOMIC, CULTURAL, ETC. WHICH PERPETUATE AND ENTRENCH EXISTING STRUCTURES AND PRACTICES

In the preceding Sections particularly under (D) and (E) above, there have been some detailed discussion and analysis on issues that involve considerations pertaining to the social, economic, cultural structures and practices leading to a collapse of the state system and the political turmoil that resulted afterwards.

For example some of the peculiarities of the situation highlighted in Section (E), such as,

- A political experience since independence marked by several coups or coup attempts;
- The apparent political divide in the country, with the South and East being SLPP strongholds. and the North being APC stronghold;
- The apparent wealth of the political class and the constant publicity given to claims of corruption in high places in various facets of national life;
- The apparent failure of the nation to provide diversified educational opportunities for the youths, and the lack of employment opportunities for these youths.

Again, some of the shortcomings in the system as highlighted in (D) also serve as agents for perpetuating and entrenching existing structures and practices. These include:

- The issue of bad governance compounded by an apparent lack of direction by successive governments,
- Over-centralisation of government powers leading to the marginalisation and exclusion of grassroots participation in overall national development;
- The non-functioning of local governments;
- A **rather slow and cumbersome adjudication and arbitration of court cases, with the resulting feeling and charges of a corrupt judicial system among the populace;**
- **The lowly socio-economic status of the people, with low wages and low standard of living,**
- **An apparent lack of full national control of the natural resources and an uneven distribution of wealth.**

G. THE CONSEQUENCES OF ALL THE FOREGOING AND WHETHER ANY EXISTING STRUCTURES OR PROCESSES PROVIDE ANY REMEDIES, AND THE LEVEL OF ACCESS THAT EXIST TO THE REMEDIES.

It is generally true that a society fraught with an enormity of socioeconomic ills, political and cultural decadence, will inevitably face a serious threat to the cornerstone of the unity on which it was created. The aftermaths of the host of debilitating factors that hastened the decline of this once stable society at independence revealed itself in the deep divisions that have impacted on the very fabric of the existence of the nation. The experiences of Sierra Leone and the array of difficulties it has sailed through in its over four decades of independence are replete with stories of the agony of a nation.

As every sector of the nation fell into a serious state of dysfunction, so also did the level of consequences which affected every aspect of national life become more pronounced. The poverty gap widened between the haves and the haves not,

and the degree of dissatisfaction and alienation grew against policies of government. By the beginning of the 1990s the nation had degenerated towards becoming the poorest country in the globe. A **catastrophic consequence** was **the politicization of the army, and the feeling generated in the army that it could offer a better alternative government. The first military intervention in 1967 into the political process, and the failure of the civilian government in tandem to restrain the institution from intruding into the political corridors is believed to have been responsible for the many coups and coup attempts that have plagued this nation.**

Associated with all this, is the high level of illiteracy, and the corresponding low level of civic awareness and responsibilities of the general populace. Again the exclusion of the general populace from participating in popular decision-making and promoting the principles of good governance and democracy intensified the alienation of the masses from the government. In **the face of almost total exclusion of the disadvantaged majority and the apparent absence of effective organs to administer justice, not much could be done by the state to ensure the respect and defence of human rights and upholding the values of the rule of law.**

Structures Or Processes Providing Or Attempting To Provide Remedies, And The Levels Of Access That Exist To The Remedies.

In recognition of the felt need to reverse this unwholesome trend of restricted access to quality and high level education, the university is at the moment striving to expend **educational opportunities particularly** at the **tertiary level** through **access courses and programmes. To cater for the emerging needs of post-war Sierra Leone, it has introduced and will continue to introduce many new and career-oriented programmes to diversify employment opportunities and service the critical needs of government, as well as of the private, commercial and industrial sectors.**

As a way of providing solutions and addressing the need for a peaceful and conflict-free society, and preventing the re-emergence of violent conflict, the university has launched the

Peace and Conflict Studies Programme. Much has been achieved in this direction in just less than half a year since the inception of the programme. There is now a Human Rights Clinic at Fourah Bay College which provides a nexus between theory and practice in the field of human rights protection and promotion. The establishment of a Peace and Conflict Resolution Society in the campus is one bold initiative by students to increase the involvement of youths in peace building and promoting conflict resolution at all levels of society.

Research projects by staff of the university have been undertaken to respond to the need for tracing the antecedents of the civil conflict, which in the end would lead to concrete initiatives in redressing the ills of the nation.

The university is determined to play a more vigorous role in leading national efforts for capacity building of not only other tertiary educational institutions in the area of peace, conflict and development disciplines, but also in general human capacity building nation-wide.

A key area in which the university attempts to provide remedies to the political and economic tragedies of the nation is the participation of its staff members in many national bodies set up principally by Government to promote the principles of good governance and transparency. In the realm of government's response to provide redress to the crisis of the nation, an encouraging trend is the establishment of a separate newly-designated Ministry of Education, Science and Technology which is implementing a new education policy aimed at diversifying access at all levels of education to address not only the high level of illiteracy but also to focus on the development of human resources in technical and vocational disciplines.

Ministries of Government such as Agriculture, Mineral Resources, Finance and Trade are all implementing policies and plans aimed at reducing the poverty level and improving markedly the financial returns to the nation from its rich reservoir of natural resources, thus satisfying the basic needs of the ordinary citizens of the nation. The establishment of national bodies such as the Anti-Corruption

Commission, NASSIT, the Social Security Scheme, the Office of the Ombudsman, and the appointment of a large number of Justices of Peace to assist the Courts processes at the magisterial level, are all encouraging signs signaling the determination of government to addressing the ills which have befallen this nation. The special attention devoted to fighting corruption which for several decades had been the bane of society represents the formidable challenges towards re-instituting the concepts of good governance for rapid national progress. The announcement recently about the appointment of two judges and a prosecutor for the Anti-Corruption Commission is a welcome development to advance the fight against this dreadful scourge in the society.

The on-going reforms in the police and the army are seen by many as representing a big step in the direction of improving national security and of repairing and improving the damaged civil-military relations.

The building of a patriotic army and police towards guaranteeing adequate protection of life and property, and protection of our nation from external aggression provide useful steps towards solutions to the problems of national security.

Another encouraging development are the on-going reforms in the judiciary. The operationalisation of the Law Courts project being effected all over the country, with the facelift given to the main Law Court building in Freetown portends a critical element in the onward strive for lasting peace and stability in the nation.

A by-product of the decade-long civil conflict is the emergence of a strong and virile civil society, and many local and community-based groups and organizations. The increased involvement of civil society in national affairs and the increased activities of human-rights-based organisations such as Campaign for Good Governance, the National Forum for Human Rights, among others are all indicators of the emergence of structures intended to provide both long and short term redress to the diverse problems that confront the nation.

The establishment of Think tank bodies to reform the governance structures and for the resuscitation of decentralization of governance at the local level such as the Governance Reform Secretariat and the introduction of training courses on local government decentratization and administration at IPAM herald the beginning of constructive approaches to the widening of participation of the grassroots in national decision-making and national development.

The increased role and focus of the international community in assisting the nation to recover from the nightmare of its difficulties demonstrate the commitment of the nation's friends to build new democratically accountable government and a safe future for all the people of Sierra Leone. The involvement and assistance in the nation's development efforts of Great Britain, Nigeria, ECOWAS, the United Nations and others have paved the way for meaningful development of the nation. A bold step to fighting poverty and restoring the self-esteem of the ordinary people is the development and the systematic implementation of the interim Poverty Reduction Strategy scheme by Government, which is also being supported by the international community.

The provision of micro-credit facilities to the poor administered by the National Commission for Social Action and SAPA is helping to restore hope and dignity to the ordinary people who were gravely affected by the war. This also can be seen as a form of remedy to the existing poverty circumstances of the people of the nation.

So far, the most visible steps taken to provide a remedy to the existing political situation is the setting up of two accountability institutions, The Truth and Reconciliation Commission (TRC) and the Special Court to address respectively the issues of the root causes of the war and of impunity, and to bring to justice the people who bear the greatest responsibility for serious and heinous crimes committed during the civil war. It leaves no one in doubt that success of these two accountability institutions will help to lay a very strong foundation for lasting peace in the nation.

H. RECOMMENDATIONS, REFORMS AND PRACTICAL SOLUTIONS

After a careful consideration of the issues raised and discussed in the preceding sections the following recommendations, reforms and practical solutions are hereby proposed for the smooth returning of the nation towards a path of sustainable development and economic prosperity.

In order to ensure the creation of conditions for sustainable peace and economic development which this country badly needs, there should be an increase in the activities by all stakeholders and the international community as outlined in the approaches already put in place to provide remedies to those situations and their consequences and those structures and processes which led to the civil war. Government, parastatals, civil society, educational institutions, the private sector, industry and commerce must be determined to evolve positive approaches to resolving our problems and should see each others role as mutually reinforcing towards meeting the goals of the post-war development agenda.

Long term conditions for promoting peace, democracy, good governance and sound economic management require sound policy measures for addressing the socio-political and economic vulnerabilities experienced over four decades. This will involve the building or strengthening of institutions of democracy, and there **institution of decentralized governance at all levels of society. The decentralization process must be such that grass roots participation is enhanced, and local government institutions given some autonomy, with provision for monitoring by the central government.**
To promote democracy and good **governance, governmental Institutions and the ruling political class need to pay more attention to criticisms from** opposition **parties** and **other groups. Policies implemented must always take into account constructive criticisms. There thus needs to be a change of attitude among the political class towards constructive criticisms or suggestions.**

Various Ministries of Government should evolve more targetted policies, plans, or programmes to improving reach, efficiency and sustainability of basic services to the general populace.

It is generally acknowledged that sustainable economic development is impossible in the absence of full control of the God-given natural resources by the indigenes of a nation. It is therefore imperative that the resources of the nation should be in the hands of the citizenry, and in order to ensure this, there needs to be a more vigorous approach by the line Ministries concerned to **promote** indigenisation **of programmes and policies, which seek to harness the resources for the benefit of the people of the nation. Key Ministries such as Lands, Housing and the Environment, should implement an effective housing policy to ensure adequate provision of decent dwelling facilities for the masses, revisiting the land tenure system in the whole country in order to diversify free-hold facilities especially in the provinces. However there needs to be a more structured mechanism put in place regarding this issue, and it should be done in the spirit of improving national cohesion, stemming the tide of rural-urban migration, eventually leading to greater and more equitable development in the provinces.**

The Health ministry should make accessible affordable medical facilities to the **general populace throughout the country. The Ministry of Agriculture should pursue the unwavering implementation of the food security programme, and should not be starved of funding and resources to realize it vision for sustainable food supply to every citizen.** In **the area of youth employment and capacity building for self reliance, the ministries of Youths and Labour should be more practically-oriented by evolving outcome-based projects and strategies** to **increase young peoples' participation in national development, as well as opening up more avenues for the employment of youths.**

Empowering the poor through efficient management of programmes and structures under the framework of poverty reduction strategies must be given adequate attention. Efforts to achieve this goal must emphasize the involvement of the beneficiaries in the management and identification of pro-poor projects to ensure that programmes implemented do make a real difference in the standard of living of the ordinary citizens. The status of women needs to be given priority in the efforts for the reduction of poverty. The international community through

Donor and Credits-lending financial institutions should accelerate the implementation of the Interim Poverty Reduction Strategic Plan.

A crucial issue in bridging the poverty gap within the population is the need to revisit the existing loan facilities in the financial institutions. A mechanism should be put in place whereby indigenes would have ready access to loan facilities offered by financial institutions. This in the long run will assist indigenes in taking control of the economy of the nation, and lay the basis for economic prosperity. The fight against corruption should be intensified and to ensure its success as well as control of crime and violence, there should be an adequately funded court system, access to speedy recource and redress, as well as a more efficient judiciary.

To promote the principles of accountability and transparency conducive to the realization of the values of good governance, there needs to be put in place regular publication of accounts even for local-level activities, the dissemination of basic data on performance, and mechanisms for client feed back, including reports and other forms of client surveys, for all public-service oriented national institutions.

Furthermore, meeting the goals of sustainable development would also require more effective rules for seeking and holding public office. Fair; transparent national processes and a provision for power-sharing arrangements to ensure national stability should be a sine qua non in ensuring sustainable democracy building in the nation building process.

THE FORGOTTEN ISLAND AND THE MAY 25TH 1997COUP

THE

SITUATION REPORT ON BONTHE ISLAND AFTER THE MAY 25TH 1997 COUP

PREFACE

This booklet is meant to be a report to His Grace the Archbishop of Freetown and Bo, Dr. Joseph Henry Ganda. It is very much a historical document of the experience of the people of Bonthe from May 25th Coup that toppled the democratically elected Government of President Alhaji Dr. Ahmed Tejan Kabba and brought into power a military junta (AFRC) comprising some members from the National Army and the RUF fighters, known as the People's Army to the 10th March which marked the return of Democracy.

The Booklet is divided into two parts:

1.Bonthe during the AFRC Junta Rule

2. The Dawn of the kamajors

This is an eye opener to the people of Bonthe under the AFRC Junta Rule and the Kamajors. The people of Bonthe suffered greatly at the hands of both the AFRC soldiers and the Kamajors.

It is not all that happened in Bonthe that are mentioned in this booklet but the general experience in which I was mainly involved.

I am very much grateful to Mr. Isaac Williams, a senior citizen of Bonthe, Osward Hancils, Acting Principal Bonthe Technical College, Paul Kpana, David Milton and Frank Williams, all of Bonthe, for proof reading and cross checking of events and dates in the booklet. Together with the entire of people of Bonthe, we were all partners in our fateful experience during the period.

This booklet will be incomplete if I fail to express my gratitude to Rev Fr. Michael for providing the printing facilities and Mrs. Ann-Marie Casell of the IKABH Secretariat, Santano House for typing and editing the booklet: not forgetting Paul kargbo who also helped in the printing of this booklet.

Let me conclude by saying that I am very much responsible for whatever information that is contained in this booklet. If there is nay part of this booklet that one is not satisfied with I stand to be challenged.

Rev. Fr. John E. Garrick

ST PATRICK'S PARISH

CATHOLIC MISSION

BONTHE SHERBRO

5th December 1997

His Grace

Archbishop Joseph Ganda

Archdiocese of Freetown & Bo

Dear His Grace

For about 2 months now I have been in Freetown, away from my parish. I used this period not only to rest and to recuperate from the problems we went through in Bonthe, but to reflect and produce a detailed report about all that have been happened in Bonthe, from the May 25th 1997 Coup up to the 1st week in November. This report will soon be completed and will be submitted to you before I leave for Bonthe. I am now eager to rejoin my own Christian Community.

Life in Bonthe after the Coup have been very difficult. With the Kamajors occupying the whole of the mainland Bonthe District and the interior of the island. Bonthe town became isolated and besieged with n o links with the other parts of the country and most times not even the interior of the island. Save the occasional trip of the gun boats carrying military supplies from Freetown to Bonthe. Sometimes civilians are not allowed on these boats.

There are no passenger boats running and because of this people are really starving in Bonthe. Many old and sick people came to me for food and even myself there were times I found it difficult to get food for myself, the two Nigerian Sisters and seminarians. A bag of rice (when available) costs about Le. 50,000.00 and the average Church collection is about Le 6,000.00. Just for food I have a debt of Le 260,000.00.

As fro the Clinic, I could not get any medicine from NCHO and salaries for the Clinic staff because of our inaccessibility. I had to buy drugs very expensively from the Government Hospital to keep the clinic going even though very little was realised from it. It was very much on charity basis since most people could not afford to pay for their medication. Later the Government Hospital ceased operation because of lack of medical supplies especially medicines. The two doctors, Dr. Samba and Dr. Turay left Bonthe and the clinic took over the medical care of the people.

When the situation became tensed in Bonthe I was advised by some elders in the Parish to arrange an emergency escape for myself, the two Sisters and the Seminarians. Through their assistance we discretely arranged this. The whole plan left me with a debt of Le 550,000.00. This was for 50 gallons of petrol at Le 15,000.00 per gallon. The out-board engine Yamaha 40 was provided by one parishioner. Another Parishioner provided the boat. The boat was kept close to the convent with the engine hidden in the convent which was to be our point of departure in case of any eventualilty. Some of the petrol was used in the generator so as to be able to communicate with mainly Fr. Koroma on the radio to explain to him whatever move I decided to take.

When the situation became worse, the soldiers stopped all boats from moving. This led to serious hunger in Bonthe. Civilians were threatened and continually molested. That forced the District Officer and other elders in Bonthe to organize a peace mission to Kondewai the Supreme Head of the Kamajor Militia. A ten-man delegation was formed in which I was I was included to

undertake this peace mission. We left on Thursday 21st August and returned Sunday 24th August. We went through a lot of ordeal which later on ended successfully. We returned to Bonthe quite satisfied with our mission.

Towards the end of that week, we began hearing artillery bombardment from the surrounding villages. Some villagers came with the report that some soldiers were attacking and looting their villages. They even attacked Nitti Harbour in Gbangbatoke, where some soldiers were killed and some reported missing in action. Few days after this, the soldiers went on patrol along the river again and we began hearing heavy artillery bombardment. They returned in the evening with some wounded soldiers who were admitted in the Government Hospital.

The following day which was Wednesday the 3rd September, almost all elders both men and women as well as industrious young people were rounded up, beaten, some wounded and thrown into the Military Guardroom. I was also a victim of this mal-treatment. Having been seriously humiliated, we were later released. Few days after this, the soldiers called up a meeting, during which they apologised to the entire civilian population for molesting theirs leaders.

Few days after this meeting with the soldiers, we began hearing news of pending kamajor attack which did happened in the early hours on Monday the 15th of September. There was heavy gun firing in which the Clinic Staff house was badly hit since it was next to the SLPP Party office. The Convent too was hit by a shell from the gun boat that made a big hole in the kitchen wall and blew off the kitchen door. That needs to be urgently repaired. One of the main pillars of the Mission house was also hit by a shell from the gun boat.

The next day the two Nigerian Sisters in the care of the commander of the military landing craft to be handed to Commander Howard at Government Wharf, who was to hand them over to Fr. Koroma at Kingtom. I then came down to Freetown myself on the 2nd of October. The next day I was told about the serious sea accident in which some of our parishioners were involved in Bonthe as they attempted to leave Bonthe for Freetown. May their Souls Rest in Peace.

All these things are explained in detailed report which I will submit to you and implore you to read carefully.

Since I have been here I have kept in touch with the people in Bonthe, trying to follow developments there. Situation has greatly improved with regards Kamajor attacks and threat from soldiers. The only problem is hunger. Whatever you need in Bonthe even in terms of foods you have to get from Freetown, even salt and pepper. No fuel and in fact no public transportation. The only means of transportation now is the occassional gun boat trip and hiring of boats which is very expensive.

On the whole, having reflected on all that I went through with and on behalf of my people, I must conclude by thanking God who directed me in all my experiences. I now believe that it is time for me to go and be united once more with my community. I therefore forward this to you for your kind consideration.

Yours in Christian

Rev. Fr. John Garrick

Parish Priest – St. Patrick's Parish Bonthe

PART ONE

BONTHE DURING THE AFRC JUNTA RULE

PRINCIPLE OF GAMES

THE PRINCIPLE OF ALL GAMES IS THE SAME

A LESSER POWER MAY DEFEAT A
SUPERIOR POWER BY PLACING IT IN
SUCH A POSITION THAT TIS OWN
STRENGHT WORKS AGAINST IT

IN SUCH A MOVE OR SERIES OF MOVES
HOWEVER, THE LESSER POWER RUNS
THE CONSTANT RISK OF BEING
ANNIHAILATED BY ITS OWN GAMBIT

THE MASTER OF GAMES
LEIPZIG, 1844

SIERRA LEONE AND THE MAY 25TH COUP

On the 25th May 1997, some soldiers of the other ranks of the Sierra Leone Military Forces in conjunction with the rebels of the Revolutionary United Front (RUF) staged a coup d'etat that toppled the legally elected civilian government of President Alhaji Dr. Ahmed Tejan Kabba and brought into power a military junta: The Armed Forces Revolutionary Council (AF**RC)** which consisted of members of the Sierra Leone Military force and RUF fighters known as 'The People's

Army', under the Chairmanship of Major Johnny Paul Koroma. This marked another beginning of a sad chapter in the annals of this country: the beginning of another culture of violence and suffering in all its various manifestations in almost every part of our country since the beginning of the senseless rebel incursion that claimed the lives of many people and the destruction of our country.

Many of our people are being displaced: may well-to-do and descent people are being forced to become beggars and strangers in strange places; many of our brothers and sisters are starving and some are dying of hunger. Many of our country's public as well as private economic centres and apartments are being looted and vandalized; farmlands and homelands are being burnt down and devastated. Many of our brothers and sisters are being violated and made to suffer innocently; family members are being divided, and under are turning against each other; hatred for one another is on the increase. The main tribes are being set against each other as manifested in areas were there are conflicts between Kamajors and the Army. Many of our people are being killed under horrible circumstances. We are forced to witness the destruction of some of our prized infrastructure and our cultural heritage; we are forced to witness the display and manipulation of weapons of mass destruction most of us for the very first time in our lives.

Many children today can guess the type of gun fired from its sound. Above all, we now live in great fear, the fear of the uncertainty, we do not know what will happen next. Almost all formal institutions and business have grounded to a halt. And with the enforcement of the sanctions and the embargo by ECOMOG the military wing of the ECOWAS and with some amount of support from the United Nations, the whole country is running fast out of essential supplies like food, medicine and fuel. This disastrous wind is now blowing across the length and breadth of the entire country as far as the farthest shores of the remote island of Bonthe which has once been described by a group of visiting British environmental analysts as: THE FORGOTTEN ISLAND.

BONTHE SHERBRO THE FORGOTTEN ISLAND

The Island of Bonthe is situated off the south-western coast of the mainland Sierra Leone. The indigenous inhabitants are referred to as the Sherbros or the Bulloms. Hence the island is variously referred to as Bonthe Island, Sherbro Island or Bullom Island.

After the Abolition of the trans-Atlantic slave trade in Europe and America, the British Government bought the colony of Freetown to resettle the Freed slaves that were roaming the streets of England. The town of Bonthe is that plot of land on the Sherbro Island that was bought as a colony by the American Company to resettle slaves that were set free in America. Many of the first batch of slaves died from tropical diseases mainly malaria. This made the American Company to move further and founded Monrovia the capital city of Liberia where the majority of the slaves were then repatriated.

Under the British colonial administration, the colony of Bonthe rapidly became an economic centre as well as an educational centre. Many important towns on the mainland were easily accessible by sea through Bonthe. Ships docked in at Bonthe and cargoes were transported up and down the rivers by launches stationed at Bonthe. Bonthe became an important commercial centre with international companies like S.C.O.A., P.Z., U.A.C., and the French company. There were also many big shops owned by foreign investors notably the Lebanese and the Syrians. There was also a large number of local investors who pooled their resources together under the local cooperative Firm and the Sierra Leone Produce Marketing Board.

Christian Missionary Groups like the Church Missionary Society (C.M.S), United Methodist Church (U.M.C), United Brethren Church (U.B.C), the Godman Memorial Methodist Church (GMMC) and the Catholic Church (CC) opened schools in most of the villages thus creating a high literacy rate among the people of Bonthe. Towards the end of the colonial period, Bonthe produced the first Prime Minister in the person of Sir Milton Margai.

With the advent of the railway which was later followed by the construction of a network of roads linking the important towns, the position of Bonthe was no longer strategic economically, since cargoes were now being carried faster and cheaper overland by the railway and road transport like lorries,buses and cars. This development which was later followed by the closure of the firms and some of the large stores marked the beginning of the decline of Bonthe.

The coming into power of the All Peoples Congress (APC) Party in the latter half of the 1960s, under the leadership of President Siaka Stevens marked the rapid and systematic decline of Bonthe which was then seen as the stronghold of the SLPP Party – the Party of the Late Sir Milton Margai. In the 1970s, bonthe became a centre of political intrigue as the APC Party did all it could to suppress the SLPP party. General elections in Bonthe became violent and bloody. Many highly educated people deserted Bonthe, some went to neigbouring Liberia and others to Britain and America. A good number settled in Freetown and some other parts of the country as well. Today, we can even talk about 'Bonthe on the Diaspora'. Many of them come around Christmas time to celebrate with their people and return to their domicile after the New Year celebrations. Because of this Bonthe is referred to as the Christmas Island.

The 1980s proved to be a hard and trying period for the people of Bonthe. While Government and NGOs undertook development programmes in the country, Bonthe Island was not considered. Formal education stopped at From Five. The existing infrastructures which were in existence since colonial time were totally neglected. Repairs were hardly effected. To make matters worse, Government workers' salaries were delayed by months. Conditions became so bad in Bonthe that any worker transferred to Bonthe saw his or her transfer as a deliberate punishment inflicted upon him or her by his or her employing authority. Some even resigned their jobs when transferred to Bonthe.

The geographic location and remoteness of this island also contributed to these problems.

It was towards the end of this period that some descendants of Bonthe worked on a development project for Bonthe under the sponsorship of the British Government through ACAFESS. In the process of effecting this project, some British experts were sent do do feasibility studies on Bonthe Island. At the end of their observation they made the statement the “Bonthe is not only neglected but forgotten”. Bonthe however benefited from this venture. In 1989, the Bonthe Technical College was constructed and British Volunteers were sent in to serve as lecturers. In 1990, the Bonthe Holiday Complex was constructed to serve as tourist attraction. Taking a walk around Bonthe town today, one's attention is immediately captivated by the large number of Government companies as well as some private edifies, machinery and boats that are om ruins. Viewing Bonthe today, one is left with the conclusion that Bonthe stands as a living byt ruined monument of colonial civilisation.

SIERRA LEONE DURING THE REBEL INCURSION

As the civil war in Liberia gained momentum, Sierra Leone was used as a base for the ECOWAS Peace keeping Force ECOMOG, operations in Liberia. This stance never augured well with the

war lords in Liberia, especially Charles Taylor. In this light, in a BBC interview in the early 1990s, Charles Taylor openly declared that “Sierra Leone will experience the smoke of war in Liberia.”

In the 1st half of the 1990s, Sierra Leone did not only experience the smoke, but tasted the real fire when the rebels struck the south and eastern regions of the country. The Sierra Leonean fighters who have been in the NPFL Camp of Charles Taylor, under the leadership of Corporal Foday Sankoh, crossed over from Liberia into Sierra Leone and started their own rebel movement called the Revolutionary United Front of Sierra Leone (RUF) against the Government of Sierra Leone.

The whole nation was shocked by the rapid advance and territorial gains of the rebels in the Easter and Southern Provinces in the early 1990s that many people began to question the loyalty and sincerity of the Sierra Leone Army. Many of the villages and small towns were over run by rebels. The big towns proved difficult, because civilians too became vigilant and offered themselves up for the defence of their land.

It became quite clear that the genuine soldiers cannot fight the rebels by themselves. So the youngmen in towns and villages organised themselves into a civil force. In the Northern province, there were the Tamaboros and lately the Carpras. In the Southern and Eastern Provinces were the kamajors who are the traditional hunters. These groups claim to possess certain talismans and magical powers that render them bullet-proof and make them disappear and reappear at their own wish. In bigger towns like Bo, Kenema, Moyamba, Bonthe and Makeni,the youths in these towns organised themselves into strong and vigilant forces and help to police these towns. According to the October / December 1996 edition of Focus on Africa Magazine, it is said the kamajors “inherit supernatural strength from their ancestors.

Through the dedication of these civil defence units, it was soon found out that some soldiers were playing a double game. Many of them were in contact with the rebels giving them vital information about the Government Military strategies. Some were even acting out as rebels attacking and looting towns and villages. This was picked up by the civil defence units and the international Community and the question was asked “who are the rebels?” In some places people cannot tell the difference between the soldiers and the rebels and so they began referring to them as 'sorbels'. This word found into the mass media.

Later on in the war against the rebels, the Kamajors so defended their people and their land that they were referred to as ' the people's policemen'. They “... inspire terror in both rebels and sorbels” (Focus on Africa Magazine 1996).

In most places throughout the county, the civil defence force,especially the tamaboros fought alongside the national army. The Kamajors strongly defended their towns and villages with some assistance (arms and ammunitions) from the military and later joined the soldiers at the war front in the South and East of Sierra Leone.

Under the NPRC Government, the Kamajors were empowered in Bonthe with arms and ammunition from the Government to help fight the rebels in their villages. They successfully dislodged the rebels from the main land Bonthe District and were able to settle with their people peacefully in their land. This they were able to achieve through the help of the Sierra Leone Military Forces. During those days there was cordial relationship between the civil defence force and the Sierra Leone Military.

BONTHE AND THE MAY 25TH COUP

Bonthe had its share of military take-over fever. On hearing the announcement made by Corporal Gborie on the national radio that soldiers of the other ranks have seized power from the SLPP government, soldiers of the other ranks in Bonthe went on the rampage. They went firing guns all over the town, chasing their commanders here and there. Some were caught and tied up (tabie as they call their cruel way of tying). Some were even shot at and others went into hiding.

Some soldiers went into the gun boat sailing up and down firing the heavy guns on the boat. The boat later hit a sand bank and it ran aground. It was later rumoured that some parts were damaged. The peaceful civilians were harassed. This continued for days even when Freetown was relatively calm. Police and Prison officers were given arms and ammunitions by the Navy and all parading the streets of Bonthe with their new but dangerous toys, sending fear down the spine of the ordinary people. This reminded me of a popular quotation in the European History that: ' When Napoleon Sneezes Europe catches the cold'. To relate this to our situation, 'when Freetown sneezes Bonthe catches the cold'.

Later the situation became quiet for some time following the world wide condemnation of the coup. As the problem became serious in Freetown and some other parts of the country mainly Bo, many people saw Bonthe as a safe haven. Many people went to Bonthe from the mainland through Mattru and Gbangbatoke. Thousands more poured in from Freetown by way of the high seas using the dreaded gunboats. Meanwhile, we began hearing news of massive Kamajor build-up on the mainland of Bonthe district.

About half way through the month of June, we began hearing news from some villagers of soldiers attacking and looting villages around Bonthe. As this continued we began hearing news of pending Kamajor attack on the naval positions in Bonthe. The soldiers' reaction to this news was quite negative for the civilians. Each time there is a strong rumor of Kamajor attack on Bonthe, the soldiers went up and down the town firing guns. Not only the hand riffles like AK 47s and 58s,G3s and Bereters but heavier guns like machine guns, Anti Aircraft guns, Mortar and big guns on the gun boat. The firing is accompanied by soldiers threatening and abusing civilians, accusing them of supporting and harbouring Kamajors. According to them these Kamajors are our brothers. If there is any attack they (soldiers) will not die. They will just go into the gunboats and then destroy Bonthe as they make way to Freetown. Launches will then be stopped from plying the seas thus creating hunger in Bonthe.

As the attacking and shelling of villages around Bonthe intensified, so also was the news of pending kamajor attacks on Bonthe. It became so serious that there was great fear and panic in Bonthe. On the 27th June, many of the elders, sectional and Departmental heads were rudely and violently taken to the naval base. When the commanders were questioned on this matter, they agreed that they did sent their men to invite them to a meeting but not in that manner. They then apologised on behalf of their men for being so violently ill-treated. They had a short meeting with them which was mainly about the threat of the kamajor attack and were later released.

That same day a military re-enforcement arrived by helicopter. The soldiers forced civilians to carry their arms and ammunitions to the naval base. They made a naked show of these dangerous weapons as they marched across the town to their base. This was accompanied by soldiers making threatening remarks that if Kamajors attacked Bonthe they will kill all civilians and turn Bonthe into a swamp. Because of the continued gun firing and threats, Bonthe was no longer seen as a safe haven. Many left Bonthe to seek refuge in other towns and villages. Some even returned to Freetown claiming that Freetown was far safer now than Bonthe. Among those

who went were Mr. Kanneh the District Officer, Rev. Sandy the Chairman Sherbro Urban District Council (SUDC), the Officer-in-Charge of Police, Mr. Moimma, Mr. Winston B. Gbondo, Manager Fisheries and Marine Resources Department, Chief George Brandon 111, Paramount Chief of Sitia Chiefdom and Mr. Victor Caulker the SLP Party Secretary in Bonthe.

With the absence of these authorities, situation became worse in Bonthe, the soldiers took the laws into their own hands, civil cases were transferred from the police station to the military base. The soldiers usurped the role of the police by making themselves law enforcement officers with nobody to report to save themselves. Whenever there was a case between a civilian and a soldier the soldier was always right. Civilians were also subjected to forced labour as was manifested in the cleaning of the town and around the military base. Some civilians were even flogged mercilessly and thrown into the Military Guardroom, if they showed any resentment.

As the unhealthy situation gained momentum some concerned civilians grouped themselves together, approached the military authorities and expressed their concern about the situation. The matter was discussed and it was agreed that a working committee of civilians comprising sectional heads, some departmental heads and notable citizens should be formed to liaise between the military and the rest of the civilians. If the soldiers want civilians to do anything they should go through the committee, which was named The Bonthe Working Committee. The following were members of this Committee:

1. Mr. Thomas Nelson-Williams- Chairman
2. Mr. Osmond Hancles
3. Mr. Gilbert Caulker
4. Mr. Alieu Kpaka
5. Mr. Saspo Bangura
6. Mr. Tommy Palmer
7. Mr. Joe Deoud
8. Mr. Raymond Squire
9. Mr. Okillo Margai
10. Mr. Rashid Mansarayi
11. Mr. Benjamin Cole
12. Mr. A J Samai
13. Mr. Paul Kpana
14. Mr. J M Bundu
15. Mr. B D Moore
16. Mr. Nat Corman
17. Mr. Albert
18. Pa Jusu

This committee worked hard to prevent soldier/civilian conflict. Quite often members of this Committee were harassed by the soldiers and blamed when civilians failed to honour their request.

The day after the arrest, a meeting was called by Major Lawrence Howard, the Commanding Officer Southern Naval Command, to which all religious, departmental and sectional heads were invited. The main concern of the meeting was how to maintain security on the Island and how to prevent Kamajor attack. While we were all waiting for the meeting to begin one soldier, a son of the soil, Samuel Kpana remarked that we have come for a kamajor meeting, we should be killed because we are all kamajors. The Military authorities that were around never made any attempt to caution this soldier for such a dangerous and implicating statement.

During the meeting somebody suggested the resuscitation of the defunct civil defence unit. Many people were not keen on this since they no longer trusted the soldiers. However, it was agreed that civilians should cooperate with the military in reviving the civil defence unit. Some soldiers accused civilians of harbouring Kamajors and some civilians strongly refuted this statement. The meeting however ended with no serious confrontation.

After some messages from some elders in Bonthe town, some people returned back to Bonthe, even the District Officer.

As the threat and shooting continued, the District Officer convened a meeting of all religious heads, section heads and departmental heads with the presence of the Naval and Police authorities strongly emphasized. During this meeting the following were discussed:

1. The too much gun firing in Bonthe
2. The stopping of the launches
3. Security on the Island

With regards the first point, Major Mansaray, the Acting Commanding Officer of the Navy in Bonthe, in the absence of Major Lawrence Howard, said that the too much gun firing is the result of the intelligence report they received about a pending Kamajor attack. The firing is to send a message to their enemies the Kamajors, that they have superior fire power. However, he promised to talk to his men to stop the firing but the gunboat will fire to warn the enemies. It was observed that the Naval authorities should check these information properly, especially those brought in by some women, since most of these are not true. They should receive information only from responsible and trustworthy people.

On the 2nd point, he agreed to allow the launches to be plying the seas since the stopping of the boats leads to starvation in Bonthe. Whenever there is news of Kamajor attack, Bonthe is immediately placed under siege.

On the last point dealing with Security on the Island, it was pointed out that this should be dealt with under the following headings:

1. Pending ECOMOG attack
2. Threat of Kamajor attack

3. Soldiers threat against civilians

On the point of the pending ECOMOG attack, Commander Mansaray told us not to be concerned with that. That will be their problem since ECOMOG will be concerned with military targets.

On the point of Kamajors being engaged in preparing to attack Bonthe and the soldiers claim to have engaged them in battle, it was observed that we have not got any evidence of their claim. The commander assured us that it is true that there are Kamajors around Bonthe and that they are poised to attack Bonthe.

Dealing with the soldiers' threat against civilians, it was observed that soldiers are in the habit of killing and adopting livestock belonging to civilians like sheep, goats, pigs, chicken and ducks. They are also in the habit of harassing forcefully taking their items from them like fish (from the fishmongers), oil (from oil sellers), and palmwine (from palmwine sellers). Whatever you engage in you must give the soldiers share and quite often they will take the lion's share. And if anybody attempts to resist or defendm you are branded a kamajor or kamajor collaborator in which case you will be severely beaten. It was also observed that soldiers abuse people and threaten to make Bonthe into a swamp. Not a single perswon, building or any other creature will remain standing. In response to all these, the Commander commented that he himself is a victim. His men stole his sheep. He then promised talking to his men to refrain from stealing and harassing civilians. As for the abusing of civilians and threatening to destroy Bonthe, the commander told us not to mind that or even believe that they will destroy Bonthe. He said that it is a psychological warfare they engage in. they use those threatening remarks with the aim of demoralizing the enemy. They are not really meant for the civilians in Bonthe. They are aimed at their enemies the Kamajors.

Under the security of the Island, the possibility of creating the civil defence unit was again discussed. The section leaders agreed to discuss this in their various group meetings. The meeting ended in a friendly atmosphere.

For a brief while, there was relative calm on the Island. A few days later the small naval patrol boat “Maada” and the smaller speed boats began going on patrol down the river. After that, some villagers arrived in Bonthe with news of soldiers attacking and looting villages down the river especially the village of Mania: a popular tourist centre whose main attraction is tarpoon fishing.

Later that day the patrol boats came back loaded with things like freezers, out board machines, washing machines etc. When they came that evening, there was great panic in town and the rampant firing was again resumed. Threatening remarks against civilians became the order of the day. Launches were again stopped from traversing the seas. Anybody caught coming into or going out of Bonthe was apprehended, tortured and taken to the naval base. No civilian was allowed to even go near the base and enquire.

Since that time they started threatening certain elders in the town like Alhaji Dauda Minah, Pastor Sandy the Chairman Sherbro Urban District Council, Chief Lahai Koroma, the Speaker of Sitia Chiefdom and Pastor Nicol the Anglican Pastor. A few days later a contingent of soldiers, one early morning, entered the Anglican Pastor's house, accusing him of harbouring Kamajors. His apartment was searched. The Pastor was upset and he said that he is a Creole and does not even speak Mende, sh how dare they to associate him with Kamajors? If ever there is any society he will be associated with, it will be Hunting Society. He went to the Navy Base and reported the matter to Commander Manasary. He also entrusted his personal safety into his care if any thing happened to him he will be held responsible.

Since then the relationship between soldiers and civilians was moving from bad from bad to worse. The tension was just escalating. The rampant firing became intensified. One night, some soldiers passed by the Catholic Mission and one remarked “I lek you nar christian we go fire” (If even you are a Christian, we will fire). They said this twice and fired a volley of shots. I then peeped outside and retorted: 'bo me nar Christian way tin happen?' (I am a Christian what is this matter? The soldiers burst out laughing and went their way.

Situation continued to deteriorate. We kept hearing bombardment coming from nearby villages. And since the boats were all grounded save the naval boats, almost everything became scarce. Twice I had to loan a bag of rice at Le45,000.00 and Le50,000.00 per bag. Pepper was Le3,000.00 per cup. Petrol was Le15.000.00 per gallon. Through the assistance of some parishioners, I managed to secure fifty gallons. Twenty gallons was to be reserved for the generator to keep the Radio Communication set and the remaining thirty was to be kept for my emergency escape with the seminarians and the two Nigerian sisters whose identity we have carefully concealed. To this moment, almost everybody believed they were Kenyan. Most of what people needed were being sold by soldiers or their relatives mostly the wife or the girlfriends.

Our Weekday Masses were replaced with morning prayer and Service of the Word so as to save the hosts and wine for Sundays. Over three hundred people attend Mass on Sundays but the average collection is Le6,000.00. What we get on Sundays can barely feed us for two days. We thank God for the generosity of some parishioners. Many people find it difficult to get their daily meal but they still scrape to contribute something to the Church.

Conditions in Bonthe came to a point that food, mainly rice, cassava and garri became exhausted and people were starving. Even Dr. Samba, the District Medical Officer reported about the acute shortage of medical supplies with the most important one being medicines. The Catholic Mission Clinic was of great help to the people of Bonthe since most people were treated almost free. This was because there was not much money in

Bonthe and threats were made to loot the Clinic. There was no avenue for people to make money in Bonthe so they were asked to give what they could afford.

With all these unhealthy developments, the D.O called up another meeting in his office. It was almost the same group of people except that instead of Commander Mansaray, we had Commander Martin, the Commander of the Patrol Boat 'Farandugu 201'. it was almost the same agenda as the previous one – free movement of boats, soldiers' threat and security on the island. During this meeting, a report came in from Dema that soldiers have attacked and looted people around Dema. Commander Martin listened keenly and promised to consult his comrades. The meeting ended with our being admonished by Commander Martin to wait patiently until he discussed this with the other Naval authorities since he is only commander of the patrol boat. Later, it became clear that the commanders had some problems among them which centered around command and authority. This rendered our meeting fruitless.

The situation continued to deteriorate. For people to even mange to feed themselves for a day became very serious. Many of the old and sick parishioners kept coming to me in the mission begging for something to eat and medical treatment. Each time this happened I felt so sad because people because people came to me for assistance in such a difficult time and i was not able to meet up to their demands. Anybody attempting to go out of Bonthe in search of food when caught encountered a very serious problem. The threat of flattening and making Bonthe into a swamp increased. The curfew was re-enforced and the time brought forward according to their whim. The shooting became so heavy that Mr. Isaac Williams one of the Directors of the Bank of Sierra Leone and the two medical doctors Dr. Samba and Dr. Turay went to the military base and made a report about the threatening and dangerous behaviour of the soldiers. The commander promised to talk to his men.

The boat owners continued to negotiate fro boats to be moving. The District Officer called an urgent meeting of religious, departmental and sectional Heads. This meeting was scheduled to take place at the house of Mr. Ia=saac Williams. I was not present at that meeting, but i was told that the main theme of the meeting was 'what we as leaders could do to stop Kamajors from entering Bonthe and harassment of civilians by the soldiers. They agreed that we should send people to meet with the Kamajors in the Sitia Chiefdom and talk with them and convince them not to come to Bonthe. Rev. Sandy of the UMC, the Chairman of the SUDC headed that delegation. They went and came with a favourable report. The Kamajors agreed not to come. This was disclosed to us in a later meeting at Mr. Isaac Williams' house. Encouraged by this initial success, it was them suggested that we should get prepared to go on a peace mission to Kondowai the Supreme Kamajor head stationed at Tihun.

With much pressure from the boat owners, the commanders allowed them to resume operation. The fishermen went out fishing and one passenger boat ' MI Good Sababu' attempted to go to Mattru. This boat was expected on a particular day but it did not come. On the third day, the owner of the boat, Mr Deoud appeared in Bonthe with a story that the Kamajors at Moryama have seized the boat and he himself was seriously beaten. The Kamajors said that when the people come to them the Kamajors, they will talk to them and the Kamajors will listen but when they talk to the soldiers the soldiers would not listen.

With this new, the D.O summoned an urgent meeting. In the meeting almost everybody expressed concern about the soldiers going to bomgbard all the villages as far as Mattru since that has been their usual way of attack Kamajors. It was decided that we all go to the Naval Base and prevent them from doing that and ask for permission so that we can move at once to the Kamajors and negotiate with them with the aim of convincing them not to come to Bonthe.

At the Naval Base, we met the soldiers preparing their patrol boats to go on the attack. It was with difficulty that we persuaded them not to go. We told them of our intention to go and negotiate with the kamajors. They welcomed the idea and they even helped us with some fuel. We went back and met again to choose who were to go and then arrange fro the whole mission. In my absence, I was chosen to go. I tried to kicked to kick against the decision of going presenting the case of the foreign Sisters who were staying with me. But the other members seemed not to listen. So in the end i had to accept.

A ten-man delegation was formed comprising, the D.O Mr. Kanneh as head of the delegation, Rev. Josie Musa of the UBC, Rev. Nabieu of the Methodist Church, myself Rev. Fr. Garrick of the Catholic Church, all representing the Christian Council of Churches, Alhaji Fallon, Imam Shaka, Imam Junisa, representing the Islamic Community, Dr. Samba and Mr. Rogers, (Medical team) Mr. PJD Tucker representing community. The Community and heads of departments were to finance the venture. Arrangements were made for the fastest launch 'ML Neptune' to be used for the venture. We then tried to send a messenger ahead of us to inform the Kamajors at Mormaya that such a delegation was coming. Everything was now set for the mission. But before we left, we asked the soldiers to give us five days to carry out this venture but we meant to complete this mission in three days time. We cautioned them not go go anywhere in our absence, lest they endanger our lives.

'OPERATION SACRIFICE'

MISSION TO MATTRU

The next day, Thursday 21st of August, after Muslim prayers were said by the seaface opposite the convent, representatives of the community wished us good luck and the launch MI Neptune roared into action and we were on our way on a mission which later proved to be dangerous for us all especially the District Officer. On the way, we the religious leaders wer3e officially dressed and we sat on top of the launch so that the Kamajors could see that we were a friendly group.

1ST KAMAJOR BASE – MORMAYA

On approaching Mormaya the village appeared empty. But no sooner the boat hit the shore a troop of Kamajors who have been in ambush came out firing and threatening to kill us all. We were ordered to disembark and prepared for our death. They ordered the D.O to start rolling in the mud but we later pleaded on his behalf and amidst heavy firing all around us and even between our legs we were escorted to one verandah where we were forced to sit amidst abuses and shouting. They did not event to listen to us. But we were saved by the presence of one young man called Sheku Kailie commonly called 'Bombawai. He gave his orders for quietness. He said he is not disputing the fact that we are all dead men but they should first listen to us. So the D.O began by introducing us all. I can see that some were very pleased with such high powered religious delegation but they were very much angry with the D.O who they claimed neglected them and sided the military. All others should be allowed to live but the D.O should be killed. After going the traditional way of given tokens as a way of greetings they were somehow cajoled into listening to our story.

The D.O spoke first on the issue of our purpose of going to them. That we were on a mission to Kondewai the head of the kamajor militia. Our mission was peace and we wanted to convince them not to go to Bonthe and that we will talk to the soldiers to stop attacking their villages.

The next speaker was Alhaji Fallon. He admonished them in the name of Allah to listen to our case and to consider the poor and ordinary people who are now suffering from hunger and threatening remarks.

I was the next to speak. I laid more emphasis on my appointment to Bonthe newly and on the Catholic Mission's intention of promoting development projects like farming and fishing. Also we have schools that I am supposed to visit and re-organise: their children need some attention. Our mobile clinic is supposed to be of service to all people around Bonthe and its environs, but we cannot effect all these services. We really want to help them but how can we do so in this situation? This is why we have come to talk to them as brothers to allow free movement of boats so that we can be able to effect some of these programmes and benefit from each other.

Next to talk was Dr. Samba, he stressed his position as the District Medical Officer (DMO) he is supposed to visit and check all the medical centres in the District as well as providing medicines and staff for these but he has not done such for quite a long time because of the prevailing situation. That is why he has used this opportunity to bring some medicines along to treat those who need medical attention and some to be left at the various medical posts. He pleaded that they should abandon their threat of attack Bonthe since Bonthe is the only hope of the district fro almost everything. In the whole of Bonthe district, almost all towns have been hit except Bonthe town. If they need any serious medical attention,k the only place they can go now is Bonthe.

2ND KAMAJOR BASE- SAAMA

At Saama it was quite easy for us with Bombawai leading us. Bombawai and some of his men went ashore and talked with Francis the commander at the base. Dr. Samba too went ashore and delivered some medicines. We were later allowed to go. From this point we went straight to Mattru.

MATTRU

At Mattru we were taken to the kamajor headquarters and having been welcomed by the ground command at Mattru, the D.O introduced us and acquainted them with our mission to Kondowai the Kamjor strong man. We were then taken to the Regent Chief of Jong Chiefdom, Chief Samah. We again went through the native way of greeting and we were welcomed. We explained our mission to the chief and elders of Mattru and they really sympathised with us. They then postponed our meeting for the next day.

FRIDAY 22ND - MEETING IN MATTRU

In the morning about 8 o'clock we had a meeting again with the Regent Chief and elders of the town. We again explained our mission and they gave us advice as to how to go about our mission. They were very happy with our venture and even pointed out that since the boats are not moving they lack a lot of necessities that they need. They are all looking forward to a peaceful solution to all our problems. At Mattru also Dr. Samba offered some medicines to the Mattru community.

The Kamajor District Ground Commander, Mr. Ngobeh arrived in a blue Toyota pick up to lead us to Kondowai. We were made to understand that he arrived in Mattru last night and had talks with the D.O. We then boarded the vehicle and left for Tihun, in the Sogbini Chiefdom, the abode of Kondowai. We were later toled that he had moved from Tihun to Talia in the Yawbeko Chiefdom. The road was very rugged with Kamajor checkpoints at every village and certain strategic points.

At Tihun,we called on the Paramount Chief Steven Bio, himself a leading Kamajor. After a brief talk with Nogbeh he accompanied us on our way to Kondowai at Talia. Dr. Samba offered the village some medicine.

MEETING WITH KONDEWAI, THE KAMAJOR HIGH COMMAND AND CHIEFDOM ELDERS

The meeting began with the D.O performing the traditional greetings of giving some money to all elders of the chiefdom and the Kamajor society as a sign of respect. The D.O. introduced us and acquainted them with our mission. They were also introduced. Kondewai was introduced as King Dr. Alieu Kondwai, the High Priest and Supreme Head of the Kamajor Secret Society. Some members of his High Command were also introduced notably Pa Collier, Ngobeh the District Ground Commander and Paramount Chiefs Muana and Bio. From the speeches of the two chiefs, it became clear that they owe much allegiance to him since he fought hard and dislodged the RUF rebels who had overran the whole region.

The D.O put our case across talking about the ceasing of hostilities between soldiers in Bonthe and Kamajor, the serious harassment of civilians, commandeering of boats, Kamajor threat of attacking Bonthe and the serious starvation in Bonthe and even Mattru.

I observed that members of the High Command were listening with interest. Many spoke nicely on our behalf but strongly expressed their dissatisfaction and annoyance with the D.O who through all the crisis had neglected them. They looked upon him as their father but he never cared for them. The soldiers have been attacking, killing their people, looting their properties and devastating their homeland and farmland while the D.O have been writing letters preventing them from defending their people and their land.

The talk later ended well with King Dr. Kondewai agreeing on the following points:
1. Cessation of hostilities between them and the soldiers in Bonthe
2. No Kamajor attack on Bonthe
3. Free movement of boats
4. An end to passenger and civilian harassment
5. Peaceful co-existence between soldiers and kamajors.
   Soldiers free to visit Kamajor areas but with prior notice to prevent misunderstanding; Kamajors too should be allowed to do likewise.

He also emphasized the points that:
1. Soldiers should stop attacking villages
2. Should stop harassing civilians
3. Civilians should be allowed free movement of boats

Drawing on the past experiences, King Dr. Kondewai emphasized the point that there is no need fighting against each other. They should be friends and not enemies, they used to work together during the rebels war. Why should they turn against them now because of the coup? Why should they now destroy their homelands and farmlands? In those days soldiers even provided arms and ammunitions for them in their struggle against the rebels. Those who caused the problem are in Freetown. He also stressed that he will not hand over the territories under his authority to any military government but the civilian government of Alhaji Tejan Kabba. But he emphasized a peaceful co-existence between the soldiers and them.

The meeting ended with Chief Alieu Kondewai ordering his secretary to write letters to the various Kamajor commanders around Bonthe ordering them to abandon their intention of attacking Bonthe. One letter was also written to the Kamajors at Mormaya to release the launch ML Good Sababu which they had seized. All the letters had his stamp which according to him is well recognized and honoured by all Kamajors. Dr. Samba again gave a short and offered medicines to the community. We ate together aned late in the evening we were on our way to Mattru. We were so happy with our achievements that almost all of us were laughing and chatting.

OUR JOURNEY BACK TO MATTRU

It was almost dark when we left Talia in the company of Ngobeh the District Ground Commander. The driver, though rough understood the road very well. We went all the way chatting and laughing. Our happiness changed into sadness and fear when on arriving at the checkpoint at Tihun, we met a large group of Kamajors who stopped us and were quite hostile to us. They asked us all to disembark. They said they wanted to see Ngobeh the District Ground Commander. They have received a letter from Gambia concerning us that will only be read in the presence of King Dr. Kondewai. If we attempted to pass the checkpoint we will all be dead since there are Kamajors already in ambush. We then went to the house of

Paramount Chief Bio. Ngobeh asked to know the content of the letter before we can return to Kondewai since the letter was addressed to him as district ground commander, and in fact he had authority from Kondewai to deal with such matters. So the letter was given to him. The letter was read to our hearing and it can be summarized as follows: the letter is from the commander at Gambia. Thy have spied two soldiers. It is the D.O who have brought the soldiers. Ngobeh the District Ground Commander together with the D.O and some people passed through Gambia and they were not aware of their mission. Having listened to the letter, Ngobeh then confidently told us to have no fear to return to King Dr. Kondowai since he firmly believed in our innocence and his loyalty to his master. When we heard this, we concluded that this was a very serious and dangerous plot aimed not only at frustrating our efforts but also at our destruction as well. At this point, we became dreadfully afraid, and in this condition we returned to Talia.

Page 12 – missing

Mormaya but it was not there since it was taken to Yagoi for safe keeping. The chief of Moryama, chief Noah them asked us to try and get his small boat from the soldiers which thay commandeered on one of their raiding trips. I volunteered to go for the launch since no one else was keen to venture toward Yagoi with all the stories about the brutal killings that take place there.

At Yagoi, we had a short meeting and after offering some token of money, the launch was handed over to me. I thanked them and we were on our way again to Mormaya.

On approaching Mormaya, I sensed a different mood. I saw members of 'Operation Sacrifice' pleading with the Kamajors who now appeared so fierce and furious. Even before landing some Kamajors who were in the boat with me enquired the reason for all this and the answer we received was that the gunboat have fired many shots at their villages especially MorCharles destroying their people and their land. They said none of us who went on that mission will be allowed to leave Mormaya. We will all be killed.

By the time I landed they were a bit calm. They then changed from killing us to taking us hostage in the launch to face the gunboat. They were very much eager to face the gunboat. We continued to plead with them. In the end, they allowed us to go but we had to leave the launch 'ML Good Sababu' which they were going to use as a patrol boat to visit their villages and see if there was anything wrong with them. They said if there is nothing wrong, we can collect the launch the next day. So we left for Bonthe.

The Kamajors too were behind us trying to visit their villages to make sure there was no problem. On our way, I asked what really happened and I was told that they heard the sound of the gunboat

on its way to Bonthe from Freetown. But they could not listen. They were saying that it was a plot organized by the D.O for the soldiers to destroy them while we distract them with peace talk. On hearing this, they started praying and pleading with them. Later, they listened to them and asked them to go and wash in the sea and then rubbed an oily concoction on their body which according to them will render them bullet-proof. It was just after that that I came. We later arrived in Bonthe in the late afternoon. We docked in at the military base and there were many people along the seaface to receive us. Since we were late by a day according to the time we gave the civilians, almost everybody was now worried about our safety, but for the soldiers we were still in time. We met the soldiers who told us to go and rest; we can report on a later day.

MEETING WITH OTHER ELDERS AND THE NAVAL AUTHORITIES

At about 10.00 a.m in the morning, religious, departmental and sectional heads met at Mr. Isaac Williams' house and members of 'Operation Sacrifice' reported their experience and their achievements. We were congratulated and thanked for a job well done. The whole group then proceeded to the military base to report to the soldiers the outcome of our mission.

At the military base we spent some time waiting for the military authorities since they were very busy

trying to see the gunboat Alimamy Raisin 103 off. We eventually met and explained to them the outcome of our mission under the following broad headings:

1. Cessation of hostilities
    a) Soldiers should stop attacking villages
    b) Kamajors should stop threatening to attack Bonthe

2. Free movement of boats
    a) Soldiers should not stop boats from going to other parts of the district
    b) Kamajors should not seize boats

3. Both sides should stop harassing passengers
4. Peaceful co-existence between soldiers and kamajors
    a) Soldiers are free to visit kamajor areas but must give prior notice
    b) Kamajors should also be allowed to visit their people in areas under the military

The soldiers expressed appreciation of our dangerous venture and thanked us. They promised to share these points with the soldiers of the other ranks.

Towards the end of the meeting, we told them about the launch 'ML Good Sababu which I will be going to collect just after the meeting. It was made known to them that they too will have to return the boat belonging to chief Noah of

Mormaya. They promised to discuss this among themselves and will release it later. Before we ended the meeting, the point of soldiers stopping their attack on villages was strongly emphasized.

The soldiers then helped me with an outboard engine which I used on the District Officer's fiber glass boat “Baby Dolphin” to go to Mormaya. To get the launch from the Kamajors. The launch was handed over to me and I returned to Bonthe but made a stop at York Island to visit the family of late Mr. Wilson the Headmaster of DEC Primary School at York Island, a prominent Catholic, who was brutally slaughtered at Yagoi by the Kamajors.

The next day the boat made a trip to Mattru and returned the day after without much hindrance. On Friday, August 29th, a general meeting of the township was called and members of 'Operation Sacrifice' reported the outcome of their mission. The people thanked us for undertaking such a dangerous but worthwhile enterprise on behalf of the Bonthe township. They maintained that this was an event that will occupy a chapter of honour in the history of Bonthe.

PERIOD AFTER 'OPERATION SACRIFICE'

Boats began moving freely to Mattru and back. Another ventured downstream towards Gbap area returned safely. Fishermen resumed their fishing. The boat belonging to Chief Noah of Moryama was returned to him. It remained Gbangbatoke area. Some people brought information that the Kamajors have mounted guns in the Sierra Rutile company, boats are always ready to blow off any approaching vessel. So we wrote a letter to the Kamajor Ground Commander at Gbangbatoke about the free movement of passenger boats as agreed upon by King Dr. Kondewai. The bearer of the letter, Jusufu Charlie, is the owner of the boat 'Amie Tours' that goes to Gbangbatoke. He left on Friday the 28th to return latest Saturday and make a passenger trip to Gbangbatoke on Sunday.

On Saturday 30th, we heard the sound of the patrol boat 'Farandugu 201' and the other smaller boats with outboard engines belonging to the military all moving in the direction that leads to Freetown. Everybody in Bonthe became concerned and worried. The boats never came until late in the evening and heavy shots were fired around the sea side which sent people into their homes. However, some brave ones stayed around to see what was the matter. They saw some wounded soldiers being carried from the boat to the Naval base.
The next day, it was rumoured that soldiers have attacked Nitti in Gbangbatoke and the Kamajors put up a very strong resistance. Three soldiers were killed and three reported missing in action. The rumour was even spread by some disgruntled soldiers. People were now asking the question "Why did they go there?" When the soldiers noticed that the ordinary people were against their mission in Nitti, they began abusing and threatening civilians. Heavy firing resumed again day and night. With all these developments, I rearranged my contingency plan. I made sure the speed boat was close to the Catholic Mission Convent, I kept the outboard engine Yamaha 40 and 40 gallons of petrol close by ready to take off straight for Freetown at any time. It cost me about Le650.000.00 to set up this plan. This amount came as a loan from three parishioners.

On Tuesday the 2nd of September, we heard military outboard boats again going towards the same route they took the last time. Shortly, after that we began hearing heavy artillery bombardment. It was another day of agony for the ordinary civilians. Late in the evening, one of the speed boats returned and one soldier who was badly wounded was then carried from the boat to the Government Hospital. At this point, i began to envisage a very serious problem for the civilians in Bonthe especially those who went on the peace mission.
??
I later enquired the cause of the heavy bombardment and one of the military authorities told me that the Kamajors have mustered up at Macualey Island with the aim of attacking Bonthe. Relying on their intelligence report they moved fast and engaged them in a very fierce battle. Some soldiers were killed and some were missing in action. But majority in Bonthe were quite suspicious about this. It was rumoured that the soldiers created the situation so as to be able to account for those soldiers who were killed and those missing in action in their attack on Nitti. That night there was heavy firing in Bonthe.

THE ARREST AND MOLESTATION OF ELDERS IN BONTHE

The following morning we celebrated Mass at 7 a.m. and by 8a.m , I transmitted on the mission radio. I had just finished the transmission when some people came running to the mission house pleading with me to go into hiding since the soldiers are rounding up and arresting all the elders of the town, beating and disgracing them publicly as they marched them towards the Naval Base

especially those connected with the peace mission. Then I asked why should I go into hiding. What wrong have I done? What impression will it make on the people if they hear that the Catholic Priest had gone into hiding. So I emphatically told them I would not go into hiding, if the soldiers want me, they can get me right here in the mission house.

I hardly finished speaking when a band of soldiers entered the compound displaying dangerous weapons like RPGs, Grenades, Machine Guns and Rifles. It was about 8.30 a.m and they fired many shots in the compound.

They violently demanded for me and I declared myself. They said they wanted to see me at the Naval base. I asked them to allow me to put on some clothes then i will join them. I then rushed into the room put on my cassock and went down to join them. The firing got intensified and some began abusing me and all the civilians of Bonthe for allowing the kamajors to wound and kill some of their brothers. They will kill all the inhabitants in Bonthe beginning with the elders and then they will destroy the whole town. At this threat, the two Nigerians Sisters and the mission boys started crying and pleading with the soldiers to release me. But this aggravated them all the more.

On seeing the radio antenna, one of the soldiers shouted that I have just finished sending report about them to Freetown and that they should go up and destroy the radio saying that they have done something more than that in Freetown. But some were very polite in dealing with me. One said they should allow me to go and dismantle it gently. As I went upstairs, one soldier followed me putting me under gun point. I dismantled the radio and went down. I saw some soldiers and youths searching inside the church.

In this whole episode, my greatest surprise was that the head of this was my own cousin Victor Gbundema, the head of the civil youth movement and ghetto master in Bonthe, supported by Oldman Jackson. He was now pleading with me to accept all what was happening to me since he himself know that I am innocent, God will vindicate me. Let me not fear anything, he is the one leading the whole group to arrest all elders including myself. When I turned round to view the whole group that went to arrest me, so armed with AK47s and 58s, G3s, RPGs, SMGs, Grenades, Cutlasses, Knives and sticks, it reminded me of Jesus' arrest and his statement “AM I A BRIGAND THAT YOU COME TO ARREST ME WITH SWORDS AND CLUBS?” In this manner I was taken to the Naval base by way of the sea face using Heddle Road.

THE ROAD TO THE NAVAL BASE

As we began moving towards the naval base, they started raining abuses on me. When we arrived opposite the house of Rev. Nabieu the Pastor of the Methodist church, one of the soldiers, my own church member smeared.

As we went by the compound of the Medical Doctor, Dr. Samba, some soldiers rushed in to get him. Others shouted at them to stop that since they had patients at the hospital. So Doctor was spared. Some soldiers continued to abuse me while others tried to restrain them until we arrived at the naval base.

THE MILITARY BASE

On arrival at the military base, I was taken to the Guardroom. Right in front of the Guardroom was Mr. I.E Williams, a senior citizen of Bonthe, and chairman of the Board of Directors of the Bank of Sierra Leone, the man in whose house the elders have been meeting, lying prostrate on the floor with a soldier standing over him. Without waiting for any command I too prostrated myself on the damp floor. The soldiers told us to get up and they asked me whether I have anything in my pocket. I said no. then they asked me to hand over my ring. This I did to one Abu Ragga. On entering the Guardroom, I saw many people undressed and groaning. The Pastor of the Christ Pentecostal Church, Rev. Barley, UBC church Rev. JSP Musa and UMC Church Rev. Sandy, the chairman SUDC were half naked and complained how they were mercilessly beaten and stripped naked. Some Sectional Heads, Departmental Heads and prominent people were also there, some were even bleeding.

As we sat against the wall trying to console each, one soldier came and fired live bullet into the cell and saying that they will kill all of us like chickens. That really frightened us so much. We even discovered that there was one soldier in the extension of the guardroom. When we asked why, he said he has been locked inside for failing to do his duty.

After some time, one soldier came and lined us up and marched us to the administrative building of the military base. Some of us were still naked ans as we were approaching the building some Naval authorities told the junior soldiers to give back the clothing of those who were naked. We were then directed to one mutilated body which they claimed was the result of “yesterday's battle with the Kamajor”.

My cousin, Victor again assumed a prominent role. He uncovered the mutilated body of one they claimed to be a soldier as he rained abuses on us. Telling us that the blood of those killed be on our heads. I took a close look at the body and i suspected that the body was about three to four (3-4) days old. I blessed and prayed for the corpse while others were being kicked and pushed behind me. We were then returned to the Guardroom. Up to this point there was no military authority to explain to us the cause of our maltreatment.

Later, some soldiers came and called out all the religious heads and we were allowed to go and sit in the palava hut. We were given our clothes and things back. Still some soldiers kept abusing us and were accusing us of selling them to the kamajors, when we went on the so called mission just to hand them over to the kamajors. But it is quite important to note that out of more than 20 people who were in the Guardroom onlu about of us went on that peace mission.

As we sat under the palava hut, we also saw a large group of women who were sharing the same fate with us notably Mrs. Violet Tucker, a prominent Justice of the Peace, and Haja Isata Sheriff. There were also many young industrious men and women who were caught, beaten and later released.

As we sat under the hut I could see some commanders passing around. Some later came to us. The first was Major Medo, who claimed that he does not know anything the arrest. He is not aware of the person who gave the command. So we remained seated there. Other officers came and said almost the same thing. Then came the commanding officer for Bonthe, Major Mansaray, to whom some people explained that we the elders of Bonthe have been unlawfully and shamefully treated and that we demand an explanation for all of this. His response was that he was not aware of the arrest, he never ordered it. When faced with the question of our release, he emphatically pointed out that since he never ordered our arrest and detention he cannot order our release. He sat down there while his men were still arresting and pushing people into the Guardroom.

We later learnt that Mr. Isaac Williams had been released
We stayed there till late in the afternoon without food. They later agreed among themselves to release us. So we were allowed to go home.

AFTER THE ARREST

The days that followed saw the solidarity of Bonthe with their leaders especially the religious leaders. They visited us in groups praying for us and consoling us. To our greatest surprise, many military authorities like Major Medo, Major Martin, Major Mansaray, came to apologize at different times. They stressed the idea that the military authorities were not involved in the disgraceful operation one said that even if I am going to prepare a report I should stat that the soldiers of the other ranks have become unruly and cannot take orders from their authorities. The whole misbehaviour was the doing of soldiers of other ranks and not military authorities. Now when I looked at them as they tried to plead their case,it reminded me of an ancient wise Roman Adage: "SENATORI PROBI VIRI SENATUS MAL BESTIA" - THE SENATORS WHEN YOU TAKE THEM INDIVIDUALLY THEY ARE GOOD: PUT THEM IN A GROUP THEY ARE A BAD BEAST. Since that time the relationship between the soldiers and the civilians deteriorated. Soldiers were somehow ostracized. Civilians avoided soldiers as much as possible wherever they met.

THE ARREST AND DISAPPEARANCE OF MR. MARK LEBBIE

On the 6th of September, Joe Baun a Military Police went searching for Mr. Mark Lebbie a well-known petit trader. He was arrested at the house of Imam Wahab at Pie Mary Street and beaten and taken to the military base. Relatives and friends who went to enquire at the base were violently driven out. After some days some elders went to enquire about this man at the naval base, they could not get any information about Mr. Lebbie. To this day we have not seen Mr. Lebbie. It was later rumoured that the soldiers killed him and threw him into the sea.
All these happened during the time when Major Mansaray was the Acting Commanding Officer of the Southern Naval Command, Bonthe.
All these developments coincided with the changing of the command structure at the Bonthe Naval Base. Major Azziz Dumbuya arrived in Bonthe to take over as Commanding Officer. He sensed the strained relationship between soldiers and civilians and he made it clear that he cannot take up command at Bonthe under this type of condition. So he decided to call up a meeting of both civilians, especially the leaders, and the soldiers with the aim of trying to create an improved relationship between the two groups. The meeting was convened on the 13th of September 1997.

MEETING BETWEEN SOLDIERS AND CIVILIANS

The meeting was held in the Bonthe Town Hall in which Major Mansaray the outgoing commmander, Majoy Azziz the in-coming commander, Major Martin of the patrol boat Farandugu 201, Major Medo, Cpt Kanu and many other Naval officers were present. The O.C Police was present and almost all departmental, sectional, religious heads and some citizens notably Mr. Isaac Williams, Chief Lahai, the Chiefdom Speaker of Sitia Chiefdom were present.
The whole meeting was centred around the Naval Authorities apologizing to civilians fro treating their leaders in such a disgraceful manner. It was not the doing of the Military authorities but the doing of soldiers of the other ranks. But since they are their men, they shared the blame. They were really sorry for the unfortunate happening and they promised that such will never happen again.
The next point was civilian and soldier collaboration in the defence of the town. This was agreed upon and section heads expressed their willingness to cooperate in this regard. They will take the message to their men, discuss it and see how this could be organized. The time of the curfew was again emphasized that is 10 p.m to 6 a.m. The meeting ended in a peaceful atmosphere and Commander Mansaray promised to return the radio communication sets that his men confiscated to their rightful owners. This meeting later proved to be quite timely and very significant since it cleared away soldier suspicion of civilian's support for Kamajors. After the meeting, there was an improvement in the relationship between the soldiers and the civilians.

PERIOD AFTER THE MEETING

On Sunday 14th September, 1997, news came to Bonthe by palm wine dealers and fishermen that a group of kamajors from the mainland have crossed over to a seaside village called NJimai and molesting villagers. Some civilians too coming from inland direction by way of Bainbe and Bonthebai reported that they have met a group of kamajors with few single barrel guns, cutlasses and sticks all poised to attack Bonthe.

Towards the afternoon some soldiers went on patrol down the river towards Yoni and Njimai. Later, we heard heavy gun firing coming from the direction of Yoni and NJimai. That same day the landing craft arrived with more reinforcement from Freetown.

In the evening soldiers went about singing and dancing all over the town. The rumour about the Kamajor attack became so strong that some people came to seek refuge in the mission house.

KAMAJOR INVASION OF BONTHE TOWN – 15TH SEPTEMBER 1997

That night, the moon was shining brightly and all was very quiet. At about 05.00 a.m we heard the familiar poro secret society shouts coming from three directions at the end of the town. This was followed by some amount of gun fire which later ceased. Meanwhile, the Pore shout kept coming closer and closer. Then began the heavy sound from the gunboats and the light artillery and all the smaller guns joined in as well. Peeping outside, I saw the glowing shells from the gunboats passing close by the mission house. I told everybody to go down. We all went down to the Chapel and laid down flat. A shell from the gunboat hit one of the main pillars of the house and shattered part of it but nothing happened to us. The shooting was later minimized.

At about 10.30 a.m, some soldiers entered the compound calling us to the Naval Base and see fro ourselves. They were talking of the corpses of the

Kamajors littering the streets and about a list of those who were to be killed by the Kamajors. With the aim of preventing the Sisters from seeing a lot of corpses, I led the way to the Naval Base by way of the sea face using Heddle Road. This proved to be a mis-judgment. The highest concentration of dead kamajors was along the sea face, towards the gunboat where they were butchered by the shells fired by the gunboats. As we made our way to the base, at some point, we had to pick our way through as the place was littered with butchered corpses of Kamajors. There was still shooting going on but in the air to scare the Kamajors away as we were told. All civilians were asked to go to the base while the soldiers combed the town to flush the Kamajors out.

Later in the afternoon, we were asked to go home and get some food and return to the base in the evening. Two Kamajors were later discovered and people started running to the base again. These two kamajors, the soldiers alleged, made a statement in which Mr. Victor Caulker and Rev. Sandy were implicated. According to them, it was Mr. Caulker, SLPP Party secretary, himself a Kamajor,now who led the kamajor invasion of Bonthe. The whole area around the base overcrowded. The two Nigerian Sisters were offered a room by Mr. Gbondo, the Manger of Fisheries, whose house is adjacent to the naval base. The house was so packed full that the manager, and others including myself were quite satisfied in occupying the office and store of the manager.

The sisters were so panic-stricken that the next day we almost quarrelled over their request for me to allow them to leave Bonthe for any destination. I told them that I cannot allow them to anywhere except Fr. Koroma in Freetown. They later agreed on my point so I handed them over to the commanding officer of the landing craft TIWAI 101, Major Y.E. Sesay, who was to hand them over to Major Howard the commanding officer at Government Wharf. Major Howard will then hand them over to Fr. Koroma at Kingtom. That day the two kamajors who were caught the previous day were killed. In the afternoon, the Sisters boarded the landing craft together with many panic stricken civilians whowere tr4ying to flee Bonthe and those who were wounded mainly by stray bullets. The departure of the landing craft was delayed due to some disagreement among the commanders but the landing craft was pushed out into the sea and anchored off shore.

Towards the evening, everybody was running towards the naval base. Somebody claimed to have heard a sound similar to the one produced by the attacking Kamajors. Later, it was discovered that it was not true so we were all asked to go back home. That night thee was less gun firing.

The following day the landing craft for Freetown. We then got news from villagers that many Kamajors were wounded and were crying in agony as they fled for dear life. Many of them were accusing one another for deceiving them and were vowing never to go to
Bonthe again. Some even died on the way. We

heard another news from Yoni and NJimai that many Kamajors drowned in the sea as they attempted to make a hasty escape by canoes. This news proved to be great relief for us the frightened civilians.

AFTER THE INVASION

After this, there existed some degree of improved relationship between the civilians and the soldiers. Having allowed the corpses to be seen by everybody the soldiers called on the town's people to assist in burying the dead, since they were beginning to create some sanitary problems. The was done and they also brushed around the town. Civilians were very thankful to the soldiers for saving them. Those who were hurt were those who attempted to run toward the gunboats. The soldiers too commended some people especially the youths who guided them during the whole operation and no soldier was killed. Two civilians were killed but from stray bullets one lady, the wife of Victor Gbundema who was shot in the gunboat and Mr. Ebu Sawyerr who was hit by a stray bullet in his house. Those who were hurt were those running to enter the gunboat, save for one Prison Officer, Joseph Peters, who was wounded by the Kamajors. All these casualties were sent to Freetown on board the same landing craft that carried the Sisters.

After all these, the situation in Bonthe was getting calmer and calmer. Sometimes we hear news of Kamajor threat but there was not much fear or panic among the civilians. The soldiers were now very confident in their superior fire power and their

military training which made them overcome the Kamajors. The Kamajor myth was now broken. Each time they hear any news of Kamajor attack the soldier will go and patrol towards that area.

For most people in Bonthe the experience was too shocking. This was the first time for most of us to see such large number of corpses. Many people were traumatise. Many attempted to leave Bonthe for some other destination, mainly Freetown. This led to the gruesome sea accident on the 3rd of October, in which many people lost their lives.

May God grant them, and all those who have lost their lives innocently since the May 25th coup, REST IN THE PEACE OF CHRIST!

THE CAPTURE AND ASSINATION OF VICTOR CAULKER – SLPP PARTY SECRETARY

On the 14th of October 1997, Victor Caulker was discovered in their Caulker family house, on Claffin Lane. He was discovered by one civilian who reported the matter to the military. Some soldiers were sent to arrest him. He was discovered in a room in the house. He had a very big sore which according to him was sustained during the Kamajor invasion of Bonthe on the 15th of September. He was one of the Kamajors involved in the invasion of Bonthe. Aster some interrogations the soldiers alleged that he made confessions in which certain persons in Bonthe especially Rev. G.S. Sandy, the chairman of SUDC was implicated as a Kamajor supporter. That day the Caulker Family House and the dwelling house of Rev G.S. Sandy were burnt down by the soldiers. Victor Caulker's mother was also arrested.

On the 18th of October 1997, Mr. Victor Caulker was taken to the UMC field and publicly slaughtered under horrible circumstances. He was mutilated and some soldiers shared his entrails among them, telling us the civilians that they were going to eat him. Some soldiers confirmed later that they did eat part of his entrails. Many people in Bonthe were not in favour of this type of attitude of the soldiers, and because of this many people were branded kamajor sympathisers, and they were harassed.

MAJOR ACTIVITICES IN SITIA CHIEFDOM

After the invasion and massacre of the Kamajors in Bonthe, Bonthe became isolated. No boat was allowed to move Bonthe, and venturing beyond Bonthe town into the villages meant instant death for any civilian who put up the challenge. With this condition, there was serious starvation in Bonthe. This forced some brave people to move from Bonthe town into the hinterland of Bonthe island (Sitia Chiefdom) in search of food. Many civilians who left Bonthe in search of food in Sitia were captured by Kamajors. It was alleged that Kamajors in Sitia had become cannibals. Women who were captured by Kamajors were not seen. Some male civilians were killed. As the kidnapping of the people of Bonthe town continued in Sitia, the soldiers in Bonthe town organised military raids on Kamajor positions in Sitia, so as to free the hostages and dislodge the Kamajors.

MILITARY RAID ON MORSANDY – 17TH OCTOBER 1997

On 17th of October, a group of soldiers headed by Lt. Solomon, and some civilians left Bonthe and marched inland of Bonthe Island. We were later made to understand that Lt. Solomon was leading the attack on Kamajor positions in a village called Morsandy, the home village of Rev. Sandy, the chairman of Southern Urban District Council and Mayor of Bonthe. They returned with some freed hostages notably Joakin Bernet, a Launch Captain, and his children. The soldiers claimed to have scored huge success against the Kamajors. Sitia became quiet for sometime. After a brief while news came in to Bonthe of Kamajor activities aimed at Bonthe town. All these arrangements were made in a village called Ponthaye.

MILITARY RAID ON PONTHAYE

On the 1st of November, a group of soldiers, headed by the same Lt Solomon and some civilians marched from Bonthe town towards Ponthaye. Later in the day, we heard heavy gun shots. The soldiers and the civilians returned to Bonthe town claiming they have dislocated the Kamajor position at Ponthaye. With this raid, there was some amount of calm of calm around Bonthe town. This only lasted for few days. Villagers started coming in with news of massive Kamajor build-up in the villages in Sitia all poised to attack Bonthe.

GBONGBOMA-MOLAKIKA BRIDGE ASSUALT – 12TH NOVEMBER 1997

News came in Bonthe that Kamajors in their thousands have mustered at Gbongboma-Molakika Bridge which is a long bridge constructed out of sticks by the Poro Devil to assist the villagers to

travel with ease to and from the surrounding villages in Sitia chiefdom and Bonthe town. This news was so disturbing that almost everybody worried in Bonthe. Some soldiers under the leadership of Sgt Fofana and Sgt Marah, heavily armed with artillery (mortars and anti aircraft guns) and many young and strong civilians who were forced to go with them moved to Gbongboma and engaged the Kamajors in a fierce battle which lasted for over two hours.

Notorious civilians like Victor Gbundema and Oldman Jackson were also armed with rifles. Many civilians managed to escape and return to Bonthe. Later on there was heavy firing and bombardment coming from the direction of the bridge. That evening they returned with horrible news about the massacre of the kamajors. One civilian, Mr. Kallon who was forced to go with the soldiers was killed. The bridge was totally destroyed. After this massacre of the Kamajors, in which hundreds of them died, the people of Bonthe town were relieved. It strengthened their belief in the superior power of the soldiers over the Kamajors. Even though the civilians did not like the soldiers, yet they did not encourage the kamajors to come and destroy Bonthe.

THE TREND OF THE SITUATION IN BONTHE

With the defeat of the kamajors in Bonthe Town and in Sitia, we later sensed that the kamajor attack was now taking a different dimension in the interior of Bonthe Island. It seemed to have moved from attacking Bonthe town and now concerned itself with politics in the Sitia Chiefdom that

surround Bonthe town. Paramount Chief, Speaker, Section Chiefs, Town Chiefs and the people have been set against each other and are now fighting among themselves as manifested in the case of kamajor attack on baimbe village the town of the Speaker Lahai Koroma. The Kamajors were said to have come from the village of Sei Mani the Section Chief of Pimbihun. It has now come to the point were members of one village are now attacking members of another village within the same chiefdom. The seed of hatredness which was sown among the people of Sitia Chiefdom is now germinating.

Viewing the situation in the country with all the military build up by both ECOMOG and the Sierra Leone Army and also the Civil Defense represented by the Capras and the Kamajors, may i say that all in not well with our country – Sierra L**eone**. If peace is not given a chance, I must say the country is sitting on a time bomb which is bound to explode with disastrous effect in the near future.

THE LAST STAND OF THE NAVY IN BONTHE

As news of the ECOMOG intervention of Freetown became stronger so also was the tension in Bonthe town. Soldiers made threatening remarks against civilians. Some called ECOMOG 'OGAMOG' to emphasise the fact that the ECOMOG intervention is a clear manifestation of Nigerian Aggression against Sierra Leone. But this threat was not too serious am many of the soldiers were indecisive. News came to Bonthe that some soldiers from Bonthe have handed themselves over to ECOMOG. This left some of the soldiers sitting on the fence, without

supporting any side. They said all they cared about now, was to defend themselves and Bonthe town. Many categorically stated that they were not in favour of the junta but on the other hand they cannot allow kamajors to destroy Bonthe. They will defend Bonthe to the last.

As the situation became tense in the whole country, the kamajors Naval Battalion Commander, Morie Jusu, stationed in Kwamebai Krim Chiefdom, sent letters to the soldiers and senior citizens of Bonthe imploring the soldiers to make peace with them and allow civilians to move freely to and from both sides. A certain village was chosen where the soldiers and some senior citizens were to meet the Kamajors and talk on this matter.

The senior citizens met and discussed this letter and wrote a reply to the Kamajor Naval Commander. They also met with the military authorities who also received their own letter and discussed the matter. The Naval authorities allowed the civilians to send their own reply to the Kamajor Naval Commander. The military authorities said they have sent a letter to their authorities in Freetown and they were waiting for a reply, before they can reply the kamajors.

After some days we began hearing news about Kamajor attack on Bonthe again. Sometimes, we see AFRC helicopter passing and keep hearing news of helicopter bombardment on villages around Bonthe.

PA ALPHA IN BONTHE – 5TH FEBRUARY 1998

As the ECOMOG military intervention of Freetown became imminent almost everybody was waiting to

hear the outcome of the threat from both ECOMOG and the Junta. On Thursday 5th February, the ECOMOG jet, commonly called 'PA ALPHA' flew over Bonthe. Some soldiers started firing at the jet, and they also used the bit guns on the gunboat to fire at the jet. Commander Azziz went running to warm the soldiers to stop firing at the jet since that meant serious problems for them in Bonthe, for surely the jet will retaliate. The jet went round and started shelling along the sea face of the town. It was reported by the soldiers that some part of the gunboat was damaged. This happened in the afternoon. Many soldiers abandoned their positions and went into hiding.

That evening the soldiers came from hiding and notable members of the Bonthe Working Committee Mr. Osmond Hanciles and Mr. Saspo Bangura were rounded up by the soldiers and asked to lead them to all those in Bonthe town in possession of radio communication sets. All the communication sets in town including that of the Catholic Mission were confiscated. There were about seven radio communication sets in all. We were told that the radios will be returned to us later. According to the soldiers, this action was for security reasons. Meanwhile, the news of the kamajor attack on Bonthe was getting stronger and stronger.

THE EXIT OF THE JUNTA FROM BONTHE

While the ECOMOG intervention was in progress the people of Bonthe were glued to their radio much to the annoyance of the soldiers who were busy giving false information about AFRC's successes against ECOMOG. On Sunday 8th February, there was great

jubilation at the military base. When I enquired the cause of all this, the answer I received was that the AFRC forces in Freetown had brought down the notorious “PA ALPHA'. In the evening there was great quietness in the military base following the counter announcement of the ECOMOG Commander that none of their military jets had been brought down. From this point, the attitude of the soldiers became docile. They hardly harassed civilians and even became friendly to their so-called enemies – the civilians

On the evening of 12th February, when the new reached Bonthe that ECOMOG had captured State House and Government Wharf, the base of the Naval authorities, it became clear that the soldiers in Bonthe were in serious trouble. There was no way they could convince the people of Bonthe with false propaganda anymore. They had no alternative but to surrender.

On the 14th of February, the Naval authorities had a meeting. After that meeting, we saw soldiers transporting their belongings to the gunboat. News went round that the soldiers were leaving for Freetown to surrender to ECOMOG. There was a counter news that the soldiers were leaving for Guinea to surrender themselves to Ambassador Jabbie, Sierra Leone's Ambassador to Guinea who would turn them over to ECOMOG. All these rumours were being spread by the soldiers themselves. Later on a very disturbing news went around that the soldiers were leaving that night and that the Kamajors were on their way to invade Bonthe. Some soldiers were giving threatening

remarks that as they leave Bonthe, they were going to bombard the whole of Bonthe, as they make their way to an unknown destination. This news was quite upsetting. That evening, as soldiers were busy packing their belongings and those of their close relatives into the gunboat, many elders in Bonthe town went into hiding, for fear of possible military assault against their persons.

Some civilians also boarded the gunboat to flee with the soldiers. That night, I went round in search of Commander Azziz Dumbuya, in order to retrieve the Catholic Mission communication set. This venture was fruitless, as he was nowhere to be found. The other military authorities could not help me either. I also went round trying to persuade the frightened civilians not to flee with the soldiers on-board the gunboat and I succeeded in making some stay, but some still went into the gunboat.

At about 11.30 p.m, I heard a knock on my door. Mr. Frank Mattia brought in Chief George Brandon 111, of Sitia Chiefdom, who wanted to seek refuge in the Catholic Mission as he was afraid of being harassed by the soldiers. We were also informed that the soldiers have gone to the house of Chief Lahai Koroma the Speaker of Sitia Chiefdom, but the man escaped. After this the whole family of Chief Lahai Koroma and some other panic-stricken civilians around town came to seek refuge in the Mission House. As it was getting to 12 midnight, I asked everybody to go down and encamp on the play ground of the St Patrick's Primary School, for fear of a possible bombardment from the gunboat which would be very fatal if we stay in the house.

At about 1 a.m, on the 15th February 1998, the gunboat 'Naimbana 102' roared into action. Shots were fired from the gunboat but not into the town, and the boat left for an unknown destination. In the morning we discovered we were left naked at the mercy of the kamajors, who were on their way to capture Bonthe. That Sunday morning some of us went round the town trying to get things which were confiscated by the military, such as: the Government hospital ambulance, which I drove to the Mission Compound, and the Government Boat 'Kinni'. We also entered the military base and prevented some civilians from looting the remaining faulty arms and ammunitions that the soldiers left behind. We called the police to take care of the situation. We searched the base but there was no sign of our communication sets. We were told that they took everything along with them.

That same day at about 9.30 a.m, many of us were in Church getting ready for Mass, when we heard gun shots coming from the out-skirts of the town. Some people thought that it was the soldiers that have returned and there was great panic in the town again. Most of the people in town rushed to the Catholic Mission for refuge. We later saw some young men dressed in traditional kamajor attire, some armed with rifles, others with single barrel guns and some with matchets. The long awaited and dreaded Kamajors have entered Bonthe town.

PART TWO
THE DAWN OF THE KAMAJORS

MISSING

THE SIERRA LEONE CIVIL SERVICE - A PRESENTATION TO THE TRC ON BEHALF OF THE ALL PEOPLES CONGRESS (APC PARTY PRESENTED BY HON. WUSU B. MUNU

1. PREAMBLE

On behalf of the All Peoples Congress (APC) Party, and on my own personal behalf, I take this opportunity to congratulate this Honourable Commission for the work that it is doing for this nation. I want to assure you that as a political party, the APC is ready and willing at all times, and even at short notice to honour your call to assist in your task. My humble and brief presentation on the Sierra Leone Civil Service will be devoid of any political bias. A Truth and Reconciliation Commission such as yours, requires nothing but the truth, the absolute truth, to enable you appreciate more, the wounds, the trauma and suffering inflicted on this nation by the hideous events of 1991 - 2001.

The Rebels who invaded Sierra Leone, in March, 1991 and their god-fathers had one principal aim: to remove the APC led government of President Joseph Saidu Momoh from power and to install a government of their choice. All the atrocities - the killings, amputations of limbs, burning of houses, waylaying and burning of vehicles, abduction and raping of women of all ages, torture and so on - were, it appeared, committed in frustration. The rebels were never able to go near their quarry - the executives of the government they strived to remove. In consequence, they turned their wrath on poor innocent civilians, some of whom have never even set foot on Freetown, the seat of government. There lies the tragedy of the rebel war. Their next target was the removal of Captain Valentine Strasser's and Steve Bio's NPRC Junta, then later, President Kabba's SLPP led Government. They failed in all these.

The Sierra Leone Civil Service as an organisation, or individual Civil Servants were never an exclusive target of the Rebel war. Civil Servants may have been caught up in unfortunate episodes as happened to many other Sierra Leoneans. Indeed, the work of the Civil Service was disrupted all over the country when the rebels and the numerous Civil Defence Forces that sprang up were virtually in control of the country, and many light hearted people fled the country as a consequence.

Having made these brief remarks, I want to turn my attention to the fortunes of the Sierra Leone Civil Service as an organisation. In doing so, I merely want to dwell a bit on how politics and the politicians before the Rebel war, during and after the war influenced the fortunes of the Civil Service as an organisation. Important and relevant as they are, I do not intend to talk about the structure, the organisaiton, remuneration, Financial Orders, the General Orders, and other operational guidelines of the Service. Time will not permit me to go into all those issues. That apart, more competent and authoritative Reports on those aspects are to be found in documents such as the Hugh Clarke Commission on the Sierra Leone Civil Service, and in many others.

The Truth and Reconciliation Commission is primarily about the events, atrocities, violations of human rights, and the sufferings unleashed to this nation during the Civil (Rebel) war year - 1991 - 2001.

2. THE COLONIAL CIVIL SERVICE

To be able to give an insight from my own perspective into the Sierra Leone Civil Service during the war years, I will have to go back to an earlier period in the history of this country.

On the 27th of April 1961, Sierra Leone became an independent Sovereign State. At Independence, the departing Colonial Administration left behind a well established and professionally trained Civil Service on the White Hall model in the United Kingdom. The concept and definition of the Sierra Leone Civil Service was the same as that adopted by White Hall based on the popular formulation of the British Royal Commission

(The "Tomlison Commission) on the Civil Service in 1929 - 1931 which I reproduce below: The Civil Servant

". . . the Servant of the Crown other than holders of political or judicial offices, who are employed in a civil capacity and whose remuneration is paid wholly and directly out of monies voted by Parliament".

In addition, certain principles, regulations and characteristics marked out the operations of the British Civil Service:

(i) Merit - The appointment to public positions of the candidate best qualified for it.

(ii) Neutrality - Civil Servants should be politically neutral.

(iii) Competence - The government will be served with trained skill and intelligence

(iv) Impartiality - The economic opportunity of government employment should be accessible to all citizens without favour.

(v) Anonymity

These were some of the guiding behavourial principles of the Colonial Service which Sierra Leone inherited at Independence. At that time Administration was still **Colonial** in **everything -** concerned with **the maintenance of law and order, perpetuation of the Colonial Policy of Divide and Rule, taxation and tax** collection. **Development Administration i.e. the formulation and implementation of socio-economic programmes for national development as we know them today were still things of the future. It was only** in **later years that the Civil Servant was expected to be an agent of change and development. Specialist training in Socio-economic disciplines was not yet a must in the Civil Service.**

Most of the Sierra Leonean Civil Servants in those early days were not University graduates and, so also were the Political Ministers they served but they were men and women in whom a culture of hard work, discipline, dedication to duty, and personal integrity were imparted by the departing Colonial administrators. They were a capable and competent generation of civil Servants highly respected by all.

THE CIVIL SERVICE IN 1960 -1967

Between 1965 and 1967 certain momentous political events took place. These events were to dent the image of, deprive for good, and infact change the status of the Civil Service and the Civil Servant from that of a highly respected, dignified, impartial and independent institution to that of a lame-duck organisation. **By these events the impartiality and neutrality of the Civil Service were lost. Instead of being chief advisers on policy to the Minister, Civil Servants were reduced to only receiving instructions. They became pawns in the political game of politicians.**

What were these political events? The new APC party was gaining nationwide support and popularity. Within a relatively short time of its formation "APC;" became a household name throughout the length and breadth of Sierra Leone. School children, teachers, market women, the elderly and motor drivers were all singing APC songs of praises.

The SLPP party was in power, and with the ever-rising tide of popularity of the APC, the then SLPP led government of the Late Sir Albert Margai became jittery, uneasy, perplexed and confused. Within a very short time the APC had scored resounding victories in succession at local government elections. In October 1964, the APC won the Freetown City Council Elections. That election made Siaka Stevens the leader of the APC become the 39th mayor of the City of Freetown. In the District Council Elections of 27th May, 1966, the APC won 72 out of the 95 contested seats in the North. The SLPP was disoriented.

Determined to win the General Elections scheduled for April 1976, the then SLPP party resorted to using Civil Servants all over the country to employ their best endeavours to return the SLPP to power as the majority of them were in key positions to serve as Returning Officers. I will reproduce below excerpts from the Report of the Dove-Edwin Commission of Inquiry which investigated the conduct of the 1967 elections, and from Siaka Stevens' book "What Life has taught me", to buttress these allegations:

Dove-Edwin Report

On the conduct of the 1967 General Elections, the Report states in paragraph 12 inter alia, "the evidence disclosed that the Presiding Officers in this election were persons selected by the SLPP candidate in his own Constituency and their names were vetted by the Prime Minister Office..." In paragraph 13, the Report states "Before the Returning Officers were appointed in February, 1967 there had been convened a seminar for Administrative Officers in or around July, 1966 in Bo. At the Seminar the Secretary to the Prime Minister... presided and we were told this seminar was to acquaint Returning Officers with their duties during the Election". In paragraph 14 of the Report we were told that "Early in 1967 another Seminar was held in Kenema presided over again by the Secretary to the Prime Minister and Head of the Civil Service. In paragraph 17 the Report states: "The first opportunity the Returning Officers had to show how well they understood the lessons of Bo and Kenema was to get six SLPP candidates returned unopposed..."

Siaka Stevens - What Life Has Taught Me

Page 248 - first paragraph: Writing about the 1967 general elections states "... the name of every Returning Officer was first vetted by the Prime Minister before being officially appointed by the Commission. Two seminars of administrative officers had been held, one in July, 1966, and the other in February, 1967 at which the Secretary to the Prime Minister and Head of the Civil Service had left no doubt in the minds of Returning Officers about what was expected of them during the coming election, namely, to see to it that the SLPP Government was returned to power".

I have decided to raise up these issues not because I want to score a political point, but to let this Honourable Commission know that the partisan role played by Civil Servants in that election of 1967 was to cost the service dear thereafter; for some of the active players were reduced in rank by subsequent governments, others dismissed, others resigned of their own free volition on reading the writing on the wall. These events also brought the hitherto highly respected Civil Service into disrepute. The politicians lost faith in its impartiality and political neutrality. That was the genesis of the demise of the Civil Service as force to contend with.

THE CIVIL SERVICE 1968 -1990

As stated in the preceding sections the APC government that succeeded the NRC in 1968 inherited a Service in which there was no love lost between them. The new government was apathetic to and suspicious of the Civil Service. Rightly or wrongly, the new government entertained the fear that the Service still maintained lingering ties with the defeated SLPP government. But the problem of the APC at the time was that it was forming a government for the first time. It had no experience in governance, and a good number of the material it had for Ministers were just Secondary Schools leavers. So the government had no choice but to work in sensitive Ministries and Departments with the officers they met there. Contrary to

popular expectations however, the freedom and respectability of the Service was restored during the tenure of the APC as a Government.

No dramatic development took place in the Civil Service until the promulgation of the Republican Constitution and the One Party Constitution of 1978, when it was decided to politicise the Civil Service. Certain grades of Civil Servants hitherto prevented from taking active part in politics were allowed to participate. That policy of politicising the Civil Service was severely criticised and condemned by many. Personally, I regarded it as an unfortunate development. Civil Servants should remain civil servants if conflict of interest in their job was to be avoided. The justification of the APC government which introduced that policy could have been that as a One Party State, all the players in governance of the state should be seen to tow the party policy, act in unison, and thereby rise or fall with the fortunes of the Party. At that material time also (1968-1990), the country witnessed serious lapses in the official conduct of many Civil Servants. A series of investigations on financial malpractices were conducted and a sizeable number of those investigated were found culpable and suffered, some by dismissal, and others by imprisonment. That was the time of the so-called "Vouchergates" and "Squandergates". That policy of politicising the Civil Service was however short lived. It disappeared officially when the APC government reinstated Multi-party politics in the 1991 Constitution of Sierra Leone.

REMUNERATION AND TRAINING

Remuneration:

Inadequate and poor remuneration have been, and still are the perennial woes of the Sierra Leone Civil Service. The Civil Servant is expected to work diligently, and to dedicate his entire working life to the service of the State. Unfortunately, however, the State does not reciprocate by paying him well to enable him meet some of his basic personal and family obligations. We live in an environment and culture of the "extended family". The Civil Servant is perpetually in search of ways and means of supplementing the pittance he receives at the end of the month. The future of his children is bleak. He cannot educate them adequately, and the question of building a shelter for them is as remote as chasing a mirage. Any meaningful future reorganisation of the Civil Service should look into the important aspect of remuneration based on the cost of living index. A mere revision of salaries and allowances without reference to the cost of living will be futile and unproductive.

(ii) Training:

Early in 1960, a Civil Service Training College was established to provide sandwitch courses for junior clerical and accounting staff. Accountants were taught the rudiments of government accounting, and Clerks were taught Office Management. At a later date, Induction courses were introduced in the College Curriculum for Senior and Administrative Staff. The induction courses for senior administrative officers was usually for a period of three months. The training served a very useful purpose at the time. The trainees were taught human management skills, the format of official correspondences, case studies of critical past issues confronting the Administrative Officer in his official duties were analysed so as to develop his judgement skills. The Sierra Leone Civil Service Training College was closed down for want of logistics support, the absence of adequately and appropriately trained and qualified personnel to staff that institution. Also, because a more academically oriented institution - the Institute of Public Administration and Management (IPAM) was set up by the University of Sierra Leone. The IPAM was well suited to provide the training needs of both a modern Public and Private Sector.

THE WAY FORWARD FOR THE SIERRA LEONE CIVIL SERVICE

"MEDIOCRITY" - that was how the Sierra Leone Civil Service was once described by an official of the IMF when he visited the country on one of their supervision missions. Whilst I do not subscribe to that arrogant view of the service, I hasten to say that a lot needs to be done to update the Sierra Leone Civil Service for it to be able to meet the technical nature of modern Administration. The days of the Generalist in Public Administration, i.e. people who read exclusively for their University degrees the humanities such as history, theology, Greek, Latin and philosophy,are over.

For far too long our entrants into the Senior cadres of the Service were single University degree holders. It should be a policy of Government to encourage single degree holders in the service, especially the young, to secure a second degree in relevant socio-economic subjects in readiness to meet the challenges of national development. Today, the Civil Servant should not be content with maintaining the status quo. He has to be innovative, he should be a development and economic planner as well as an implementor of his plans. The Civil Servant is his Ministry's ambassador and the first point of contact with International Organisations. He should be able to participate intelligently with his peers at negotiations and discussions.

The plight of the Civil Servant is highly recognised and appreciated by almost everybody in this country. His Excellency the President, Alhaji Dr. Ahmad Tejan Kabbah in his Presidential Address on the occasion of the State Opening of Parliament on Friday, 20th June, 2003, whilst thanking ". . . those civil servants who have rendered selfless service to the country in its hour of need" lamented the plight of the Civil Servant as follows:

> "Unfortunately, after many years of neglect caused by political intrusion, lack of resources and a decade of conflict, the public service in Sierra Leone has suffered from a decline in its effectiveness and self-esteem. Now is the time to re-build and modernize the civil service".

The other paragraphs on the Civil Service in the President's address referred to above make pleasant reading for people who care for a modern and professional Civil Service in Sierra I,eone. I am constrained to reproduce further another excerpt of HE's the President address:

> "We must now build on this work in order to rapidly develop a cadre of top public servants who are exceptionally competent, highly motivated and appropriately remunerated. They should be well trained in the management skills that are commonly used by the public service in other parts of the world. At the apex of the public service we must groom a leadership group capable of helping this country take on the challenges o f the 21st century, encouraged and empowered to exercise their professional competence, confident that their careers will not be jeopardized by unwarranted political interference'.

CONCLUSION

Honourable Commissioners, you will please excuse my inadequacies on the Civil Service in this my presentation. I retired from the Public Service in April, 1991. New developments in the Service may have eluded me during my twelve years break from it. I may be wrong, but my personal assessment of the Rebel war was that the Civil Service as an Organisation was not a target. It remains as it was before the war. I thank you all for your patience.

_ STATEMENT DELIVERED BY THE MINISTER OF TRADE AND INDUSTRY TO THE TRUTH AND RECONCILIATION COMMISSION ON THE EFFECTS OF THE REBEL WAR ON THE CIVIL SERVICE AND THE MINISTRY

Due to the vital role the Civil Service is expected to play in the administration of the State, it is essential that the Personnel constituting the Civil Service function as efficiently as possible when carrying out their mandate. An inefficient **Civil** Service creates problems for the effective administration of the State. These problems may range from giving ill advice to the government, the ineffective execution of policies, the misappropriation of state funds and the undermining of political leadership. Inefficiency in this case, is the inability of the Civil Service to render optimal service to the nation, a situation in which the Sierra Leone Civil Service finds itself.

Since the 1980's, the Civil Service has been plagued with a variety of problems and vices including inadequate budgetary allocation for programme delivery, lack of timely follow-up action to vital proceedings, poor quality personnel, misappropriation of state funds, waste of limited allocated resources, delays or failures in the implementation of policies, nepotism and tribalism, slow development of capacity, poor monitoring of use of resources and above all, a lethargic attitude to work.

The difficulty of attracting competent recruits to the Civil Service is mainly due to the poor remuneration within its present reward structure. In addition, the attractions of subsidized housing, hire purchase facilities for cars, furniture and some household equipment that no more exist has all reduced the attraction to offered positions. Even the basic entitlement of Civil Servants like overtime for junior staff, medical, car allowance, to name a few, are totally inadequate and based on old calculations. Even where they exist on paper, the amounts claimable are so derisory as not to warrant the bother. This has made the Service very unattractive and puts it at a disadvantage against other competitors like Non Governmental Organizations, parastatals and the private sector.

The low remuneration offered causes the Service to attract rejects from the other sectors or where it is fortunate to attract capable new entrants, they simply use the Service as a waiting point for more attractive offers. This invariably leads to the problem of the Civil Service being incapable of retaining its better qualified staff.

With low remuneration, Civil Servants are prone to suffer from personal or logistical distractions. By personal distractions, the worker has to divert his attention from the job to seek means to address his personal problems such as family commitments and the like. In a situation wherein the official remuneration received by a worker could not meet his basic needs, such an official would be compelled to seek other means of supplementing his income. This invariably leads to corruption in one form or another. With corruption, the state loses a lot of resources due to misappropriation.

Corruption, as caused by poor remuneration, could take several forms. Some workers convert state resources to their own personal use. Some, especially those dealing with the public, demand bribes before performing their duties. Thus, it is common to see that persons who offer bribes are served much more speedily than those who refuse to. In other cases, corruption takes the form of misuse of government time. This is demonstrated by officials who, within their official hours, leave their duties to attend to private business. Sometimes government equipment is often put into commercial use. This could be seen in the numerous cases where photocopiers, computers or even vehicles are used as sources of income. To justify their actions or attitude towards work, most Civil Servants would remark, "wusai den tai cow nae dae I go it" or "Government wok nor get tenki."

Another cancer troubling the Service is the poor time keeping and absenteeism of personnel thus creating undue delays in service delivery. The reluctance by Senior Administrators to enforce compliance to disciplinary codes is worrying.

Delays in effecting retirement rules and the practice of some workers to alter their official birth records are unacceptable practices that exist.

The general poor supervision of the personnel of the Service has sometimes led to payroll improprieties, which is a thorny issue for Government. The failure to follow-up outcome of meetings, agreements, protocols etc. leads to loss of opportunities and sanctions against Sierra Leone.

Another disincentive that causes inefficiency is the lack of equipment and logistics to carry out the business of Government in the Ministries. Staff are not properly trained to handle sensitive equipment thus within a short time costly equipment develops faults that are rarely put right. The maintenance culture is poor within Ministries and this leads to wastage.

The monitoring of assets is almost non existent as most Ministries don't have assets registers and personnel at all levels convert Government assets for their personal use; by even moving these assets to their homes or trading them.

The moratorium on recruitment that was in force for over ten years until two years ago seriously affected the capacity of Ministries especially when the war had caused a significant manpower loss through Immigration, deaths, old age, resignations and abandonment and other wastage. Even now that recruitment and replacements have commenced, the rate has been slow to catch up with the personnel complement before the start of the war.

The decision by Government to expunge daily wage and temporary workers from the payroll was welcomed as it reduced the possibility of payroll fraud. However, the delay to settle the end of service benefits of workers when leaving the service causes undue hardship and erodes the value of these benefits when eventually received.

Personnel development through training is vital for efficiency within the Service. There has not been a coordinated approach to capacity building which has adversely affected service delivery.

In the Service, Administrative officers, especially the Permanent Secretaries and Deputy Secretaries, are subject to transfer through periodic postings across Ministries. My concern of this practice is that these postings occur too frequently sometimes as to disrupt the smooth operations of Ministries. Transfers within a year or two, sometimes six months duration, upset the programme momentum of a Ministry. There have been instances where the transfer of a Permanent Secretary coincides with the new appointment of a Minister thus creating an unknown territory to both Minister and Permanent Secretary. No doubt this adversely affects the efficiency of such a Ministry.

Before the rebel war, some of the policies of Government to regulate the Trade and Industrial sectors e.g. the industrial Development Act of 1983 and the Non-Citizens Trade and Business Act of 1969, amongst others caused concern to the various stakeholders, leading to directives within the structural adjustment programme for the deregulation. These concerns are believed to have contributed to the slow-down in economic activity, job losses and poverty creation. Some of these are:

i. The concept of public responsibility by Government to create jobs and regulate prices. This led to the creation of Parastatals with part Government ownership thus justifying Government's influence in market decisions. The records of the Parastatals show that Government's direct involvement affected the efficiency and business efficacy of these entities. Thus the decision for Government to disinvest its holdings**.**

ii. Too many regulations such as import/export permits, price controls, the enactment of the industrial Development Bill which were all later considered to be counter productive to the development of Trade and industry

iii. The levying of high duties and taxes for revenue generation is a disincentive to private sector operations thus militating against competition and encouraging smuggling

iv. The non-implementation of important laws and regulations, like the Non-citizens Trade and Business Act, failed to address a fundamental concern of the indigenous businesses.

v. Some financial policies, like the establishment of the "pipeline" at the Bank of Sierra Leone, and the interference to the exchange rate mechanism through the setting of artificial rates, the declared foreign exchange control which affected free transfer of capital, eroded confidence and led to closure of established businesses.

vi. The concentration of the ministry's administrative machinery in Freetown neglected the needs and concerns of the majority of commercial and enterprise operators

vii. Some of our business laws were out-dated e.g. the Companies Act, whilst others, like a Bankruptcy Act were non-existent. Other instruments like the industrial Development Act, the Non-Citizen's Trade and Business Act and the Cooperative Act were thought out-dated and needed review.

Viii. There was failure by the Ministry to link budgetary allocations with credible action plans for programme delivery. Thus the impact of budgetary expenditure was not evident.

ix. The structure of the Ministry has not been responsive to its current demands, for sometime the need for restructuring the Ministry has been mooted.

x. Finally, the lip service by previous Governments to encourage the development of the business sector had not **been matched with coordinated policies to** enhance **Trade and industrial development.**

The combination of the above factors is believed to have contributed to the disgruntlement and dissatisfaction of both Civil Servants and members of the public which precipitated the hate and feeling of hopelessness that led to the war.

The Ministry's activities were adversely affected during the civil war. There was structural damage to its few provincial offices with loss of furniture, equipment and vital records. Some personnel were either

killed, displaced or ended up as refugees. The plans of the Ministry such as the restructuring of its operations, the formulation of a Code for the Promotion of Investment and the review of the Trade and Investment Laws were derailed. The Ministry failed to meet its obligation to international institutions thus accumulating a debt burden which is adversely affecting our capacity to access support from these organizations

We were badly affected as a country by the non-functioning of the rural areas that had the bulk of micro and small industries and institutions like the National Industrial Development and Finance Organisation and the Growth Centres located in the Provinces, which are skills training centers for micro/small enterprises development were adversely affected. More significantly, the Small and Medium Scale Industries mostly located in the Western Area had to close down through reduced activities or damage and loss to structures, machinery and stock. Also obligations of debtors and to creditors could not be met.

The National workshop which served as a production facility for fabrication of tools and equipment was functioning on a reduced scale, despite the withdrawal of the Yazbeck Management. However, when this Complex was occupied by displaced war affected people, the services offered immediately ceased. Since then, serious damage has been done to machinery and equipment and some structural damage observed. This Complex is still occupied by people some of whose claim to displaced status is suspect. Despite the interest expressed by a donor agency and a bilateral partner to establish industrial activities within the Workshop that will create jobs and develop our export base, these occupants have stilt not vacated the premises.

The deterioration in power supply over the years drastically affected industries in the western Area through reduced production and high unit cost because of the use of private generating facility.

Funds earmarked by international Organizations for industrial programmes formulated were never disbursed and had to lapse. Also initiatives, for which studies have been done, to aid the development of medium and small enterprises were put on hold. As a Ministry, we are trying to convince the donors to reopen interest in these areas.

Local commercial activities were affected in varying degrees nationwide. The provinces, which were the sites of rebel activities, were most affected. Though the scale of individual businesses in the provinces is smaller than in the western Area, the total capital value is much higher. Also the exposure to bank financing on short term, is not easily available as opposed to the western Area. Therefore the loss of capital suffered by the rural operators during the war has added significance. The general problems that arose were the inability to settle creditors claims, the difficulty to recover debtors obligations, the burden of loan servicing despite trading inactivity and the loss of stock holding through theft and damage. The restoration of civil authority was significantly helped by the provision of micro credit finance to reactivate small businesses. One entity, nationally dispersed, that was engaged in significant trading activities was the Sierra Leone Produce Marketing Board. Despite its cessation of operations about 1986 the assets were still on hold, supervised by a Caretaker Team. The liberalization of the produce trade created problems of quality and eventual sanctions for Sierra

Leone. The protection of the assets has always been a serious concern to Government especially when it is realized that the bulk of these assets were located in the rural areas in the provinces, the concentration of rebel activities.

COOPERATIVES

The activities and programmes of this Department were also adversely affected by the war.

a. Offices and structures in the provinces were vandalized and records, furniture and equipment destroyed.

b. Staff were displaced, killed or lost to other organizations.

c. A large number of cooperatives ceased to operate, especially in the rural areas.

d. The planned restructuring of the Department and the review of its outdated Act was derailed.

e. The Cooperative Bank drastically reduced its operations due to non-recovery of loans given to customers. Contributions of societies ceased as loans to societies could not be repaid.

f. Lack of accessibility and mobility hindered our operations in most areas of the provinces.

Some assets of the Cooperative Societies were destroyed whilst some are being illegally occupied

Action Points For Government

1. To provide structural and logistical support to reactivate the various Cooperative Units and the National Council.

2. To retrieve the Cooperative Training Center at the Kenema polytechnic.

3. Support to Cooperatives to help rehabilitate their farms and businesses.

4. Use of Cooperatives as an effective medium for channeling support to rural communities and the alleviation of rural poverty.

THE STANDARDS BUREAU

Up to early 2000, this outfit was the weights and Measures Department in the Ministry of Trade and Industry. During the war, the Department escaped rebel destruction because it was operating only in Freetown and it was only in 1999 that it lost two of its three sets of Standards instruments through destruction by rebels who attacked the home of the Director who had just

returned from trek from the provinces and had cause to take the standards instruments home.

More serious damage and loss was experienced by stores and trading centers that were obliged by law to have approved measures within their establishments for verification. Most of these Measures were lost during the war, especially in the Provinces, and these have mostly not been replaced. The absence of this vital tool of trade is causing undue hardship to customers. The Bureau of Standards has now been instructed to enforce this regulation.

<u>WHAT SHOULD BE DONE BY GOVERNMENT AND THE MINISTRY</u>

1. **To review the remuneration of Civil Servants including allowances**
2. **To provide for the training of Personnel and the filling of vacancies**
3. **To effect promotions and upgradings based on competence and not contacts or years of service**
4. **To institute proper assets management, from acquisition to disposal of assets.**
5. **The provision of basic working equipment and tools.**
6. **Budgetary allocation and disbursement to be programme linked**
7. **Improvement in monitoring the use of funds allocated to the Ministry.**
8. **Settle outstanding financial obligations to international Organizations.**
9. **Resume contacts with donors and development partners for programmes support.**
10. **Clear assignment of roles and responsibilities to officers in the Ministry**
11. **To restructure the whole Ministry to make it more responsive.**
12. **To cause the vacation of the National Workshop facilities to enable interested donors to access the facilities for programme formulation.**

<u>WHAT HAS BEEN DONE TO DATE AND PROSPECTS FOR THE FUTURE</u>

- **The Commission for Privatization has already been established to address the issue of divestiture of Government Shareholding in Parastatals. My ministry had carried out a nationwide survey on the assets of SLPMB and an assets register**

compiled. In addition recommendations for the way forward was submitted by my Ministry to Cabinet and I believe this document has been passed over to the Privatization Commission.

- Import and export license obligations for most products are now removed. There are no more price controls, exchange rate is now determined by market forces, and the industrial Development Act which was once described as draconian was repealed in 1992 to remove the barriers to investment.
- The decentralization programme of the Ministry is ongoing though not fully implemented.
- A Promotion of Investment Bill is soon to be submitted to Parliament after final discussions with the world Bank. This will address some of the taxation and duty concerns of investors in addition to steps already taken by the Ministry of Finance to reduce some rates. The enactment of this Bill cannot, on its own, attract all the investment needed. There are other requirements that should complement this instrument such as continuous and reliable energy supply, dependable communications, a secure environment, security of tenure of land, competitive rental for hotels and other accommodation, investor friendly legal environment, etc. Other Government Ministries are addressing these requirements and my hope is that very soon most of these will be in place if we are to encourage production activities for job creation, value added, import substitution and export promotion which will all impact positively on poverty alleviation.
- A review of laws relating to business operations is being undertaken. The Bank of Sierra Leone already reviewed the Companies Act.
- Restriction of transfer of capital and profits has been removed by Government.
- The Medium Term Expenditure Framework process now links allocation of funds in the budget to programmes and the Public Expenditure Tracking Survey does the monitoring of Development allocations to Ministries.
- The Ministry of Trade and Industry/Donors relationship is very healthy and many areas of interaction identified plus other initiatives are being explored. The Ministry has commenced the payment of outstanding financial obligations to international Organizations of which we are a member.
- . The Commonwealth Secretariat has already proposed a restructured plan for the Ministry, which has been examined by our officers, amended ands sent to the Establishment Secretary's Office for consideration and approval before requesting donors to help us implement.
- My ministry and donors are in the process of mapping out an integrated plan of action for Micro, Small/Medium Enterprises Development that will be presented to donors for funding and implementation.

Sierra Leone has been offered an export window under the African Growth and Opportunity Act (AGOA), a United States of America initiative that will allow Sierra Leone exports to the United States Market duty and quota free. For textiles and folklore, Sierra Leone needs a special visa for which we are now processing our application. It is my hope that the Private Sector Operators will take full advantage of this facility so that they will create wealth for themselves.

- Other initiatives already embarked on include:

Engagement with the Government of the People's Republic of China for product development and the establishment of industries in Sierra Leone. Government has already allocated a site at Grafton for the establishment of an Export Processing Zone

My ministry organized a Trade Fair jointly with the Private Sector of Ghana to encourage Trade Cooperation between the two counties and to give our Private Sector the opportunity for meaningful linkage.

The hosting of the Iranian Trade Fair, supervised by SLEDIC, is meant to open a further window of opportunity for our Private Sector operators

Sierra Leone participated in the ECOWAS Trade Fair held in Ghana to also give the Private Sector the opportunity to display its output and improve trade links

My ministry supervised the hosting of a Homecoming Summit for Sierra Leoneans living in the Diaspora to encourage them make their contribution to our programme of economic recovery and nation building. There are already positive signals of encouraging response.

I thank you for giving me this opportunity to address this TRC Forum.

MINISTRY OF DEVELOPMENT AND ECONOMIC PLANNING

PRESENTATION

IN RESPECT OF THE TRUTH AND RECONCILIATION COMMISSION

AT THE

THEMATIC, EVENT-SPECIFIC AND INSTITUTIONAL

HEARING SESSIONS OF THE TRC

BY THE MINISTER OF DEVELOPMENT AND ECONOMIC PLANNING
HONOURABLE MOHAMMED BASSIRU DARAMY

YOUYI BUILDING FREETOWN MAY 2003

Mr. Chairman, Commissioners, Executive Secretary of the Truth and Reconciliation Commission

Ladies and Gentlemen

Please permit me to first of all express my profound gratitude and appreciation to you, Mr. Chairman, Commissioners and the Executive Secretary of the TRC for inviting me to make a statement at the thematic, event-specific and institutional hearing sessions of the TRC.

Mr. Chairman, this opening address was not included in the document forwarded to this Commission on the 10th May 2003 and other changes have been made to the original document. This fact should be brought before this commission. I pray that the almighty will guide me to say the truth and nothing but the truth before this Commission. My remarks will deal mostly with the institutional component of the thematic, event-specific and institutional hearings sessions of the TRC.

As Minister of Development & Economic Planning, most of my statements will be centered on the various development programmes over the years, compared with the present peopled-centered and integrated-oriented participatory approaches to development programming. This, I hope, will provide an opportunity for an assessment and evaluation of whether past development policies contributed to or did not contribute to the fuelling of the eleven (11) -rebel wars in our beloved Sierra Leone.As Minister of Development & Economic Planning, most of my statements will be centered on the various development programmes over the years, compared with the present peopled-centered and integrated-oriented participatory approaches to development programming. This, I hope, will provide an opportunity for an assessment and evaluation of whether past development policies contributed to or did not contribute to the fuelling of the eleven (11) year rebel war in our beloved Sierra Leone.

HISTORICAL BACKGROUND:

Sierra Leone achieved Independence in 1961 with great enthusiasm and optimism of a promising future. At Independence, it had all the potential of becoming a wealthy and developed state in the West African sub-region. It had abundant deposits of diamonds, gold, rutile, iron ore, bauxite, a vibrant agricultural sector that met national needs and generated foreign exchange earnings, rich marine resources and a prestigious centre of Western education and civilisation in sub-Saharan Africa. Unfortunately, the history of Sierra Leone at post-independence is replete with frustrating paradoxes. WHY?

In the first place, politics in Sierra Leone was built on divisive ethnic and regional foundations rather than ideological convictions that elicit a cohesive outward-looking national agenda and proficient governance.

Secondly, the dichotomization of Sierra Leone by British Colonial masters into Colony and Protectorate with people in the Protectorate grossly marginalized, planted a seed of

discontent and subsequently polarized the Sierra Leone society. Sierra Leoneans thus entered independence without a definitive vision of where they wanted the country to go, but as a conglomeration of tribes and interest groups with divergent aspirations. This laid the foundation for the economic, social and political situation that has characterized a greater part of Sierra Leone's 42 years of independence.

On the political front, Sierra Leone has had a chequered history characterized by repeated violent change of governments. After the attainment of sovereignty in 1961, it enjoyed a brief period of multi-party democracy. This started to degenerate into bad governance culminating in a **coup d'etat after the 1967 general elections. From then on, it has been a one party political dictatorship interspersed with military interregnum. The era of one party dictatorial rule was characterized by total neglect of social needs, economic mismanagement and bad governance.** The **impact of this bad governance engendered widespread dissatisfaction and frustration, especially among the youths and the disadvantaged segments of society.** The **resulting malaise is believed to partly explain the rebel uprising in 1991 and the initial popularity of the 1992 coup d'etat that ousted the one party government. These events over the years have severely undermined the progress of the nation, and to this day, it is still confronted with socio-economic and political problems.**

CORRUPTION:

Corruption in my judgment is a moral and not a poverty issue. In **means controlling pecuniary resources disproportionate to your official emoluments and past earnings from all sources that cannot be substantiated by documentary evidence or the testimony of others or both. There is no justification for relating corruption to lack of resources.** In **our country, both in the public and private sectors, corruption can be systemic or people-induced. The question that comes to mind is, can well meaning people be corrupted by a rotten system?** or can **a good system corrupt individuals.**

Do you reduce or eliminate corruption by changing the system or changing the people who operate the system? Can an n individual change a system for which he or she played a part in creating?

During the era of the One Party system, the Government and the party were one and the same. Party policies and politics dominated every aspect of he national life of Sierra Leoneans. It did not matter whether these policies were in the national interest or not. Corruption was a religion, a way of life, a tradition and corrupt people were admired by the general populace. There was no feeling for the common man or woman. Resources distribution was based on "whom you knew, on connectocracy, nepotism" and in most cases on "tribal and regional sentiments". Public officials were bigger than the law of the land. The police and military forces were rotten to the core because regional, tribal and one party affiliations criterion guided enlistment, assignments and promotions. This explains why at the outset of the war, both the police and the army were not prepared to face the mercurial temperament of the RUF war machinery.

Leadership under the one party was not by example. It was not based on a `role model' concept. The concept of executive privilege, that is, there was an implied common saying, "Do what I tell you to do, but don't do what I do". Education was a privilege for the children of the favoured few. While the majority of deserving children and their families walloped in the cesspool of frustration for a wish for

education for their children, the undeserving sons and daughters of the `Chosen few" were sent off to the western world.

MINING SECTOR:

In the mining sector, the then legal, regulatory, institutional and linkages structure were not effective and efficient in enabling mining activities to have any meaningful impact on the lives of ordinary Sierra Leoneans. Economists talk about the factors of production, namely, land, labour, capital and organization. The landowners own the mining lands, labour is provided by miners, capital by investors (majority of whom are foreigners) and organization by the Government. To me, these factors should be taken into account in determining the allocation of the proceeds of diamond sales on an equitable and fair basis.

Mining is a very strategic sector in the nation's economy because of its contribution to the gross domestic product, government revenue and foreign exchange earnings. In the prewar years, the mining sector contributed 24 percent to GDP, 15 percent of total government revenue and 80 percent of total value of exports. Investment in this sector had been dominated by foreign nationals and foreign-owned private companies. The insignificant involvement in the fortunes of the industry by Sierra Leoneans has necessitated the current government mining policy. This policy aims at, among others, promoting the participation of Sierra Leoneans in the mining sector through the restriction of artisanal mining to only indigenes, cooperatives and corporate bodies of Sierra Leonean origin while encouraging local and foreign private investors.

In brief, mining communities paid a dear price for being resource rich. Under the one party state, even appointment to top positions on mining companies was for die-hard party loyalists, non-indigenes outside the mining areas. These individuals cared less about the development of the mining communities. There was no transparent, open system of trade in diamond and gold, hence the return to miners was meager. Mined out areas were never rehabilitated depriving people in the mining communities of precious agricultural land. Miners did not have any bargaining position relative to investors backed by their political masters. Local authorities did not have a say in the allocation of their plots of land. Who dare speak? During the war, those who felt cheated in previous mining proceeds transactions saw an opportunity for revenge against their exploiters. Anger was also directed at the chiefs and landowners for allocating lands to certain individuals/groups who mining communities assumed did not care about the development needs of their communities, while deriving wealth therein.

Mr. Chairman, Commissioners, Executive Secretary of the Truth and Reconciliation Commission, Ladies and Gentlemen

I would now turn to the development agenda over the years in comparison with the present state of our development priorities, strategies and objectives.

In the area of development management, Sierra Leone from post independence, especially in the 1970s, adopted a series of development plans ranging from short to medium term plans, aimed at achieving sustainable economic growth and poverty alleviation. In the 1980s when the economy experienced severe downturn, these

conventional plans were replaced by a plethora of reform measures, notably the Structural Adjustment Programmes (SAPs) aimed at macroeconomic stabilisation. While these initiatives achieved some gains they, however, lacked the multi-dimensional character and cohesiveness necessary for sustainable long-term growth and development.

Another major flaw of past development initiatives is that they provided little scope for citizen participation in planning and implementation of development programmes. Yet, there cannot be lasting socio-economic development without voluntary and active participation of the people themselves.

The over-centralisation of administrative powers at the Central Government level has its share of the causes of the conflict in the country. In the provinces, there was a second tier of local government (namely the District Councils), which supplemented the traditionally elected native authorities i.e. chiefdom councils. This system was dissolved in 1967/68. The dissolution affected the Western Area, the Sherbro Urban, Bo, Kenema, Makeni and Koidu/New Sembehun District Councils. In the past, the system had councillors elected on adult franchise. However, the Freetown City Council was later reinstated for a time but was again dissolved in 1972. Government nominated Committees of Management is now carrying out the functions of these Councils.

Therefore, it is very wise to delegate the spheres of economic and administrative activities to local government institutions and communitybased organizations. The transfer of such powers will entail among other things, the power to formulate and implement region- specific development plans taking into consideration broad national development objectives and guidelines; the effective coordination among agencies involved in sub-national development activities and the monitoring of development activities at the local level.

Many problems such as economic, social, political, structural, institutional and inappropriate policies have constrained the development of the country. Inadequate infrastructure, inconsistent economic management reflected in financial imbalances, weak management structures, poor governance, high external indebtedness and difficulty in debt servicing obligations made the development processes very difficult.

The country has also suffered from a serious shortage of high and middle level manpower (professional, managerial and technical), a fact that is strongly related to low remuneration, which has led to high levels of brain drain. This situation was however worsened by the war. In addition, high illiteracy rates, low skills development and lack of access to capital have helped to constrain productive activities.

As the youthful population grows faster, their needs for education, skills training and employment opportunities become insurmountable. The increasing numbers of unskilled school leavers, dropouts and illiterates for whom the job prospects must be created have escalated. Under the one party Government, policies were not formulated to address these concerns. Rather, a subtle method of enlisting these youths into Thuggery became the order of the day.

Consistent with the general trend in developing countries, Government after Independence set up many autonomous enterprises (some of them joint ventures). These were to undertake special assigned tasks in the public utilities and other economic sectors. While few enterprises were functioning with reasonable efficiency, the financial and operational performances of many others were unsatisfactory. The worsening financial situation of public enterprises has led to a decline in the quality of their services. This has also resulted in an increased burden on Government to provide direct subsidies because of the incurred losses in their revenue and dividend bases.

Consistent with the general trend in developing countries, Government after Independence set up many autonomous enterprises (some of them joint ventures). These were to undertake special assigned tasks in the public utilities and other economic sectors. While few enterprises were functioning with reasonable efficiency, the financial and operational performances of many others were unsatisfactory. The worsening financial situation of public enterprises has led to a decline in the quality of their services. This has also resulted in an increased burden on Government to provide direct subsidies because of the incurred losses in their revenue and dividend bases.

Over the last decade, mobilisation and integration of external resources for the developmental needs of the country have necessitated varied and dynamic efforts in the institutionalization of Aid and Aid Coordination Mechanism. Under the one party state, the international community lost confidence in the Government because of non-accountability and mismanagement of public resources.

For nearly three decades the country did not enjoy a truly democratic system of governance. This resulted in a decline in all aspects of state management, resulting in the weakening of all national institutions, poor management of resources and rampant corruption. The deteriorating situation in the country manifested itself in several ways including the inability to protect the economic interest of the country. There were also wide spread interference into the activities of the civil service.

2.0 THE PRESENT FOCUS OF ECONOMIC PLANNING AND DEVELOPMENT

PROGRAMMES

RECONCILIATION

Reconciliation----4 Groups and Characteristics and way to deal with each

1 Will Forgive and forget

2 Will Forgive BUT not Forget

3 Will Forget BUT not Forgive

4 Will not Forgive and will never Forget

The Ministry of Development and Economic Planning is a statutory organization established by the Government of Sierra Leone to improve, among other things, the well-being of all Sierra Leoneans by carrying out the following functions:

- Formulation of National Development Policies, objectives and strategies
- Coordination, collaboration and cooperation with Development partners - World Bank, EU, ADB, UN Agencies and Non-Governmental Organizations
- Coordination and mobilization of foreign and domestic resources

- Programming and Planning of Public Investment Programme (PIP) • Provision of economic Intelligence and National Development feasibility studies
- **Coordination of the preparation of the Poverty Alleviation Strategy Paper (PRSP).**

Accordingly, the Mission statement of the Ministry is:

To attain for all Sierra Leoneans a high level of social and economic well-being through a systematic and conscious Development and Planning Process, coordination of sectoral policies and programmes, effective resource mobilization and utilization for stimulating growth, social equity and give impetus to poverty reduction on a sustainable basis.

Therefore, the focus of the Ministry has always been to provide the framework for development planning and coordination of donor relations. The Ministry also facilitates the implementation of various sectoral plans and policies within the context of people centered prioritization.

It must however be noted here that, even before the war, the Government had already departed from a national five year planning framework and worked on the basis of a Public Investment Programme. This process gives recognition and acceptance of the common objectives and targets that are apparently of national character and set within the context of funding development projects within the framework of an annual rolling plan. The process ensures that development activities of all Government agencies are executed within the framework of the overall general development strategy.

The overriding focus has been to incorporate the stabilization policies aimed at establishing a low-inflation financial environment that set the stage for recovery of the private sector and contribute to a more viable external position. Structural policies have been directed at removing impediments to growth and improving the

allocation of resources including human capital. The medium term development objectives of the Government has been to:

To create macro-economic stability, particularly in lowering inflation, raise real GDP, stabilise economic growth, cut overall budget deficit, raise private and Government savings and hence generate additional resources needed to raise private investment and reduce dependence on foreign resources.

Further to this, the aim has been to improve the physical infrastructure, engender economic recovery, bring social problems and poverty issues to the forefront of national policy agenda and to create a conducive, economic, institutional regulatory environment for private sector-led growth.

CONSEQUENCES OF THE WAR AND OTHER FACTORS

The May 25, 1997 military coup and its consequent effects reversed the gains and severely set back the adjustment and development efforts. The coup resulted in internal and external displacement of professionals and other groups. There was also destruction of factories and business houses, basic social and economic infrastructure including schools, hospitals, roads and bridges. Food production was also severely disrupted which further worsened the food security situation in the country.

These setbacks threw the economy into deep recession with real output fallen by 22 per cent. Government finances deteriorated significantly against the background of loss of official imports, declining levels of industrial production and mounting pressures on recurrent expenditures. Total revenue collected for 1997 amounted to about Le45 billion of which only Le8 billion was collected during the period of the junta. Overall deficit on commitment basis rose to 7.2 percent of GDP in 1997. In the absence of foreign inflow of resources and lack of domestic market for the Government debt instruments, the junta financed these high expenditures through central bank advances.

This interruption however, provided an opportunity for the Government and people to set fresh goals and priorities for the Sierra Leonean society. These national priorities command a consensus through a country wide public discussions and debates on strategic issues relating to medium to long-term goals for the economic development of the country. In a sense, the National Long Term Perspective Study, which culminated in a National Vision, the ongoing preparation of the PRSP and the preparation and implementation of the National Recovery Strategy Document all satisfy perhaps the most important requirement of good planning and peoples' involvement.

Government now endeavours to ensure political stability, good governance, accountability and transparency. This will enable the country to fulfill its political, economic and social aspirations. The civil service is being strengthened to better manage social and economic development. An independent judicial system is also

being established while support for the effective functioning of the police, military, parliament and the electoral process are being provided. Also consideration is given to strategic public administration that will be more accountable. Also efforts are being made to strengthen pluralistic forces including civil society organizations, women and labour groups and to increase the flow of information on development policies and programmes.

The major problem of Government since the latter part of the 1960s has been its inability to sustain a strong and effective administrative system in the public sector. A Public Sector Reform Programme aimed at improving civil service efficiency and strengthening its capacity to provide essential public services has been initiated. The importance of the administrative system in the Sierra Leone public sector arises from two considerations. First, it is the basic unit responsible for maintaining and evaluating the varied activities of Government and ensuring that they are in accordance with the political, social and economic objectives of the nation. Second, it serves as the primary executive agent for implementing specific programmes and projects within the plan. It follows therefore, that an efficient administrative system will lend its weight to the success and achievement of plan targets and priorities.

LESSONS LEARNT

The past development processes especially as we take stock of our immediate past has taught us many lessons which for brevity are outlined below. The list is not exhaustive and though stemming from the foregone discussion does not attempt to give a conclusive picture of the situation. Put together, the list is a guide to all of us in our endeavour to avoid past mistakes and make present efforts serve the needs of our people the better.

THE WAY FORWARD

The quick restoration of a sound macro economic framework and the pursuance of prudent fiscal and monetary policies have served as prerequisites for the country's economic recovery. The priority should be to reduce the level of bank financing of the deficit, maintain a stable exchange rate, reduce inflation and mobilize additional domestic resources for development.

- An important rationale for planning is that progress would be faster if the nation is motivated in its economic activity by a shared vision. Effective coordination of the development activities of the various organs of the Government is easier when they have the same goal and operate within a common framework.
- The recent experience of Sierra Leone has demonstrated the necessity for a sustained national will to a common aspiration as a basis of national survival. The restoration of democratic civilian rule rather than remove this necessity, indeed underlines its undiminished importance.

- ***The social-economic decline and inequalities of the past three decades exacerbated by the ravages of over a decade rebel war including nine months of oppressive Junta rule have provided an opportunity for the Government and people of Sierra Leone to set fresh goals and objectives for the future development of the country.***

- ***The basic nation strategy should be to learn from the lessons of the past and to evolve for the country a just society where the Government is guided by the aspirations of the people. Without the spirit of patriotism, enterprise and self-reliance in the individual as well as national and local institutions, it will be difficult to evolve in Sierra Leone, a development oriented society, which is conscious of its responsibility.***

- ***The Government has therefore, sought to lay the foundation for this type of society in the current drive to pursue participatory approaches to development planning and policy formulation. The Government could occupy the leading position in the quest for purposeful national development and provide the leadership and honest administration in matters designed primarily to protect and promote the public interest.***
- ***The rebel war has demonstrated that the path to stability and progress is for the country to function as a united political entity. Security will lead to Peace, Peace to Stability, Stability to Development and Development to Prosperity. Peace, political and social stability must be geared to the objective of national unity and the evolution of a well-integrated national community. The pursuit of a strong and united nation as a fundamental social aim is the very antithesis of armed civil conflict.***

- ***To sustain peace, political and social stability in the very short term, the strategy is to lay a firm basis for the restoration of relevant institutions in both the private and public sectors devastated by neglect and arm conflict.***

- ***Measures should be taken to effect reconciliation and to immediately address the needs of war affected people and areas. All programmes of social action for the restoration of law and order, disarmament and demobilization of all ex-combatants, restructuring and training of new national army and police force must be guided by the over riding commitments of all citizens to the fundamental objectives of building a strong and united Sierra Leone.***
- Successful development will require degree of participation of the population at large. An atmosphere should be created in which everybody will be induced to mobilize energies and resources fully for a higher standard of living and increased prosperity for the country.

- ***The ultimate goal of economic development is improvement in the welfare of the people. The focus of national policy objective will therefore be on the impact of national programmes and projects on poor and underprivileged sections of the population. The process of economic development and social change should create the enabling environment that will create equal access to all facilities and opportunities for the realisation of full potential and personal development of the country's citizen.***

- ***The culture of self-reliance and national pride as worthy objectives for every Sierra Leonean should be encouraged. There is need to create expanding opportunities for employment, education, health and well-being and self-fulfillment.• The culture of self-reliance and national pride as worthy objectives for every Sierra Leonean should be encouraged. There is need to create expanding opportunities for employment, education, health and well-being and self-fulfillment.***

- *Women, youth and children have been more adversely affected by the war. Apart from the usual problems that have afflicted the population during the war, women have suffered additional gender-based violence including sexual assaults, stress and psychological strain of carrying unwanted pregnancies and widowhood. Special assistance programmes for women and children will go a long way in addressing these problems.*
- *As the economy emerges from war and is faced with a heavy burden of reconstruction, amidst severe resource constrains, the formulation of consistent policies becomes a necessary condition for economic growth.*

- *Government employee salaries have been low and urgent action is required to provide living wages/salaries for its workers. However, this may not be attained because of the low revenue base. Necessary supporting logistics as Government's vehicles, communication equipment, office furniture, vital information system etc have been destroyed and are being replaced at a slow pace.*

- *A viable democratically structured system of local government can serve as a powerful tool for grassroots planning and for meaningful popular participation in the development process.*

- *At the moment with little or no skills the urban informal sector make up an important source of employment especially for unemployed youths and women. This should be given the support to grow in a desired direction and within set standards.*

The way forward for the development process in this country will involve enlisting the total commitment and participation of all sections of the society to ongoing and other development programmes of the nation.

Establishing partnership with donors and our development partners will provide a fertile ground for AID Management, Poverty Reduction and growth monitoring.

Over the coming years, efforts will be intensified to provide in-service training to staff in the Ministry to improve overall production capacity and capacity in planning and development management. A strategic plan, within the context of a vision for the country needs to be developed to keep track of progress and rise up to emerging challenges.

On another note, much pressure is been put on the Government of Sierra Leone and its development partners to ensure that capacity is put in place to run the business of government at all levels, in the aftermath of the war. This is most important given the fact that many professionals had left the country and those who stayed have had to work under circumstances that did not favour skills retention and improvement. To over come the situation, project units have been established by donor agencies, paying special dolarised salaries. In addition, many people have been recruited locally and internationally to fill line positions in key ministries, departments and agencies. As a short-term measure, this approach may work. In the

medium to long term, it is not only unsustainable, it weakens the support services further and causes permanent loss of the best and brightest in the public sector.

Government has expressed a strong desire to decentralize in order to help redress any regional imbalance in government-led development efforts. Development activities will therefore have a strong regional focus and a large portion of decisions will be taken at that level. Hence, capacity (both human and material) should be built at that level to enable the decentralization of decision-making and empowering and encouraging community participation in the overall development process.

At the core of this is the need to improve the remuneration of public servants, train and build capacity in policy analysis, management and technical applications, provide logistics and institute work performance measures.

To ensure effective and efficient service delivery, the Ministry and other Agencies should not be left out of the global spread of the Information, Communication Technologies (ICTs). This will be most useful for purposes of planning, aid coordination and development management.

The ultimate goal is to rebuild the Public Service that will respond to the needs of the government and people of Sierra Leone. This will, however, depend on improving government revenues to sustain the system. As a way forward, proposals will be prepared and discussions facilitated with relevant institutions with the aim of instituting measures that will restore the glory of the public service.

CONCLUSION

The above overview has provided a situational analysis of Sierra Leone's past and present development, constraints and efforts at addressing the challenges facing the country. Some of the factors previously mentioned played a part directly or indirectly in influencing the theater of war over the last eleven (11) years. A number of bottlenecks have impinged on the country's prospects for sustained growth and development as depicted here. Principal among these are bad governance, weak institutional policies and capacities, misguided programmes, corruption and mismanagement, political instability, insecurity, lack of patriotism, lack of commitment, and the vulnerability of the macro-economy to the imbalances and shocks of the external environment. These issues, and many others, should be given the serious consideration they deserve in order to turn things around for the better and for good in Sierra Leone.

EXPRESSION OF APPRECIATION

Let me conclude by expressing once more my profound gratitude and sincere thanks to all members of the TRC for affording me this opportunity to deliver this address. I stand willing to dialogue with members of this commission to search for truth and lay a firm foundation for the healing of wounds of this nation.

May the Almighty Allah bless all of us. I thank all of you for your kind attention.

SPEECH DELIVERED BY THE HON. MINISTER OF LANDS, COUNTRY PLANNING AND THE ENVIRONMENTON THE "CIVIL SERVICE" DURING THEMATIC HEARING OF THE TRUTH AND RECONCILATION COMMISSION.

Mr. Chairman,

The Civil Service refers to the official arm of Government which on its foundation is normally non anonymous. It was an institution inherited from the British Colonial System and is supposed to serve as a bedrock on which the machinery of Government revolves.

With the declaration of the Crown Colony in 1808 over Freetown and its environs and the subsequent declaration of a Protectorate in 1896 over the hinterland, there was great need to have British Administration felt in the Colony and else where. The Civil Service machinery was organised and supervised by the Colonial Secretary (now Establishment Secretary) with the responsibility of formulating personnel policies and implementing them.

During this period Civil Servants were properly screened by Government before recruitment which was based on merit and not on sentiment. Authority then was legitimated ***only by competence. With the advent of independence and the subsequent Africanization of the Civil Service however, successive regimes began to make in -roads into the hither to well structured and disciplined Civil Service.***

Tribalism and other forms of political interference became manifested in many ways. It reached its climax in the 1970s when political interference became so glaring that the efficiency of Civil Servants was eroded through partisanship and patronage.
This became a recipe for dissatisfaction and disaffection within the Civil Service.

In essence, the then Civil Service Code, which was the General Orders became almost meaningless. It **was discovered that the General Orders and Financial Orders were tailored and retailored to suit the convenience of the master at the time.**

To compound the situation some senior Civil Servants and Public officials were appointed to offices by sheer reason of their political patronage. The Army and Police Heads respectively were appointed Ministers of Government at one time, and when it became obvious that one had to be seen 'on the platform' for appointment or promotion to higher positions Corruption, Nepotism and Tribalism became the order of the day. This impacted negatively on the population as animosity spread through the ranks of the service and those sympathetic to them especially the young.

Many failed to understand why others thrived while their Kith and kin remained poor. The teaching profession was dragged into politics with the nomination to Parliament of the Sierra Leone Teachers Union scribe. Teachers could no longer express themselves openly. They resorted to "go slow" **and classes were severely disrupted. Pupils were angered. So where the parents. But by far the most devastating impact on the service was the seemingly endless grip on power by one party and its refusal to yield to public demand for free and fair elections.**

This rebel conflict which forms the focus of my examination of the Civil Service is partly a consequence of the systematic interference negatively or positively of all facets of the Sierra Leone Society. With the prevailing political view at the time of "cow eat usai den tai am" focus was on how much money one could make at a particular job and public interests were relegated to the very bottom of government activities. And Civil Servants became unsympathetic to the nation. This in brief is my own true analysis of the situation that might have caused the deep seated disaffection and consequent loss of faith and trust in state institutions and Civil Servants by the community especially the young. The causes for the civil conflict may not be limited to those reasons I have given above.

For instance, the whole question of social, justice and how it is dispensed matters a great deal in the relationship between government and the governed.

In short, government and its various organs must be opened up and be made to respond appropriately to public demands. Civil Society should be involved at every State of Government Policy Directions. It is, in my opinion, the lack of this important touch that may have added fuel to injury. So what do we have ? A grossly ill motivated and selfish service, with a core of unreliable service men and an angry public. Every body who had lived in Sierra Leone and had followed closely events in the country would have seen the writing on the wall.

The ten years old rebel war in Sierra Leone continues to manifest its rippling effect as every one both Military and Civil were effectively directly or indirectly involved. The mayhem caused by this war became unquantifiable, many civilians were killed, while others were either maimed or suffered other forms on injuries.

Given the present strides by government there is light at the end of the tunnel for the institution as the first Herculean stride has been taken to revising the General Orders into a Civil Service Code. But the achievement of bright future prospects would depend on amongst others, the abolition of all political interference which gives way to the evils **of tribalism, marginalisation nepotism etc.. The Establishment Secretary and the Public Service Commission should not be compelled to place square pegs in round holes. In-service training courses should follow recruitment by merit and more effective and efficient reform adaptable to the Sierra Leone Environment should be introduced to foster effective and efficient Civil Service even better than what had existed in the colonial era to avert what happened during the past decade.**

Land and the manner in which it has been administrated by previous officials of the Ministry of Lands, Country Planning and the Environment leaves much to be desired. And yet Land is so crucially important to the Life and wellbeing of the average Sierra Leonean. Landed property is the ultimate goal of every individual Sierra Leonean and many will kill or die if they are unfairly deprived of this precious commodity, in Sierra Leone and particularly in Freetown.

Land management and administrations was conducted in a most unsavoury manner where the rich are made richer and the poor poorer. On a small scale, this may have contributed to the problem that led to the Civil War.

My Ministry is aware of this discrepancy and we are putting together policies aimed at stabilizing the situation while improving on the Ministry's image. At the same time we are restructuring the Ministry to reflect the high expectations placed on us by the general public.

THE TRUTH AND RECONCILATION COMMISSION
THEMATIC EVENT – SPECIFIC AND INSTITUTIONAL HEARINGS

PRESENTATION THEME: THE CIVIL SERVICE

PRESENTED BY: MR. EMMANUEL O. GRANT, MINISTER OF ENERGY AND POWER

INTRODUCTION

Mr. Chairman, Members of the Truth and Reconciliation Commission, Distinguished invited Guests, I will start my presentation by giving my view on what the Civil Service is. To start with the three arms of government, namely the Legislature, Executive and the Judiciary work independently of each other. The Civil Service established by the British colonial masters, in 1808 serves as a chain between these various arms and implement government policies. The Civil Service is a machinery created by the British Colonial Masters to consolidate their rule in Africa. Laws and rules and regulations laid down by the service were meant to put the colonized into a subservient position so that less problems will be experienced. The structure and mandate of the Civil Service has remained virtually unchanged since Independence in spite of moves made recently to review the civil service code. I must say here however that the Civil Service inherited at Independence was among the best in the Sub-region. The system ensured that personnel in the Civil Service were above politics and served the government of the day.

(a) The role played by the Civil Service in the conflict and prospects for the future

The Civil Service played a vital role in the conflict in Sierra Leone. The role of the civil service in some instances exacerbated the conflict and in some helped in salvaging the situation. It is alleged by some of the main players in the civil conflict in Sierra Leone that the action of some Civil Servants resulting in their unlawful arrest and subsequent detention or imprisonment which affected their entire life and forced them into hatred for the system and hence the desire for revenge. I cannot pass judgment on these allegations but if indeed this was the case then the action of the judiciary and police, both members of the Civil Service must be seen to be partly responsible for the cause of the conflict. Corporal Foday Sabana Sankoh took up arms according to him to correct the injustice, eradicate corruption and introduce good governance which he claimed was absent in the system. The Civil Service with a mandate to implement government policies was at the focus of all of these allegations. Though Foday Sankoh knew the role of the civil service as mere implementers of government policies, the civil servants were in many instances targeted by the various factions in the conflict. As the conflict dragged on, the civil service continued to function in both the Provinces and the Western Area. As the war dragged on however, civil service operations were halted in most parts of the country overrun by rebels.

However, the Civil Service with its mandate to implement government policies found it difficult to draw a line between when it was acting legally or otherwise during the conflict situation. This could be said from the Junta Rule of Johnny Paul Koroma when he was sworn in as Head of State by the then Chief Justice. The action of the Civil Servant went a long way in attempting to legalize an otherwise illegal situation. Some Civil servants refused to serve the Junta while others cooperated with them on the grounds that Civil Service is non-partisan and should serve the Government of the

day. Well either way, this was the argument and the Civil Service became divided on the issue. However, the refusal of some civil servants to serve the Junta rule went a long way in internationalizing the conflict and thereby gathering support for restoration of constitutionality. This was because their refusal indicated the unpopularity of the regime and pressure mounted to end it.

Furthermore, the implementation of policies of government rest with the Civil Service. Government policies should therefore conform to the psychology and customs of the country and should reflect socio-economic values and ideology of the people. Policies of government which were implemented by the civil servants were in some cases not in the interest of some section of the population. In short people were dissatisfied and disgruntled and therefore supported the insurgency. Some civil servants for personal gains openly collaborated with the junta thereby helping to prolong its hold on power.

It is however worth noting that the actions of some Civil Servants was due to poor remuneration given to them by Government. If this issue is not urgently addressed, it will thwart the government's efforts to improve the quality of the Civil Service and its overall performance thereby slowing down government's service delivery system with its attendant consequences. There is an urgent need for a more ambitious and bolder policies toward improving the quality of the civil service. Lately, there has been a greater awareness among the generality of people as well as decision makers of the need for a more concrete and comprehensive policy in this area. However, this awareness does not appear to be matched by policies on the ground. The question of improving the quality of the Civil Service can only be ignored at great peril to the development of the nation.

In future, there should be a definite policy on what the position of the Civil service should be in a conflict situation to avoid it being compromised. If measures are not put in place to protect the Civil Service in the event of civil conflicts, civil servants will continue to bear the brunt of reprisal from successive governments as a consequence of the discharge of their duties. The civil service stands vulnerable in conflict situation with nobody ready to take position on issues.

B. SOME DETAILED DISCUSSION OF THE NATURE OF THE CIVIL CONFLICT AND ITS IMPACT ON THE CIVIL SERVICE

It is widely believed that the Sierra Leone Civil conflict was sparked by many causes. Among these causes are economic, political, social and other factors etc. In fact many people regarded the Sierra Leone civil conflict as an "Economic war" waged on the people of Sierra Leone in order to exploit their natural resources particularly diamonds leaving the rest of the population in abject poverty. To justify this claim, during the period of the eleven years old civil conflict, the rebels managed to take control of the diamond rich areas of Tongo Field and Kono. These places were actively mined by rebels and were under seige until the process of disarmament was completed in the year 2000. It therefore goes without saying that an inestimable amount of diamonds worth millions of dollars was siphoned out of this country and sold out during the civil conflict. It is difficult to imagine how the rebels who claimed that they were fighting to improve the welfare of all Sierra Leoneans were instead seen to perpetuate crimes of violence, looting and

burning peoples property making them poorer than they were before the war. During the war, thousands of civilians were killed, raped, maimed and displaced.

Another major factor which many believed caused this war is political. Under this factor, one is tempted to say that bad governance coupled with corruption in high places and a huge number of unemployed and marginalized youths faced with bleak personal prospects helped to a very large extent to fan the flames of the war. In terms of bad Governance, the Government in power did little to create appropriate institutions to train our youths, take them off the Streets and create employment for them. When the RUF entered this country in 1991 a lot of this marginalized youths were quick to take up arms to fight against their people.

People also believed that there was widespread corruption in the country. Sierra Leone is a small country with a population of 4.5 million (CSO 1985). It has plenty of natural resources ranging from diamond, gold, Bauxite, rutile, iron ore, chronmite etc. Because of the abundance of natural resources and a favourable climate for animal and crop production, many people say Sierra Leone does not deserve to be classified as the poorest country in the World according to the UNDP human development index considering its resource potential. People say corruption is high and that the people of this Country have not benefited anything from these resources. This many people believed has been responsible for the war.

The impact the civil conflict has had on the civil service is tremendous. When the war broke out, Government functionaries, institutions, offices, Schools, hospitals were targeted for destruction. By the time the war spread all over the country most of these facilities were destroyed by the rebels. Civil authority in the rest of the provinces was brought to a standstill. Most of the paramount Chiefs in the 149 Chiefdoms of Sierra Leone were displaced; Government functionaries manning district offices abandoned their posts and fled to Freetown to save their lives.

By the year 2000 Government had completed the process of disarmament and made a pronouncement that the war was over. UNAMSIL was deployed to every corner of the Country and civil authority has now been restored. District officers and their assistants have now been deployed to their districts to beef up Government administration. It therefore goes without saying that the conflict had a debilitating impact on the civil service as a whole. The civil service was operational only in the City of Freetown when the rebels overran Freetown on 6`h January 1999 the whole civil service operations in the country was brought to a halt for two weeks. Almost all Government offices in the war affected areas were closed making civil servants manning this offices redundant until recently when the process of disarmament was completed.

(C) <u>EXISTING SHORTCOMINGS IN THE SYSTEM INCLUDING LEGAL, POLITICAL AND OTHER ISSUES.</u>

Over the years, the civil service in the country was eclipsed with a myriad of problems ranging from legal, political, economic and social. With the emergence of different regimes over the years, the Civil Service was completely diluted. One of the shortcomings of the service was the legal aspect. The summary dismissal of some

civil servants without seeking legal redress from the courts was a major problem. It was illegal according to the Civil Service General Orders for a civil servant to belong to a ruling or governing political party. There was no court injunction that debarred a civil servant from belonging to a party. During the one party era, Senior Civil Servants were members of the governing party and they gave their unflinching support (morally and financially) towards the enhancement and furtherance of the party ideology.

Another shortcomings of the system is political. Some undue political pressures were being piled on civil servants to do things in favour of politicians. Appointments promotions, transfers had strong political motivation. Appointments over the years were not based on merit but on one's political affiliation. This subsequently bred bad blood in the institution. Withholding of promotions and undue transfers engendered hostilities, which served as a fertile ground to nurse the civil conflict.

(D) THE PECULIARITIES OF THE SITUATION AND HOW THESE PLAYED OUT IN INTER-GROUP OR OTHER RELATIONS AND AFFILIATION.

Throughout the rebel incursion in Sierra Leone, some groups and institutions because of the nature of their work had to struggle to survive and keep their institutions in place. It is therefore a matter of necessity that the Sierra Leone Civil Service even though it was greatly affected by the war it still stands today. It is an institution that was greatly affected by the war. However if a critical look is taken into the whole situation it could be seen that there were various peculiarities about it, which affected the Civil Service in their own way.

One peculiarity about the war was that it started in the provinces (far East) and towards the end, penetrated Freetown and its environs. Civil Servants throughout the country, had to continue with their work. This situation greatly affected the provincial administration which before the war was plagued with a lot of problems. Therefore with the emergence of the war in the provinces, the situation was universal. Government no longer had any form of control in the Provinces. This therefore brought about a break between the Central administration in Freetown and Provincial administration in the Provinces.

When war finally entered Freetown and the Military Junta of Johnny Paul Koroma took over those who could not run away had to stay behind and work with the Junta. Some Civil Servants thought that it is obligatory on them to work with the Government of the Day. In the process some Civil servants misused their positions and later suffered for it. Others worked albeit with a low profile. But the questions that one may ask under such circumstances, were these Civil Servants not victims of circumstances then?

THE CONSEQUENCES OF ALL FOREGOING AND WHETHER ANY EXISTING STRUCTURES OR PROCESSES PROVIDE ANY REMEDIES, AND THE LEVELS OF ACCESS THAT EXIST TO THE REMEDIES.

The present set up in the government machinery leaves the civil service vulnerable. There are no protective mechanisms to protect the civil servant in the discharge of duties

during a conflict situation. The Civil Service Union is still not functional and therefore lacks the ability to agitate for the rights of civil servants nor protect them when unduly victimised by government in the process of discharging their duties**.**

G RECOMMENDATIONS, REFORMS AND PRACTICAL SOLUTIONS.

In closing I would like to propose the following recommendations, reforms and practical solutions:

1 There should be a clear policy regarding functioning of the civil service in a civil conflict situation. So that the civil servant is guarded as to what should be done when such situations arise.

2 Adequate security should be provided for civil servants

3 Civil Service should be reorganized to conform to present day situations.

4 Salary and conditions of service should be improved if maximum benefit should be derived from civil servants. I therefore recommend for a speedy implementation of the revised civil service code, which has a lot of hidden benefit for civil servants as a way of encouraging them to give their best.

SIERRA LEONE GOVERNMENT

THE MINISTRY OF AGRICULTURE, FORESTRY AND FOOD SECURITY

THE CIVIL SERVICE

A PRESENTATION TO THE TRUTH AND RECONCILIATION COMMISSION (TRC)
BY DR. SAMA S. MONDE, MINISTER OF AGRICULTURE,
FORESTRY AND FOOD SECURITY

INTRODUCTION

Sierra Leone used to be called the *"Athens of West Africa:"* a designation which carried several exemplary qualities of knowledge and excellence. That enviable status had ripple effects on all sectors of society. Looking back at the colonial to post colonial days, Sierra Leoneans enjoyed about the best system of public administration in West Africa. The civil service was easily the best because they were born and bred in what we call in genetics, "the center of origin for Western education and in deed western values in Wes' Africa. Sierra Leone was one of the few African countries that experienced a truly open multi party democracy in representation; governance and accountability to a large extent. But our political evolution was thwarted suddenly by the military coup in 1967. The counter-coup in 1968 reinstated Dr. Siaka Stevens as the Prime Minister.

By my best memory I can testify that Sierra Leoneans enjoyed high levels of prosperity from 1968-1975. Infact Sierra Leone was self sufficient in rice up to `1975. Member s of this audience can attest to these claims. Most of us who went to school and college then enjoyed free education and free medical services. We had jobs so easily; electricity, transportation including the railway was abundant and efficiently operated. On the whole the economy was strong and therefore the population was comfortable for the most part. The Civil service was part of that population. They played their role efficiently and effectively to ensure that the government machinery always survived and prevailed insofar as the welfare of their compatriots was concerned. Therefore Madam Senya Lahai could walk into any public office and secure pre.... attention and service without charges.

However, by late 1970s to 1980 **"things fell apart" !**

Turning and turning in the widening gyre

Things fell apart the center cannot hold were anarchy is loosed upon

the world. The blood-dined tide is loosed,

And everywhere the ceremony of innocence is drowned.

The best lack a// conviction

While the worst are full of personate intensify. Y.B. Yates', The Second ''Coming.

For Sierra *Leone* ***things started to fall apart. During that period and beyond there was overall weakening of state institutions including the civil service. Corruption was institutionalized and the government of the day intensified the vices to good governance-embezzlement, smuggling of precious minerals and agricultural products and the blatant rigging of elections to retain power.***

A good number of unqualified and untrained workers were brought into the service as a form of political patronage. This greatly eroded efficiency and discipline. The systems for reward and deterrence became nebulous and the working environment deteriorated considerably within the decade.

By mid 1980s the country was descending into insolvency. Growing foreign debt, rampant inflation, currency devaluation, budget deficits, declining exports all nurtured in widespread corruption led to chronic fuel, power and food shortages. That experience had an untold effect on the civil service which indeed a major player in the debacle became a victim also. The delivery of basic services to the public by the civil service became difficult and increasingly impossible.

Apparently the civil service started to loose faith in the service and in the country as a whole. So the survival and preservation of the individual over and above the collapsing state fast became the norm. This culture has survived to this day, unfortunately.

By 1991 the APC regime was in serious trouble. Beset by a crumbling economy growing popular agitation and factional turmoil within the government, a multi-party election was scheduled for 1991. Before the election could be held the RUF attacked the country in 1991. Their expressed aim was to remove from power the APC government which had misruled the country for 24 years, to restore democracy and good governance and end corruption in the public service. In [1]1992 the NPRC took over power from the APC through a military coup. That government fought very very hard to end the war, but it failed. Before the advent of the NPRC the rebel war had spread to most parts of the country. It was clear that for the majority of young fighters Sierra Leone provided them little economic resources and little hope of a better tomorrow such that whatever destructions they wrecked or) the country they stood to loose nothing of substance a sombre lesson for all of us.

The present government which I am serving came to power in 1996 with the promise to end the war and restore Sierra Leone at least to its days of glory by making concrete improvements in the economy and in the quality of life for compatriots, establish democracy and good governance by world standards of accountability and transparency. The ultimate aim is to enable the Sierra Leone again, to accept and take ownership of the

land of his/her birth, to have faith that this land can provide everything it takes to live a happy and prosperous life if we manage ourselves properly according to the rule of law, and the fear of God of course.

THE ROLE PLAYED BY THE CIVIL SERVICE IN THE CONFLICT

I must hasten to state here that all sectors of society played some role in the conflict. The country in over two decades of APC rule languished under one party government, a political party the APC. But while that was so, on a daily basis and to some extent, even up to this day, the country is governed by two governments running side by side and much so often in competition. There is the government in transit composed of politicians and the government made up of civil servants.

For an elaboration the government in-transit are the politicians who come and go within short periods of time. They formulate policies in their ministries on the advice of the civil servant, the Permanent Secretaries. Once these polices are adopted by government the civil servants implement them. But sometimes a good policy is destroyed in the Implementation stage either due to weak capacity, indifference or downright opposition. This cycle has continued to this day. But I also hasten to add that we are seeing some improvements in these matters.

The permanent government comprise the civil service. They have permanent appointment till the age of retirement. They advise ministers on policy matters, control the budget and finances and are responsible for the general administration of the ministries. This group therefore carries tremendous authority but as we have seen in practice, they are not directly responsible to the wider population who blame all the ills of society -corruption, bad governance etc. on the politicians in office.

In hindsight one could surmise that if the members of the permanent government had decided to work properly and rescue the country from the clutches of the APC the country's resources could have been properly managed to cater for most Sierra Leoneans to the extent that any tendency in any malcontents to cause trouble would have been rippled in the bud and averted by the wider public.

But again in all fairness the civil service was hamstrung to do anything. A good number entered into service not so much by merit but by patronage. There is no system of evaluation of performance to date and job security as assured fill retirement. These conditions are fine and protective of the individual but

they appear prescribe hard core lethargy and poor performance in service in most instances.

The overriding reality of that time in excuse for the civil service is that the government was so strong and desperate to perpetuate these vices that for any group to do otherwise was suicidal. So indeed the civil service had no choice but to join ranks with the government in transit to do the damage we are all suffering from today. But in all that chaos there were pockets of civil servants who stood taller than the crowd and did what was right in the interest of the country.

I believe that the prospects for better performance by the civil service in future are good because of the new civil service code which puts much emphasis in merit than length of service for career advancement and job security. With these developments the civil service will be more responsive to the needs of the people they are meant to serve.

The Nature of the Conflict and its Impact in the Civil Service

The conflict in my judgment was a violent reaction against the inequities of the state. A large proportion of the inhabitants lost the meaning of our statehood and their citizenship. It was a struggle between the haves and have nots.

The conflict destroyed all economic activities and social infrastructures like schools and hospitals. The agriculture sector - facilities, personnel and farmers were the hardest hit. Over 80% of all the infrastructures built by government and the foreign funded agricultural projects were destroyed vandalized or looted completely. The crises left the civil service in agriculture much more disenchanted knowing that they have to start all over again to rebuild their lives and rehabilitate or build the structures which served them well over the years. This is so also in the f ace of the low salaries paid to workers in service.

The Existing Short Comings in the System

I came into government proper in June last year. Before then I worked as a lecturer in genetics and plant breeding at Njala University College and then as a Research Officer and Director at the rice Research Station Rokupr until my appointment into this position.

These institutions are managed as parastatals - more or less like private companies where incentives are much better, where employment, job security and career advancement are based on merit-mainly performance and conduct, not necessarily length of service.

The civil service is different. It is dominated by generalists who do not quite accord much value to specialists. Scientists; engineers etc. do not quite get much opportunities and responsibilities. Due to the acute shortage of management skills in the systems personnel management is not so good. Therefore productivity is low overall. There is also a rigid class system which does not permit easy mobility.

But in all fairness to the civil service, the salaries and working conditions are in themselves disincentives to progress. Civil servants find greet difficulty in putting in their level best because the returns to them are very low, they often complain. Also I note that the Civil Service is not specifically trained for their jobs. They do not have on-the job training either to prepare and equip them properly for the responsibilities they are expected to undertake in running the country.

Summary and Recommendations

1. The civil Service is a very important player in the process of governing the country, in managing people and resources for the welfare of citizens and development of the nation.

2. With more permanent status and their authority over the country's finances and workforce they can easily determine the pace of any government and the quality of services compatriots get from time to time.

3. These points necessitate a civil service comprising of well selected, trained, motivated and dedicated corps.

4. This corps can help any government to adopt good governance practices - like democracy, human rights, transparency accountability etc.

5. Under such conditions the average Sierra Leonean will be served properly; he/she will appreciate the efforts of the government of the day. He/She will be provided basic social services and be afforded opportunities for economic growth and development. In such an atmosphere people will always be happy and they will have trust in the country. Conflicts will hardly find room to emerge in such circumstances.
6. The best way to manage our peace therefore is to work to better the lives of, not just ourselves, but the majority of Sierra Leoneans who rely on pour judgments, our decisions and actions on a day to day basis.

7. The civil service is in a better position to help governments to accomplish this goal.

RECOMMENDATIONS

I am sure the new civil service code has addressed most of the concerns I raised above. These recommendations are therefore supportive and complementary to this code:

l. The Civil Service should be established like a parastatal where employment is by merit and career advancement and job security are based on performance and conduct in most cases.

2. The present Civil Service is too large and therefore impose heavy financial burden on the state to carry especially when performance is low. Therefore the number should be reduced by some informed formula,. Those remaining to serve the state should be properly trained and highly motivated.

3. With such incentives the elements of deterrence should also be institutionalized.

4. Training for the job and on the job should be a regular activity of government to sustain the high levels of performance and commitment.

5. There must be greater vertical and horizontal mobility in the service.

PRESENTATION BY J.C. BOIMA

MINISTER OF WORKS, HOUSING & TECHNICAL MAINTENANCE

TRC

CIVIL SERVICE AND ITS ROLE IN OUR CONFLICT

1. The Civil Service is that staff that is responsible for the formulation of policies, carrying out the decisions of Government and administering public services to the benefit of the people of Sierra Leone. In its complexity it requires a balanced interplay of administrative, professionals and financial sectors, for service to be appropriately delivered. It is a fundamental instrument for governance. An imbalance in this harmony would lead to disastrous outcomes

2. The Civil Service Code stipulates the functions of all levels, of civil servants. It regulates their activities, determines penalties for misconduct and seeks to preserve the integrity of that body!

3. By virtue of it being a body that serves government and knowing that governments change in democratic societies; Civil servants are presumed to be loyal to work only in line with guidelines of their Code & be neutral and objective in the dispense of their duties and above all maintain a culture of independence in line with the policies of the constituted Government of the day. Honesty is prime is performing those function.

4. Governed by the Code they are meant to be non partisan, able to work anywhere in a multi-ethnic, multi-sectoral society and to deliver without prejudice to the government of the day.

5. Governments before the conflict had lost all their values. The edifices of civil servants "lost their virtue" and manipulation of the system by dictatorial governments became the game of the day. Allegiance became the driving force and opportunities were never missed by civil servants to please politicians: to retain their posts or for self interest in amassing wealth as evident by the wealth accumulated by same.

6. Disregarding the rules that guided their activity they (civil servants) even overran the system and became by themselves emperors of their own kingdoms. This was most pronounced with the senior cadres of the civil service. A practice that is present even in present day Sierra Leone . Permanent Secretaries are cocooned.

7. Through this, the growing generation of youngsters, some though graduates never had the chance of entering the system. They were said to be radicals, non-conformers, unpatriotic. These characteristics were features of communists and the aversion against this communist system was very high in governments before the war.

8. Thwarting those potentials, the sense of being left on their own and the use of attributes, of degrading nature and utterances by senior or even heads of Government (like education is a privileged, a cow grazes where it is tied) against education all pushed these thoughtful youths into organising themselves to fight injustice. - Expression used by RUF.

9. The change to normalcy is very tiring; bad habits die hard. The system still has this old guard of sycophants who bow to politicians to win favour. The system must revisit the terms of reference for senior civil servants. To enhance output government should move in with their senior cadres and exit, with them. This will avert the notion of permanency and hinge retainership on performance. With the above output will definitely increase and delivery to the system will be improved.

B

10. The civil conflict emerged out of a complexity of administrative injustices, selfish ambitions, international intensions that give us food for thought as to how we stand in the present global village:

A village of competition, where ignorance condemns and power prevails. The wealthy nations dictate and woe betie you if you go against their dictates. And one must attach oneself to the political giants of this world - accept their views, be prone to their indoctrinations immaterial of the effects these would have on your social structure, the virtues a system stands for and above all even your developmental aspirations

11. The injustices were related to the way the wealth of the country was distributed. The working people provided for a few rich ones. Diamonds were taken out by a few, SLPMB sales were enjoyed by a few. The government representatives with the mining companies reported only to senior government official. Equity became theoretical.

12. Licences for prospecting were issued instead of real mining ones. The good schools were meant for those who had money, anyone staying in the hinter land would seldom hear about opportunities for improvement of one's own life. A litany of disapprovals that crossed through all tribal barriers.

13. I was once invited to J.S. Momoh's house, (the Chief civil servant) arrived after they had had breakfast and was offered chicken breast as left over! A poor doctor earning less than Le.50,000.00 a month, had problems in feeding his family. What a shame. What did these people have then? I asked myself. (If the tax collectors should have groups of houses, own multiple taxes where as those who work to give the tax sweat for little). What a society then? These failures definitely predispose to de cent and the most important incriminators were the civil servants.

14. This war from the start was manipulated, tribally biased and aimed at a group. Whenever rebels attacked, headmen, chiefs etc are beheaded. Any brave and intelligent individual was not spared. Before places were attacked specific tribes were said to be targeted, these fled - saved themselves! - only indigenes remained

and these were maimed or killed. Was this not tribal then! Civil Servants surely must have known this but never reacted

15. Information reaching the civil servants was never relayed to the common man, people lived on rumours, there was no one to direct them since the heads of departments were the first to run away. At times we thought there was connivance between the rebels and the administrators. Reports reached us that there were sell outs by high placed civil servants(District Officers). Some died in the attempt to run away with information that ought to have been relayed to the people.

16. **Society lost faith in the Civil servant one of the reasons why quite a few**

were targeted by both factions. '

17. The Chief administrators were the ones who told us to stand against the rebels: use your slings, your spears and even your catapults to fight. We never know about AK47s, MGs, AAs. We were left at the mercy of the invaders and indeed massacres took place beyond our imagination. If they had left us to decide what to do the better probably it would have been for us.

18. This war was used too, to revenge. E.g. in the process of liberating Pujehun district in 1992, people at Chiefdom level (SOWA) stamped everybody behind the Bandajuma Bridge as rebels, which consequently led to the summary execution of 18 young men on one single day in Geoma Jorgoh. This issue was reported to the Provincial Secretary, but nothing came out of it. We were even prevented from burying them when we returned home! What a trauma, having been wronged with no one to console you! There remains are still together under a palm tree.

19. The role of international bodies, multilateral interests, is indicative by the role mercenaries played in our war. Ivory Coast hosted the rebels, influenced by whom we don't know. I can imagine the diamond magnates in Europe and America, joining hands with the Russian mafia to support the RUF in order to gain access to our diamonds. Using AID Organisations for their means should be seriously looked into. This led to ICRC loosing credence to our government in 1998.

20 I in 1990 travelled with some security men from Zimmi who were on their way to report their findings to the Provincial office in Bo. Their revelations were glaring, indicative of imminent war. I was left astounded as to why the borders were not secured then. If they could tell me (a civilian), I believe their bosses were accordingly informed. And no action was taken.

21. It is my conviction that once they felt secured the civil servants never did enough to appropriately inform the government of the day about the happenings that were reported to them.

22. **The present civil service is not devoted to delivery, is interested in improving on individual EGOS. Commitment to service is lacking. The go to work late, take too much time to draft letters, cabinet papers prepared by Ministers and presented at times takes weeks in the hands of civil servant before they are presented - what a delay? What a shame! Ministers are then held responsible for laxities (of the civil servants) in their ministry.**

23. There are penalties for such but how do we punish them. The legalities are complex, interpenetration ostentatious and take so long that justice if it ever comes, comes delayed. The harm is done and at times forgotten. A review of the legal aspects of the civil service originating from the colonial days should be appraised and probably overhauled to fit into the 21st century.

24. There should be a change in the approach to political issues by civil servants (most of whom are not neutral). The need for decentralisation reduces the workload on those (civil servants) attached to the central government. There does not seem to be an understanding of policies of government by senior civil servants. Man power training should be seriously considered. There must be a consensus of understanding what the government of the day wants to achieve and what is expected of the implementors. Guiding principles about the relationship between output and overall achievement by government must be made clear to civil servants. Those who do not understand or who fail to react should be transferred to other sections where decision making would not be very crucial for policy implementation.

25. There is for example a tussle between two Ministries as to why only files are transferred leaving the people working with the files behind. This has gone even before the highest deciding body but to no avail. How can a group of civil servants hold the government to ransom preventing another group from performing because they issue building permits which are not accounted for to the revenue collecting body.

26. The Executive must take firm decisions and the legal ramifications of implementations pursued. Allowing people to override a common decision spoils the inter-relationship within the executive, debars development thus sending society against the government.

27. Another aspect of punishable offence without penile seauelae is the inefficiency of Senior Civil Servants. These may be refused by political Woe onto the Minister, who brought up the charges, if he is to meet that senior civil servant in another Ministry.

28. There should be a method of disciplining these people to avert repetition and vengeance.

All the above implies the urgent need for a shake-up of the service, recruitment of a new breed of well paid and qualified (trained) senior cadre. This should be high on the agenda of the governance Reform Secretariat even if it costs

government to finance such reform, the benefits would pay off any - financial looses.

29. Our social settings encourage Model worship. This is a pitfall for not only politicians but even for the higher cadres of civil service. The ingrained perception of vote controller as equivalent to amassing wealth drives people to offices in search of easy money. Hailed as a good person, civil servants would be inclined to steal and give out what they might have stolen from government coffers to their heads, relative etc.

30. Culturally, we would not like to fall once we have reached a peak, and salaries paid are small which means little or nothing is saved. The pension benefit and gratuities are infinitesimal. This gives the civil servant an urge to go all out to acquire and sustain that standard even after retirement. And where else can they get/take - but from government.

31. Companies are formed at times by civil servants and registered which would not deliver goods for which money has been approved. The state is hit twice = looses money and becomes incapacitated because of inability to deliver. This blatant stealing is omnipresent in all Ministries.

32. There is need to sensitise the populace that high positions carry responsibilities - but mainly to employers and not to extended families: that offices should not be frequented for money - which civil servants/ministers don't have. One would conclude then that:

a. To build up the capacity of civil servants. The civil service college should quickly be rehabilitated and training of all levels of civil servants restarted. This could be an institution for continued education.

b. To access intakes in terms of capability. Being educated alone is not enough. Psychological tests might be helpful in choosing the best fit for the job. Moral precepts should be adopted and adhered to in practise.

c. Review of the salaries should be expedited to accommodate inflation in the (wages) salaries of civil servants. This might mean considerably increasing salaries. But this would pay off since it effects efficiency, lower pilfering.

d. There is an urgent need to send all those who have reached retirement age away to facilitate the breeding of more responsible straight forward and efficient civil servants.

e. We as a government are creating a civil service reform secretariat to deal with all the above.

Ten Years of Rebel War:

Effects on the Sierra Leone Economy

Submission to
The Truth And Reconciliation Commission

By

J B Duada, Esq
Minister of Finance
July 31st, 2003

Ten Years of Rebel War:
Effects on the Sierra Leone Economy

1.0 Introduction

The ten years of rebel war, compounded by the military junta interregnum of May 1997 to February 1998 and the invasion of Freetown and its environs in January 1999, left this country's economic and social infrastructure in shambles. Every Sierra Leonean and the international community are witness to the fact that the coverage of the destruction includes rural settlements, educational structures and institutions, health facilities, urban dwellings and administrative infrastructure, mines, banks, industrial concerns, roads and bridges, but above all, the very human capital of this nation. The world is witness to the maiming, including amputation, and killing of innocent civilians during this ten-year period. Over 2500 villages and towns throughout the country, and over 6000 private homes in Freetown alone were destroyed. More than 2 million people were displaced from their homes during the war.

Large-scale destruction of economic and social infrastructure, including the destruction of the infrastructure for the production, distribution and marketing of agricultural commodities took place. Official receipts in all its forms from the mining sector, including personal incomes, Government revenue and foreign exchange earnings had come to a complete halt by 1996, and are only now resuming. Exports dwindled and the exchange rate depreciated.

The war, which started in 1991, only compounded the then existing problems of unemployment, low output and productivity. It plunged the population of Sierra Leone deeper and deeper into poverty. By the year 2000, the per capita income stood at only US$140, representing less than half its 1985 value. The dimensions of the war became particularly horrendous during the second five years of the war decade and especially after the events of May 1997. Throughout the decade of war, serious efforts at sound economic and financial management yielded commendable results as the economy stabilized from its turbulence of the 1980's. However, reversals of significant dimension took place time and again as hostilities escalated. Cases in point include the invasion and occupation of Kono in 1992; the siege of Sierra Rutile in 1995; the 1997-1998 military interregnum; and the invasion of Freetown and its environs in January 1999.

2.0 Background to the Conflict in the context of the Public Service

It will be difficult to apportion roles or responsibilities for the conflict to the civil service as a group. The problem was one of bad governance characterized by politics of exclusion, systematic emasculation of the traditional systems of administration, over-centralization and the politicization of the civil service and the army and police. From all of this evolved acute and widespread corruption and lack of transparency and accountability. The end result was that by the mid- to late-1980's, the government could not deliver even the basic services for which it should have been accountable to the electorate. It has often been said that it was this monopoly of power, politics of exclusion and lack of alternative choices that gave some people the opportunity to take up arms against the state. The

environment was also fertile ground for the elicitation of support especially from disgruntled youths, most of whom did not see a glimmer of hope or have confidence in the future under the then existing status quo.

On the public financial management front, it can easily be said that it was that same monopoly of power and politicization of the public service that engendered the deterioration in fiscal management, including wasteful expenditure policies, fictitious contracts and corruption at all levels of Government. As a result, public service delivery broke down. Public expenditures burgeoned; budgetary revenues declined precipitously; and consequently, the fiscal deficit widened beyond sustainability with a resultant expansion of the public sector borrowing requirements, accompanied by a concomitant acceleration in interest payments on domestic and external debt. Ultimately, the government budgets capacity to pay for goods and services and pay efficiency wages declined sharply. Thus, as a result of sustained inflationary trends and crowding out of priority expenditures, real public sector wages and the quality of public services declined progressively down the decade of the 80's, resulting in a sharp deterioration of the civil service through attrition and loss of morale.

3.0 Economic Consequences of the Conflict

3.1 Real Sector Developments

Our per capita income was US$210 in 1991. Despite fluctuations during the first half of the 1990's GDP per capita managed to stay slightly above US$200 during the first five years of the decade. By the year 2000, however, our national income per capita had depreciated rapidly to under $140. The deterioration was particularly rapid during the period 1997-2000 when there were escalations of hostilities, including the AFRC junta siege of the country during 1997-98, the invasion of Freetown in 1999 as well as the events of May 2000.

Before the war, agriculture accounted for about 45 percent of GDP, employed about 60 percent of the labour force, and contributed 13 percent of Sierra Leone's foreign exchange earnings. However, the war disrupted this situation drastically, undermining the country's rice food security. Rice importation more than doubled from about US$20 million in 1990, just before the advent of the war, to US$50 million in 1996, and remained high until the end of the war. In fact, Sierra Leone's rice productivity dropped to as low as below 35 percent of the nation's requirements during the war years.

The mining sector, dominated by rutile and bauxite by the beginning of the war, contributed about 8 percent of GDP, 66 percent of Foreign Exchange earnings, 14 percent of wage employment and 8.5 percent of Government revenue at the beginning of the war in 1991. During the first half of the 1990's, before the siege on the rutile mines, rutile alone contributed over half of the country's foreign exchange earnings. Rutile exports deteriorated progressively from US$78 million in 1990 to US$55 million in 1994, and then, came down to an abrupt zero in 1995 with the siege on Sierra Rutile early that year. Rutile mining has since not resumed in this country.

The industrial base of Sierra Leone has been restricted to a few manufacturing industries, in addition to the mining industry. Manufacturing has been restricted to the beverages industry, cement production, the manufacture of a few tobacco products, etc. These contributed to both employment and government revenue. However, as the war escalated over the years, most of these industries closed down, and by 1999, almost all of them had ground to a halt, thus resulting in further unemployment and loss of incomes as well an increase in import requirements to complement lost domestic production.

3.2 Public Finance

As mentioned earlier, sound economic and financial management even during the war situation yielded considerable dividends. These were however, repeatedly reversed by interruptions as hostilities escalated over the years. Domestic revenue, which amounted to less than 10 percent of GDP just before the beginning of the war in 1990, had increased progressively to about 14 percent of GDP in 1993/94, its current level. On the other hand, Government expenditure was progressively reduced to match available resources. Consequently, the budget deficit was progressively reduced from about 12 percent of GDP in 1990 to about 6 percent in 1996. Unfortunately with the disruptions between 1997 and 1999, the situation considerably worsened. The domestic revenue base narrowed down while defense expenditures ate up most of the available resources at the expense of the delivery of such basic services as health, education, electricity, potable water, etc.

During the half decade before the beginning of the war, (1986-1990) defense expenditure as a percent of total recurrent expenditure averaged 4.1 percent. The proportion during the first five years of the war was 26 percent. The implication of this development was that substantial amounts of budgetary resources that could have been utilized for the delivery of basic services and the development of the country's economic and social infrastructure had to be diverted towards prosecuting the war.

3.3 Public Debt and Debt Service

Even at the beginning of the war in 1991, with our total external debt amounting to almost US$1.3 billion, the debt overhang was already posing a serious challenge to the nation. During the war, despite considerable efforts to reduce the debt burden through negotiations for debt forgiveness and rescheduling and debt buy backs, the debt service requirements continued to eat away into our meager resources. The problem was that our foreign exchange earnings had been eroded and our domestic revenue base undermined in the face of steadily rising debt service requirements.

As a result of the erosion of the domestic revenue base and the consequent widening of the fiscal deficit, Government's domestic borrowing requirements increased progressively, especially during the latter years of the war. This led to an increasing domestic debt burden side by side with the external debt burden. Government's borrowing from the local financial market implied an increasing need for servicing the debt through domestic interest payments. This further impacted on government's ability to deliver basic services.

3.4 Balance of Payments

Our official export earnings as a country deteriorated from US$145 million in 1990 to US$42 million in 1995, when rutile and bauxite production were brought to an abrupt halt by the rebel attack on Sierra Rutile. The downward trend continued and reached its lowest levels of US$17 million and US$16 million in 1997 and 1998 respectively, as a result of the AFRC junta interregnum. As a result, our balance of payments worsened considerably, with the balance of trade deteriorating sharply from a deficit of US$9.6 million in 1990 to a deficit of US$95 million in 1995. Meanwhile our dependence on food imports, including food aid increased sharply. Consumer items almost completely displaced investment goods from the import bill, with food imports taking up over 50 percent of the import bill, especially during the latter part of the war years.

3.5 Economic and Social Ramifications on the Population

The education sector suffered demolition, burning down and vandalization of the majority of schools throughout the country, especially in the provinces, displacing droves of school children and their teachers, resulting in overcrowding in the remaining educational facilities, which in turn seriously hindered the delivery of quality education even in safe areas of the country. The restoration of the educational system in Sierra Leone will involve not only the construction and rehabilitation of damaged institutions, but also the provision of the necessary teaching and learning resources - both human (teachers) and material, including classrooms. The task of giving this country's children access to basic education therefore, becomes ever more elephantine, the road to education for all, arduous.

In the health sector over 415 health units, including 150 primary health units and 15 government hospitals had been left in need of reconstruction and/or rehabilitation by the end of the war. Health equipments had been destroyed in some of the remaining health institutions, while medical supplies and laboratory services continued to deteriorate or dwindle. Rural water supply systems consisting of wells, hand pumps and other traditional supply sources, as well as such sanitation systems as latrines were damaged by physical destruction, long periods of abandonment or contamination with human remains.

Thousands of rural settlements were destroyed and their inhabitants, most of them farming families, displaced. These families lost both their homes and their sources of income, and the country's local food production capacity weakened to less than half the domestic consumption requirements. Livestock and fish production severely diminished, thus reducing animal protein supplies to levels far below minimum requirements. The farmers lost their seeds and tools and implements; infrastructure, including feeder roads, service centres, storage facilities and research and training institutions, was extensively destroyed; agricultural social institutions such as farmers' organizations and rural financing institutions disappeared from most communities. This catalogues huge resource requirements for reconstruction and resuscitation of the institutions and infrastructure to put the nation back on a firm footing towards food security.

4.0 <u>Some Lessons Learnt</u>

The most fundamental, though bitter, lesson we have learnt as a nation is that the key to our peace, stability and development as a country lies in good governance. There is an absolute need to rebuild a Sierra Leone in which people have equal opportunities and freedom of choice, in an environment in which service delivery is

transparent, accountable and auditable. We need to build an environment in which healthy competition prevails, and aggrieved persons and institutions have avenues for swift redress.

5.0 Remedial Measures in the Area of Public Financial Management

The Ministry of Finance recognizes its role in the process of rebuilding the nation along the lines outlined above. In that regard various reform measures in the area of public financial management and accountability are already ongoing. Some of the areas of current emphasis include the strengthening of the accounting system, the audit service and anti-corruption. The budget process is also becoming more and more transparent and inclusive. Community leaders, including paramount chiefs, members of parliament, civil society movements, all now participate in the budget process. This gives the people opportunities to have a say in the budgetary provision for services of the priority. It also gives them the opportunity to monitor service delivery in their various constituencies and chiefdoms.

Another important institution that will be strengthened to enhance the quality of service delivery is Parliament, particularly its Finance and Public Accounts Committees, to strengthen their oversight capacity.

The Public Sector Reform Agenda also includes public sector pay reforms to enhance the quality of the public service; as well as fiscal decentralization within the broader context of decentralization and governance reforms, which is all about giving people choices and placing the management of their affairs into their own hands.

Finally, in the area of resource allocation, the emphasis will continue to be poverty reduction and the rebuilding of the nation's economic and social infrastructure to deliver quality social and economic services, including health and education.

6.0 Conclusion

In conclusion, it is clear from the present submission that the ten years of rebel war devastated a nation that was already in turmoil even before the war started, severely undermined the economic base of the country through wanton destruction of life and property and consequent income losses. The population was plunged deeper and deeper into poverty, with a resultant and progressive deterioration in the standard of living of the population. By the end of the war, after ten years of national agony, our very existence as a nation depended, to a large extent, on an external life-line in the form of grants, loans and commodity aid.

For over the ten years starting 1992, the nation and people of Sierra Leone have remained at the bottom of the global human development ladder, as measured by the UNDP Human Development Index, as a consequence of the war.

As a final note, the present submission will reiterate the point that the key to our recovery from the above situation onto the road to development lies in good governance, transparency and accountability.

GOVERNMENT OF SIERRA LEONE REF: MIA/TRC/02

DATE: 26th February 2003

FROM: The Permanent Secretary - Ministry of Internal Affairs

TO: The Inspector-General of Police
The Chairman

Truth and Reconciliation Commission

Brookfields
Hotel

Freetown

REMINDER ON SUBMISSION TO THE COMMISSION

I am directed to refer to my memorandum of even reference and its attachment, dated 14th February 2003, copy attached for ease of reference, and to inform you that according to paragraph three (3) of the attachment, this Ministry is to nominate an official to speak at the Public Session of the Commission.

It should be noted that the Police is the major internal security apparatus in this country and deals with such issues as arrests, detentions, prosecution and trials, the control of violence, investigations and searches, all of which are pertinent to the Commission's mandate.

In view of the above, you have been nominated or your representative to perform that role at the Commission.

Your usual cooperation in this all important matter is solicited please.
SANAH J. MARA

AG. PERMANENT SECRETARY

48 Liverpool Street Freetown

MINISTRY OF INTERNAL AFFAIRS SUBMISSION TO THE TRUTH AND RECONCILIATION

COMMISSION

According to the Sierra Leone Gazette No. 47 of Tuesday, 30th July 2002, the mandate of the Ministry of Internal Affairs is to develop policies and programmes for the maintenance of internal security and safety by undertaking activities under the following major headings:

The Police (Internal Security)

Immigration control at Sierra Leone's sea ports and airports National Registration Secretariat
Public Safety Matters

Fire and Civil Defence Services Extradition of criminals
Coroner's Office - Burials, cremations, and exhumations Firearms control
Dangerous drugs and drug prevention initiatives

National Drug Abuse Control and Co-ordinating Secretariat Collaboration with relevant Government Ministries and National and International Organisations/Institutions

However, the National Drug Abuse Control and Co-ordinating Secretariat has now become an independent Government Agency.

The mandate of the Ministry has always remained the same, only that it has undergone a lot of changes in terms of its nomenclature e.g. Ministry of Interior, with Departments linked to or delinked from it at different periods.

From the stated mandate above, the Ministry has decided to single out the Police and the Prisons Department in writing this submission because they are most relevant to the issues to be discussed.

THE SIERRA LEONE POLICE

The S.L.P. is a legitimate, established organization sanctioned by the Constitution of Sierra Leone 1991, Act No.6 Section 155 (1), which states that, there shall be a Police Force of Sierra Leone, the Head of which shall be the Inspector-General of Police. The SLP is vested with constitutional responsibility of:

- To protect life and property**.**
- To ensure the safety and security of the people.
- To maintain public tranquillity.
- To prevent and detect crime.
- To protect and respect the human rights of everyone who comes into contact with the Police.

To that end, the SLP has always endeavoured to fulfill its obligation to the State and people within the ambit of the constitution and thus uphold the rule of law. The force is currently undergoing radical reforms aimed at enhancing performance standards to achieve its goal, `A FORCE FOR GOOD'. In this vein, Training Programmes locally as well as internationally has been organized to revamp professionalism in the SLP.

Assistance from the British Government and the International Community (UNCIVPOL) has been laudable with logistics expanded to enhance the force's operation. The Government Policing Charter, 1998 clearly states the roles of the police, the Government and most importantly the people. This was followed by the SLP mission statement known `AS A FORCE FOR GOOD' carving out the way forward. New policing strategy has been mapped out based on the concept of Local Needs Policing, bridging the gap between the police and the people. This restructuring drive introduced by the British born Inspector-General of Police has gone a long way to restore public confidence in the police.

Major reorganization of the force has taken place with new departments/units evolving, all geared to revamp professionalism and make the SLP accountable to the people.

Prior to the current restructuring of the SLP, the pre-conflict years of the SLP was viewed by most Sierra Leoneans as the `dark era' of the Police Force which did not only put in a very bad light but also contributed in one way or the other to the outbreak of the decade long civil war. These negative contributions could be classified as remote and immediate.

Under the remote contributions/causes include:

1. **the abuse of recruitment standards into the SLP by the dictatorial one-party Government in order to entrench themselves in power, and using these recruits as instrument in perpetrating state terror against dissenters/political opponents.**

2. Large scale corruption by Police Officers due to poor remuneration and conditions of service, led to the exploitation of the very people they were supposed to protect. This created rancour and disdain on the parts of the public against the SLP.

3. **Political interference by the then ruling clique adversely affected policies and created rancour between those officers with high politi8cal profiles, and those who had not. The latter, in frustration, made no meaningful effort in improving the Force.**

4. The heavy handedness and tyrannic attitudes of most Senior Officers towards their juniors also served as a remote cause to the outbreak of the conflict. This was I the form of bullying, unlawful seizure of junior personnel's rice rations, salaries, etc. Some dependants of these Junior Officers who later became dropouts also swelled the ranks of the rebellion.

This appalling situation was further compounded by the unprofessional behaviour of Police Officers in handling and investigating reports made by the public, extortion of monies from complainants, taking sides in disputes, violation of individuals' basic human rights (especially Suspects) like unlawful incarceration, brutal torture in order to get `confessions' from them, the brutal suppression of anti-government demonstrations, the lethargic attitude of Senior Officers in investigating complains made against certain officers, and above all the lack of democratic control and public accountability on the part of the SLP further widened the already existing gulf between the public and the police.

It is also worthy of note that the Sierra Leone Police was politicised. The Inspector-General of Police was appointed by the President to be a member of Parliament thereby denying the SLP its autonomy to handle issues objectively. Evidences were fabricated against people on treasonable offences eventually leading to their wanton execution. This created a serious rift between the police and the public.

The organization was therefore widely viewed as a citadel of corruption, instrument of tyranny and obstacle to the socio-political and economic progress of Sierra Leone. As a result, the advent of the rebel war saw the brutal and cold-blooded murder of hundreds of Police Officers and their families. This was systematically done by all the warring factions, and even by peacekeepers. (ECOMOG Forces). Available statistics indicate that between 1991 to 1999, a total of two hundred and ninety-three(293) personnel of different ranks were killed and total of thirty-seven (37) personnel were mission in action. These figures show the magnitude of human loss incurred by the SLP and the effects it has on the overall police operation.

With the cessation of hostilities and President Kabbah's declaration of the end of the decade - old civil conflict on the 18th January, 2001, there has been a gradual and systematic witness in return of police primacy to all parts of the country.

The SLP welcome the establishment of the TRC by Government of Sierra Leone in pursuant with Article XXVI of the Lome Agreement, 1999. The TRC mandate to address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their stories and get a clear picture of the past in order to facilitate genuine healing and reconciliation is seen by the SLP as not only being timely but a means to an end of the horrendous passage in the history of this country.

To this end, the SLP gives it fullest support in every form to ensure that the TRC succeed in its mandate by safeguarding the principles of humanity in all situations.

Furthermore, the SLP shall endeavour at all times to fulfil the duty imposed on them by laws by serving the community and protecting all persons against illegal acts, consistent with high degree of responsibilities required by their profession.

THE PRISONS DEPARTMENT

Prisons exist because society, expressing its will through the Courts, finds it expedient to have place in which it can from time to time segregate some of its members suspected or convicted of breaking the law.

In this regard Prisons, are institutions with clearly defined aims and tasks. In Sierra Leone there are statutory provisions, namely the Sierra Leone Prisons No.2 Rules of 1961 and the Sierra Leone Prisons Ordinance of 1961 respectively which spell out the aim and tasks of the Sierra Leone Prisons Service. Everything is done in Prison institutions are ought to be done in furtherance of these aims and objectives.

(1) The role of the Prison Service is first under the law, to held those committed to custody (whether or remand, committed for trial, convicted and awaiting sentences or lawfully detained by court order to executive action) and to provide condition for their detention which are currently accepted to society. Secondly, in dealing with convicted offenders, there is an obligation on the service to do all that may be possible within the occurrence of the sentence to encourage and assist them to be law-abiding on their discharge.

The stock of Prison accommodation was severely depleted during the war. The war led to the destruction of many Prison facilities in the country and the loss of the equipment on which the Prisons Service was dependent for its operations. Some of the key facilities destroyed were the Magburaka Central Prison (Mafanta) in the north with a 400 inmates capacity, Kambia Prison (also in the north) and the New England Prison 340 inmate capacity, which is now been ceded to the special court. In addition, the war resulted in the killing of numerous prison staff members, the destruction of staff quarters in different parts of the country and the flight of many qualified officers.

Since our Department is the custodian of some of the perpetrator or victims of the war we welcome the idea for the commission to visit the Prison Institutions all over the country to take statements from prisoners **and detainees in regard to their experiences and roles during the civil war in this country or the violations and abuses of human rights and international humanitarian law which they witnessed or suffered.**

In addition to statement taking we will also welcome the idea to effect a collaborative mechanism between our Department and the Police and the Judiciary. In that effort should be made to prevail upon the **judiciary to seek ways and means of reducing the number of Remand and Trial Prisoners awaiting decision on their fate by trying their cases more speedily. More so adequate provision is to be made for the use of alternatives to imprisonment including Pre-trial, release on own recognition, conditional release, restitutions, community service, fines to be paid by instalments and the introduction of system of suspended sentences. These prescribed methods will help to reduce overcrowding in the Prison Institutions.**

(I) To ensure that the management and organization of the establishment is such as to:

Encourage and develop free and open communication between inmates and staff.

Provide opportunities for staff to contribute to the assessment of inmates

Establish procedures for the maintenance of document and for the making of decisions which effect the inmates treatment and his progress towards release.

To organise and maintain any specific treatment and training task approved by Headquarters and to promote good relationship with people in the neighbourhood, to maintain the trust which the public at large should feel in the public institution.

The **Sierra Leone Prison Service welcome the establishment of the TRC by the government of Sierra Leone in pursuant with Article XXVI of the Lome Agreement, 1999, the TRC mandate to address impunity break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violation to tell their stories and get a clear picture of the past in order to facilitate genuine healing and reconciliation is appreciated by the Sierra Leone Prison Service.**

(2) The aim of these responsible for custodial care are ensure that:

(a) The treatment of the inmates is such that to promote and preserve their self-respect.

(b) The harmful effects of removal from normal life are minimized.

(c) The organization of the institution is such that inmates are encouraged to learn from staff and each other how to adjust in an acceptable way to the demise and pressure of society at large.

(c) The organization of the institution is such that inmates are encouraged to learn from staff and each other how to adjust in an acceptable way to the demise and pressure of society at large.

(d) The inmates are prepared for and assistance on discharge

(3) In achieving these aims each institutions has the following tasks:

(a) to hold each inmates in those conditions of security and supervision, which are appropriate to their location and legal status.

(b) To ensure that all inmates are able to exercise their rights and enjoy the privileges appropriate to their location and legal status.

(c) To ensure that all inmates are protected from their own hostility and that of others are protected from them.

(d) To ensure that treatment of inmates makes the most effective use of accommodation provided and that the scales of food and clothing are used to the greatest advantages.

(e) To ensure that there is available the means of relieving pain and suffering: a system of medical care for the diagnosis and treatment of both physical and mental disorders: and specialist knowledge and expertise as required either from within the service or be reference to the National Health Service facilities.

(f) To provide for religious needs of inmates of all denomination.

(g) To ensure that inmates are, so far as the provision work allows, suitable employed: and that the organization of work in the institutions fulfills the requirement set by Headquarters.

(h) To provide support for welfare work in Prison and to ensure inmates have ready access to social work resources both during sentence and in respect of their needs after their discharge.

(i) To provide, within the scale approved by Headquarters and as far as local resources allow, a system of education appropriate to the need o the individual inmates.

(j) To provide as far as resources allow a full and varied programme of leisure activities.

(k) To ensure through the organization or the institution and through staff training the staff understand the nature of the opportunities, demands and conflicts which my arise in institutions so that they are enable to use them positively in the treatment and control of inmates and at the same time to tolerate the hostility within the situation.

To conclude the Sierra Leone Prison Service is ready at all times to give its fullest support to the TRC in order to succeed.

SUBMISSION AND TESTIMONY AT THE PUBLIC HEARING OF THETRUTH AND RECONCILIATION COMMISSION BY MR. J. P. K. LAMIN, SECRETARY TO THE CABINET AND HEAD OF THE CIVIL SERVICE ON THURSDAY 24 JULY, 2003, AT THE Y.W.C.A. HALL, BROOKFIELDS, FREETOWN

Mr. Chairman, Esteemed Members of the Truth and Reconciliation Commission, Ladies and Gentlemen, I am extremely delighted for the opportunity you have given me to say a few words to this very important Commission on behalf of the Sierra Leone Civil Service.

Please allow me to first of all express my sincere thanks and appreciation to Government and the International Community as well as individuals who have contributed towards the setting-up of this Commission and making its work possible. Let me observe from the outset that the setting-up of the Truth and Reconciliation Commission which is intended to compile a historical record of the highlights of the Ten Year Civil War (1991-2001) in our beloved country, which will also serve as a medium that will contribute towards the post-war healing process, is generally acknowledged by all as a step in the right direction.

THE CIVIL SERVICE

The Civil Service as you know is an organized body of men and women with different educational and training background, various expertise and skills employed by a government to assist it in the governance and development of the country. The purpose of the Civil Service is to assist the Government in the formulation and implementation of its policies, decisions, programmes and plans to the governance and development of the country and for the well being of the people in the country. The Civil Service thus has the responsibility of managing and operating the machinery of Government -the Ministry, implementing Department and agencies (MDAs).

Civil Servants are required to discharge their duties reasonably and in compliance with the laws of Sierra Leone, as well as the codes of conduct, rules and regulations of the Service. They must deal with the affairs of the public sympathetically, efficiently and without bias; and in doing so should at all times act with integrity, honesty, impartiality and objectivity.

I joined the Civil Service as an Administrative Officer on the 7rh of December, 1971, and was appointed as Secretary to the Cabinet and Head of the Civil Service on the 23rd of March, 2000. My key functions include:

a. having charge of the Cabinet;

b. responsibility for arranging the business for, and keeping the Minutes of the Cabinet, and for conveying the decisions of the Cabinet to the appropriate persons or authority, in accordance with such instructions as may be given me by the President;
c. co-ordinating and supervising the work of all Administrative Heads of Ministries and Departments in the Civil Service;
d. keeping track of infer-departmental issues and advising when they require Cabinet collective consideration;

e. arranging Meetings, setting agenda, and circulating memoranda;

f. ensuring the safety of Cabinet archives and custody of constitutional documents;

g. vetting and shaping draft Cabinet Papers, conclusions and correspondence in the interest of good decision taking.

The Civil Service inherited from the colonial regime was relatively small. Its objectives were to maintain law, order and good governance. The colonial masters were the principal officers of the Service until independence when Sierra Leoneans took control of the Service of the country. It is said that the Civil Service before and at Independence was acclaimed as a beacon of excellence and a shining example of an institution that provided a dependable support to Government. It provided technical assistance and support to some sister states within the West African sub region and instances abound in which Sierra Leoneans ascended to positions of prominence and authority in those States; that it was the finest Civil Service in Africa.

The Civil Service in post independence has changed both in structure, personnel number and functions. Apart from managing the machinery of Government, it has increasingly become the vehicle of social and economic change and development. The present personnel strength of the Sierra Leone Civil Service is 17,000 (seventeen thousand) workers.

SALARIES AND CONDITIONS OF SERVICE

One of the critical elements impacting negatively on the performance of the Civil Service is the inadequate incentive system. Low remuneration packages and unattractive conditions of service have caused the departure of Civil Servants for greener pastures both within and outside the country. Indeed low Civil Service salaries is a critical element of the inadequate Civil Service incentive system that contributes inter alia towards low morale, disappearance of work ethics, brain drain, and the proliferation of corrupt tendencies in the Civil Service. The salary issue is aggravated by the disparity in salaries between Civil Service levels and those in parastatals and the private sector. The total average compensation paid by these organizations is comparatively higher. Although Sierra Leone has a reservoir of qualified and experienced people in the diaspora and even in other sectors within the country, the poor remuneration and incentive system makes it difficult to attract highly qualified people particularly in certain professions into the Civil Service. International finance institutions and donor agencies have had cause to recruit Sierra Leonean specialists as contracts officers and pay them competitive salaries to deliver certain services. This has become a contentious issue particularly for contract officers occupying established line management positions within the service.

However, between 1993 and 1998 a lot of work was done on initiating a process of long term pay reform, conducting job evaluation exercises, developing a revised grading structure and procedures to implement the revised salary structure and to administer salaries. In 1998, the

structure of the Service was reviewed; salary scales were rationalized and reduced to 14 levels for the entire Public Service including Teachers, the Police and the Military.

THE CIVIL SERVICE AND THE CIVIL WAR IN SIERRA LEONE

It is an undeniable fact that conflict in any country, whether political, social or economic has the tendency of impacting on institutions in the country. The conflict in Sierra Leone has had negative impacts on the Civil Service. The ten year rebel war directly affected virtually everybody in Sierra Leone.

During these ten dark years of our history, therefore, the mayhem and destruction unleashed on this country destroyed whole communities, left hundreds of our compatriots maimed, permanently disabled and traumatized. Suffice to say that the material losses occassioned by the war has been so colossal that it cannot be quantified in monetary terms.

My personal experience during the infamous rebel invasion of Freetown on the 6th January,1999 with the attendant wanton vandalism and destruction if life and property, was that my official government quarter at No. 24 Hospital Road, Kissy Dockyard was set ablaze by the rebels; we barely managed to escape with our lives while the house with the property therein, including my degree and other certificates together with personal effects of myself and those of my family were all destroyed in the ensuing inferno.

There has been massive brain drain in the Civil Service, as many personnel who left the country have still not returned. Offices and vehicles were vandalised and equipment looted.

The survival of the Civil Service as an institution was largely as a result of patriotism, and resilience of its personnel. Consistent with the role of the Civil Service as the group of men and women that assist Government in the formulation of its policies and the timely implementation of its decisions and programmes, during the war, Civil Servants despite severe deprivations and constraints helped to maintain the general administrative machinery of this nation and were thus able to salvage the institution from total collapse. In the same vein, Civil Servants are currently playing a pivotal role in the post war resettlement and reconstruction of the nation. The rapid restoration of civil authority throughout the country after the war is a clear testimony of this.

The conflict situation also created institutional constraints of the Civil Service. There were and have still been inadequate budgetary allocations to Ministries and Government Departments occassioned by poor revenue generation, attributable to insecurity of revenue generating areas; there were inadequate logistics; all these have been debilitating for the Service.

Notwithstanding, the difficulties and problems the Civil Service helped to stabilize the conflict. It co-operated with the peace mission for example and contributed tremendously in fostering peace and stability in the country. The entire state machinery would have been vandalised and broken down had the Civil Servants not played their role.

THE CIVIL SERVICE IN DEMOCRATIC SIERRA LEONE

With the re-birth of democracy in 1996, the Civil service is once again in the process of recuperation from the morass it degenerated into over the years. As democracy takes firmer roots, the Civil Service is moving away from those vices that characterized it during a period of bad governance. It is with renewed hope that the Sierra Leone Civil Service marches into the future.

CIVIL SERVICE REFORM PROGRAMME

The concerns of the new democratic Government of Sierra Leone is that there are continuing problems in the Civil Service, which have not kept with the requirements of democratization. In addressing these challenges, Government in 1996 secured donor support from UNDP through which a three-man team of local consultants prepared a National strategy for Good Governance and Public Service Reform. The reform measures were aimed at providing a clean, effective, properly rendered professional Civil Service, a cohesive and enabling policy and legal framework with qualified and trained personnel with strong and enlightened political leadership.

In October 1998, a pilot diagnostic study was completed in the Ministries of Education, Youth and Sports, Energy and Power, Works and Technical Maintenance, Internal Affairs, Local Government, Trade and Industry, Transport and Communications by a joint team of British and Sierra Leonean Management Specialists to determine the dimension of the problems faced by the Civil Service with a view to making preliminary recommendations for restructuring of the Miniseries concerned. Specific reform initiatives implemented since then include:

- The Office of the Establishment Secretary was identified as a target for reform and is in the process of conversion to a Personnel Management Office

- Formulation of a new Personnel development and Training Policy for the Civil Service

- Formulation of a new human resource development strategy covering performance, training, promotions and rewards

- Resuscitation of the Civil Service Training College, which has been moribund for decades...

- Establishment of a pay and grading unit of the Establishment Secretary's Office to review the pay and grading system in the service

- Introduction of information technology – based Civil Service i.e. the whole personnel record system in the Civil Service is being overhauled and computerized.

- Development of a new operational manual / revision of the General Orders and other rules to facilitate

- effective financial, administrative and personnel management

- Introduction of a new Personnel Appraisal System for the Civil Service to replace the outdated and stereotyped Annual Confidential Reports

- Enactment of the National Social Security and Insurance Trust Act in 2001 to make provision for Civil Servants who have not attained 55 years to continue until the new statutory retirement age of 60 years, and to cater for them after retirement

- Restructuring and re-organisation which are still in progress of the Ministries of Defence, Foreign Affairs and International Co-operation, Education, Science and Technology, Agriculture, Forestry and Food Security, Health and Sanitation and Local Government and Community Development to make them more efficient and effective. The revamping of the Cabinet Secretariat to facilitate the improvement in the functioning of the office as well as the introduction of the Monitoring and Oversight Unit.

- The establishment of the National Inland Revenue Authority by merging the Departments of Income Tax and Customs and Excise, for improved revenue generation.

VISION OF THE SIERRA LEONE CIVIL SERVICE

The Government of the day no doubt has ushered in a number of reform programmes with a view to building the capacity of the Civil Service so that it can cope with the complexities, trends and challenges of managing a large bureaucracy in contemporary times. On my part and for many Civil Servants and citizens of Sierra Leone the Civil Service should have the following characteristics:-

i. an effective, efficient and properly rendered professional Civil Service, with supportive and enabling policy and legal framework

ii. a Civil Service in which people have clear career paths, and promotions such that there is a distinct and separate foreign service where officials pursue their careers and rise up to the level of ambassadors

iii. a Civil Service with a well-defined and co-ordinated training policy. There should be a training programme for the Civil Service, which should be designed around the county's developmental aspirations

iv. a Civil Service that is completely decentralized in its service delivery. The traditional bureaucratic practices characterized by excessive and high level of central control and direction should be done away with

v. a Civil Service that is customer-driven and customer focused

vi. a Civil Service which recognizes achievement of its personnel. Incentive packages which ensure that skills and in particular, personal achievements are recognized and rewarded

vii. a Civil Service with Performance Management System (PMS). This is perhaps the key reform that is expected to considerably change the way things have been done in Government. The introduction of the PMS in the Civil Service is to ensure that Civil Servants deliver on set and agreed plans and budgets.

viii. Subjected to the evaluation process to determine the level of responsibility and related grading.

On this note, I thank you all.

REF. NO. ***OP/PSF/***

22nd July,2003

The Executive Secretary

The Truth and Reconciliation Commission

Block A Brookfields Hotel
Jomo Kenyatta
Road New
England
FREETOWN.

Dear Sir,

INVITATION TO THEMATIC, EVENT - SPECIFIC AND INSTITUTIONAL HEARINGS

I write with reference to your correspondence No. TRC/FBK/20 dated 29th" April, 2003 inviting me to make a presentation on the theme: "The Civil Service", on Thursday the 24th of July.

I am pleased to forward a copy of the Statement that I will be making for your attention.

Kindly accept my sincere regret for sending a copy of my Statement late.

Yours sincerely

SHEKA MANSARAY

SECRETARY TO THE PRESIDENT

STATEMENT TO THE TRC EVENT-SPECIFIC AND INSTITUTIONAL HEARINGS ON THE THEME "THE CIVIL SERVICE

BY MR. SHEKA A. MANSARAY

SECRETARY TO THE PRESIDENT

MR. CHAIRMAN

I am very pleased to be invited to make a presentation at the hearings of this very important Commission on the Theme "The Civil Service". In this presentation I have tried as much as possible to address directly the questions and issues that have been presented to me in the sequence in which they have been listed.

The Civil Service represents a key component of the governance structure of the State. Since, as it is now widely accepted, failure of governance contributed greatly to the breakdown of civil order and the unset of the conflict and its aftermath, the significance of the subject areas that I have been asked to address by the Commission is therefore not lost on me.

However, under the circumstances, I can hardly do more than share with you my reflections on the various subject areas in the hope that this will at least create the necessary interest for more indepth investigation or inquiry.

(a) Your understanding of the role played by the Civil Service in the conflict and prospects for the future

Let me state that by the Civil Service I will refer mainly to the Administrative arm of the Public Service excluding such public sector agencies as the police and parastatals, but including the Public Service Commission, the Cabinet Secretariat and the Establishment Secretary's Office.

As I reflected on this sub-theme I have been increasingly confronted with the difficulty of isolating the precise role of the Civil Service (members of staff of Government Ministries and Departments) in the conflict from the roles played by other entities. The reasons for this are as follows:

Firstly, the forces that led to the war and shaped its dynamics over the years were numerous, complex and intricately connected.

Secondly, the Civil Service in Sierra Leone, and probably in many other countries as well, does not represent a single homogeneous group with a unified relationship to the State. Rather, in practical terms, it is a conglomeration of members of ethnic, political and/or regional groups whose loyalties and allegiances are sometimes divided along these lines or along lines of coalition of these groups. Although strenuous efforts were made to portray the way asnon-ethnic and non-religious, there have been at times some discernible ethnic or regional undercurrents. Therefore, Civil Service personnel, at one time or the other, either covertly or openly allied themselves to one or the other party to the conflict based on group allegiances or other personal interests. It can thus be said that different elements or groups of individuals in the Civil Service played different roles in the conflict either as collaborators with rebel elements or as loyalists to the elected Government.

For this reason, it may be misleading to categorically state that the Civil Service as an institution played one role or the other in the conflict.

Nevertheless, certain general orientations on the part of the majority of Civil Servants were also discernable. Among these was the significant civil disobedience that many Civil Servants adopted during the 1997 coup d'etat. In this respect, the Civil Service can be said to have given their allegiance to the legitimate Government and thus justify the claim that the institution played a constructive role in the conflict. It is also remarkable that the Civil Service was able to reconstitute itself quickly and has been functioning relatively effectively as an institution soon after the conflict.

However, at a more philosophical or abstract level, since the war is now widely believed to have broken out largely as a result of poor governance over the years, the Civil Service which is a key institution of Government, can also be assigned some responsibility for the war. The Civil Service together with other state institutions, failed to sustain good governance, including the failure to effect the efficient delivery of public services such as law and order, and the efficient management of the resources of the state. Its ability to fulfill its role became seriously impaired by the corrosive effects of political intrusion, nepotism, corruption, poor conditions of service and inertia. The ten-year long war caused the exodus of many of the key personnel of the Civil Service from the country and further compounded the problems afflicting the institution.

The prospects that the Civil Service can play a consistently constructive role in the future, regarding the promotion and maintenance of the peace, stability and prosperity of the nation will depend on a sustained national commitment to the reinculcation of

the values of diligence, honesty and a commitment to the promotion of the common good.

On the basis of ongoing public sector reform programmes embarked upon by the Government, with the support of the donor community, there are reasonable prospects that the Civil Service will in future be able to meet this expectation and to make an important contribution to the development of the nation. However, considerable risks of failure to accomplish this goal exist and must be overcome.

These risks include the tendency of donor agencies which normally provide larger shares of the funding for public service reform and other programmes to impose their views on the design, implementation strategies and other aspects of these programmes. Their reluctance in some cases to collaborate or support the development of comprehensive or holistic public sector capacity building programmes must be addressed if meaningful progress is to be expected. The severe and widespread capacity weaknesses and poor moral of the Civil Service also presents considerable risks.

(b) **Some detailed discussion of the nature of the conflict and its impact on the Civil Service**

From reports of statements already made to this Commission, much has been said about the origins of the war and the manner in which it was waged by those who either directly participated in it, or were more direct victims of the war. There is, therefore, very little of any significant value that I can say on the first part of this sub-theme. However, with regard to the impact of the conflict on the Civil Service, I can say that in addition to exacerbating the already perilous state of the institution prior to the onset of the war, the conflict may have also sharpened the ethnic, regional, and other differences between groups and thus further complicates efforts to develop a more cohesive and efficient Civil Service with a common and strong allegiance to the State.

(c) Existing shortcomings in the system including legal, political and other issues

One of the major shortcomings in the system is the absence of a clear demarcation of the roles and powers of the four main bodies responsible for the management of the Civil Service. This has led to recurring conflicts among the Office of the Secretary to the President, the Office of the Secretary to the Cabinet, the Establishment Secretary's Office and the Public Service

Commission, especially in the areas of promotion, postings and discipline.

Other shortcomings include cumbersome disciplinary procedures and the procedures for the processing and payment of terminal benefits. There have been several cases where it took years to process and pay terminal benefits. The issue of poor record keeping also needs to be highlighted. On average about fifty **percent of the service records of public service personnel may be seriously defective.**

(d) Social, economic, cultural and other considerations which perpetuate and entrench existing structures and practices

Indeed several considerations or forces have contributed significantly to the perpetuation of inappropriate structures and practices in the Civil Service. For example social, economic and cultural conditions such as extended family responsibilities, poor remuneration, widespread poverty and limited opportunities for individual advancement create pressures for the perpetuation of corruption. Moreover, those who insist on proper conduct at the work place and try to enforce discipline rigorously are invariably regarded as bad or wicked people and are usually despised not only by those directly affected by such measures but also their relatives, friends and acquaintances. This undermines efforts to eliminate or minimise undesirable practices in the Civil Service or entrench existing undesirable structures by making it difficult to effect change.

(e) The consequences of all the foregoing and whether any existing structures of processes provide any remedies, and the levels of access that exist to the remedies

As far as the Civil Service is concerned, the direct consequences of the foregoing include the general under-performance of the institution and the negative impact on the ability of Government to deliver public services efficiently or solve pressing social and economic problems. At the individual level there is considerable frustration among progressive elements in the Civil Service as a result of the burden of operating in an environment heavily contaminated by the perpetuation of inappropriate structures and practices.

With regard to progressive elements in the Civil Service and the problems they face, the available remedies or options for the time being appear to be limited to circumspection and tact. A Civil Service Code, Regulations and Rules of the Civil Service have just been developed. These provide a clear definition of ethical standards and sets out general principles governing the operations of the Civil Service, based on modern personnel management concepts. There are therefore prospects that significant remedies will be available and accessible to all categories of Civil Servants in due course, as far as administrative procedures and processes are concerned.

(g) Recommendations, reforms and practical Solutions

I will limit myself to only those proposals that I consider critical in ensuring that the Civil Service fulfills its role as both a source of innovation and effective implementor of Government programmes in a more demanding (post conflict) local environment, and in a world that is becoming more integrated, complex and highly competitive. In this regard I believe that we should first and foremost aspire to raise the standard of performance of our Civil Service to the levels of some of the best known Civil Service institutions in the world, of which Singapore and Malaysia are examples.

In the context of what I have stated above this requires a comprehensive reform of the Civil Service not only in terms of institutional and organizational changes but also in terms of structural changes within the Civil Service in particular, and the public service in general, including the judiciary.

Significantly, the Civil Service must be made to assume a leading role in directing and managing these reforms if they are to have the desired impact and sustainability. However, the current severe capacity weaknesses and poor morale at the leadership corps of the Civil Service, will require firstly that there must be conscious efforts to create a public service leadership that can lead the reform process and implement it efficiently and consistently.

In this regard, permit me, Mr. Chairman to refer this Commission to the broad policy statement on Civil Service Reform contained in the President's Address to Parliament on the 20th of June this year. Among other things His Excellency the President stated as follows:

"22. We must now build on this work in order to rapidly develop a cadre of top public servants who are exceptionally competent, highly motivated and appropriately remunerated. They should be well trained in the management skills that are commonly used by the public service in other parts of the world. At the apex of the public service we must groom a leadership group capable of helping this country take on the challenges of the 21st century, encouraged and empowered to exercise their professional competence, confident that their careers will not jeopardized by unwarranted political interference.

23. This goal cannot be achieved within the confines of the present civil service structure. The top echelon of civil service posts must be re-profiled to take account of the post war need for managerial competence and professional performance. We shall do so in a transparent manner. My Government therefore intends to embark on extensive consultations on how we can move quickly to introduce such reforms that will enable us to promote the ethos and practice of effective public service that is the foundation of a modern State."

This no doubt appears to be the best approach to take at this point in time in preparing our nation for the 21" Century.

In order to minimise conflicts and confusion in the Management of the Civil Service the roles and powers of the Secretary to the President, the Secretary to the Cabinet, the Establishment Secretary and The Public Service Commission should be further clearly defined, demarcated, and rationalized.

It will also be helpful if current and planned support for public sector capacity building by the various donor agencies can be widely discussed at critical stages, at higher levels in Government, including the Cabinet since such support often involves large amounts of money and can have perceptible impact if properly targeted, after wide and effective consultations rather than the limited and poorly structured consultations that have governed the process. It must be noted, however, that changes are underway.

Mr. Chairman,

Since I have also been invited to raise other issues of interest, I would like to take this opportunity to publicly acknowledge the pioneering role of Ambassador Berhann Dinka, the first Special Representative of the UN Secretary General assigned to Sierra Leone in 1996 as a mediator in the peace process. He laid the foundation for the UN's constructive contribution to the attainment of peace in Sierra Leone. Ambassador Dinka was ably assisted by Kathryn Jones who has been back to the UN Headquarters in New York.

I know many Sierra Leoneans are confused by roles played by Mr. Amara Essy, former Foreign Minister of the Cote d'Ivoire and his Government at the time, as well as that of US Ambassador Joseph Melrose. I can testify that the sincerity and sacrifice of these individuals, as well as the Cote d'Ivoire Government at the time were nothing less than impeccable. In this group of relatively unknown unsung heroes should also be added the names of Messrs Moses Anafu, then of the Commonwealth Secretariat, Paul Harvey of the British Foreign Office and Ms. Sylvia Fletcher then at USAID.

I felt compelled to make this acknowledgement to complement the rightful recognition that our nation has already given to well known heroes of the peace like Peter Penfold whose contribution can never be measured.

I thank you.

22nd July 2003

TRUTH AND RECONCILIATION COMMISSION (TRC)

FOR DEMOCRACY, GOOD GOVERNANCE AND PROBITY

The Truth and Reconciliation Commission has ably demonstrated its efficiency in handling the colossal problems of corruption and governance in the on-going and about-to-be-concluded aimed at highlighting the ills of our society and their destructive consequences. Its efforts in this direction can make giant strides in the march to sustained democracy and good governance throughout this Republic. Indeed, the total acceptance and appreciation of the institution by the people is a clear indication of the faith citizens have in its programme.

It has enabled traumatised citizens to vent out some of the pains and grievances they had harbored in their hearts since the inception of the troubles, which were avalanched on them by the rebel war. This state of unconditional acceptance of an institution whose worth has accepted by all and sundry ought to be maintained to address the apparent shortcoming, of the institutions (Anti-Corruption Commission, the Ombudsman, etc, etc) that have been put in place by the Government to address negative practices that affect state governance . While these institutions are absolutely necessary at this time of our development, it is also extremely expedient to have a special institution that will act as a clearing house to expedite transparency and justice. These factors are presently bugged down in soggy grounds of bureaucracy or red tapism. Justice is not served by the long duration it takes for the truth of any matter to come to light. The establishment can from an independent standpoint, take up any matter that may be held up for a long time, and expedite reaction to and redress of wrongs.

This institution. I humbly submit, has already been identified and established as the Truth and Reconciliation Commission. This commission, within the short space of time that it has been in operation, has covered an extensive area and dealt with droves of people of diverse emotional states and has successfully brought victims face-to-face with perpetrators in an atmosphere of brotherhood and forgiveness without incidents. That success underpins the confidence citizens have developed in its operations and the integrity of its officers. I believe this is an advantage the government can exploit most profitably in eliminating corruption and abuse of power by state functionaries.

T.R.C AS A GOVERNMENT ORGAN

Truth and Reconciliation are a necessity in a war-torn country such as Sierra Leone where corruption has been institutionalised and made the order of the day rather than the exception. Indeed. the inherent danger here is. unfortunately, non-corruption or honesty. The preponderance of corruption has eroded any semblance of integrity in this country. Only an institution that has a constitutional sanctity to investigate all forms of corruption and/or bad governance in the actions of state functionaries can arrest and ostracise corruption from this society. Bad governance is the result of corruption and is, at the same time, the highest form of corruption. An empowered Truth and Reconciliation Commission can adequately and appropriately address this malady and act as a panacea for all such social ills. Where corruption is exposed and dealt with,

reconciliation follows immediately since the culprit will be reconciled with the reality by that exposure. This is a system that should go on all the time and at all levels throughout this Republic.

HOW DOES IT OPERATE?

The base of most instances corruption is the unnecessary bureaucracy inherent in the handling of information to and from offices and departments. This action is intended to cause frustration through which sealed envelopes can act as keys to open files. The TRC will be very handy to help any frustrated individual who may feel that he/she is being unduly harassed an unreasonable delay. This matter will be handled without delay by the TRC, which will quickly invite the head of the institution or the functionary (or both) to state cause why such a situation arose. Should the official be culpable the TRC must be empowered to take the following actions without recourse to any other authority.

a. Correct the anomaly immediately

b Suspend the guilty party and/or

c Recommend immediate dismissal on misconduct

PERSONNEL

The Personnel must be of proven integrity such as those presently engaged in its programmes and must, as it is presently, be diluted with independent commissioners chosen, periodically, from the international community. They must have the required qualifications for such high office -and have security of tenure for the contractual term. They must be independent and adequately protected by the constitution. Their appointment must be ratified by Parliament.

MOTIVATION

To fight corruption, a very high level of motivation must be set so that officials engaged in the TRC program will be able to meet their domestic and social obligations. In this regard, remuneration and other benefits must be related to the magnitude of the work expected of officials and the high moral standard that goes with it.

And therefore, the TRC must be given the powers of a High Court. This will grant the guilty party the right to appeal.

DECENTRALIZATION

In the beginning; the TRC will operate from Freetown and must be well located in a secure environment for easy access to all. Eventually there will arise the need for decentralization. When this occurs, suitable recruitment of officers must be effected by the TRC as an institution without any external interference. In recruiting officers, the integrity of the present ensemble must be in focus to prevent mediocrity and sycophancy from creeping into its fold and thus reducing it to disrepute.

FINANCE

This project is capital-intensive and can hardly be managed by the Sierra Leone Government. Its nobility, however, will make it an attractive venture that will win international support and investment. It has the advantage of proving to the world that Sierra Leone is serious about democracy and human rights. Since the TRC will enhance human rights and democracy, it is my view that any move made in the direction of attaining this goal will be globally lauded and financial support for its realisation will flow in without much effort from the TRC.

SUBMISSION

I humbly submit my observations and recommendations stated herein above for the perusal and consideration of your noble institution in the final deliberations and compilation of your report for Government, please.

Yours Sincerely

.....

Retired Major Abu Noah

MANAGING DIRECTOR – MESA

THE SIERRA LEONE ARMED FORCES

AND

THE SIERRA LEONE POLICE FORCES

A Presentation at the hearings of the

Truth and Reconciliation Commission of Sierra Leone

By

Major (Rtd) Abu Noah

Managing Director

Mount Everest security Agency Limited

No. 8 Liverpool Street

Freetown – Sierra Leone

22nd July, 2003

THE SIERRA LEONE ARMED FORCES AND THE POLICE

Honourable Commissioners, Distinguished Ladies and Gentlemen, my subject today is "The Sierra Leone Armed Forces and the Police," embracing their involvement in the conflict and the consequences of that involvement, with a view to finding remedies, where necessary, for their acts of omission and or commission, institutionally and collectively, prior to and during the crisis.

I would like to address this topic from the background knowledge that all the nations of the world made mistakes at one time or the other in the past. No nation is free of that charge and I strongly believe that a developing nation, in contemporary times will, as a matter of must, get a dose of it. These mistakes have led to many socio-cultural disasters all over the world. I will advocate that sleeping dogs be let alone. My reason will unfold as I advance my argument. But foremost in my catalogue of events is the fact that things are changing fast these days: changes in attitude, in relationships. indeed, general societal changes. These, I humbly submit, constitute a positive and conciliatory trend for people who have been greatly traumatized by our senseless war. We are witnessing the break of a new dawn. It is my honest view that we should all endeavour to foster the acceleration of this trend in order to realize true patriotism.

What we have been through is nothing new in the growth of a nation. It is a necessary phase in man's development within the context of the changing schemes of nature. It is a righteous struggle to identify and define our identity as a people. It was an exercise, bloody and all consuming in its wake, which tended to make our country, if I may use the words of President Wilson of the United States "safe for democracy." I am very sure that there is no Sierra Leonean here this day who will be such an abominable liar as to state that our country is not in a more democratic state today than ever before. She has achieved this status through both the natural processes of evolution - slow but steady growth, and revolution - violent and fast change. The disadvantage of the latter is that in its wake it skips over many necessary details and that creates hiccups for its administration.

Almost all settlements of peoples or nations had that sad chapter in their history. Let us take a quick look at the history of some of those countries that experienced the crisis we are discussing today, to see how they got over it

and reconciled with the new state that emerged after their warriors had settled their scores. Let us peep into the recesses of antiquity and trace the steps of this ugly visitation, which no nation has been able to evade.

Britain, between 1399 and 1485, went through a very devastating period of internecine war, which was named 'The War of the Roses'. If we were to examine the basis of that war today, we would be tempted to define it as the schizophrenic reaction to the infantile acts of bad and reckless administration and irresponsible corruption in high places. If that opinion had been expressed during the heyday of that war, a third faction would have developed without Ado. That war was ignited by cousins, friends, brothers, wives; yes! kith and kin. It went on for one hundred years before reason kindly intervened and abated the fury. Are the causes (bad administration or mismanagement of the state and corruption) of - developing nations today, any better? I wonder! Human nature will rare its head no matter what we do

The next will be a look at the American scene and I will take the war of cessation or the tragic conflict. Thomas Pressely, in his book Americans Interpret their Civil War, states: "Historical events have not had fixed, unchanging meanings to onlookers over the centuries, but have but have frequently appeared in different lights to successive individuals and areas. Thus historical understanding has been relative, in the sense of the word rather than 'absolute' or completely objective to the particular individual in question."

Frank Freidel and Henry N. Drewry, 1970, said that the price of the changes in the state after the American war was high. "It was," they state, : terrible war of staggering cost in dead and wounded, economic waste human suffering. It was as though the old America had been melted down in a fiery crucible and recast. It led to years of bitterness, but in time, the bitterness would give way to nostalgia."

Now, relating that situation to ours here, can we claim that ours was more .devastating, painful and wasting? No, the same experience in a different environment and setting - our share of nature's violent change of a system that had long outlived its validity. The pain is shared by all of us varying degrees of intensity.

We may bring in as many analogies as we can, the story will be the same - new wine in an old bottle. Nothing changes but change itself. Let us now take one or two more examples; I would like to look at the Nigerian war of cessation or, borrowing the term from Thomas Pressely, "The Tragic War"

On the 6th of July 1967, a war culminated out of a disagreement between two military officers, Gowon and Ojukwu. The war, which became known as the Nigerian war of cessation, or the tragic war, raged on for a very long time between the Federal Forces led by Gowon, and Biafra, the secessionist state led by Colonel Ojukwu. Many Nigerians died

and many became homeless and destitute. Good judgment silenced the barrels of the generals' guns and there was peace. Some of those affected were not happy over the way it ended, but they sublimated their anger and grievances and translated their mental and physical resources into profitable exploits Nigeria changed for the better. No matter what some may say, Nigeria today is superior to the Nigeria of Abu Bakarr Tafaw ; Belewa, Nnamdi Azikiwi and Awolowo -no insult intended. The disintegrating causatives of the war were aptly described by Ojukwu in his statement that, "There is nothing more counter-productive in leadership than corruption." In that statement Ojukwu inherently insinuates the destructive structures of governmental mismanagement, corruption and graft. As I have just given two situations on the evil nature of this vermin (corruption), you can now easily affirm that all civil wars are provoked by nothing else but mismanagement and corruption due to greed; and it does appear that they are mutually supportive in order to achieve a cohesive front.

From Nigeria, I will now invite you to look at South Africa where Nelson Mandela, because he stood for the just cause of racial integration, was molested, humiliated and incarcerated Many people lost their lives; many women and girl children were raped, homes devastated and droves of people jailed just for the humane desire for social integration of the whites and blacks. Time, the great leveler, having been satiated with the smell of rivers of blood, established reason to reign and there was peace

Mandela called for truth and reconciliation. Well, it was necessary thought Mandela, to heal the gaping wounds of decades of oppression of the blacks by the whites. The causative agents remain the same and the effects all over the world are the same old story. In fact it is now a cliche to suffer in the course of a war. Every one suffered similarly equally and, in fact, some are still suffering. Are we all agreed to start crying now? The cumulative sea of our tears, added to the already existing sea, will, without doubt, induce another flood. Only this time, there will not be a boat. like Noah's, to salvage anyone.

It could be noted that of all the examples cited above, only South Africa had the Truth and Reconciliation Commission (TRC). That was because the struggle was between whites and blacks. A bridge had to be established between the two races, who are living within the same polity. What could have been more suitable to be used as basic material for that structure than the Truth and Reconciliation Commission? "But why?" one may be tempted to ask. To that question I will make bold to reply that it was necessary for the entire population of South Africa to know that the myth of racial segregation had been demystified. . That there was nothing wrong with the Blackman, contrary to what had hitherto been propagated by a blind and ignorant racial prejudice. I believe that the exercise will succeed. I say, "will succeed" because success in such a situation will be slow and of long duration. But the good thing is that they live together and gradually will become brothers and sisters.

One thing stands out in the foregoing demonstration and that is "La Pera Matura Cade Sola" (Italian for `The ripe fruit will fall by itself'). A perfect state of maturity is the necessary stage for change either by evolution - going through the natural theory of elimination by substitution until a perfect new state is realized, or by revolution - a violent and immediate change that fuses the factors of elimination and substitution into a unity to achieve the new state. The emergent state being violently induced is divested of the necessary enabling values that should form the hallmarks of the new. But, as we have seen, change is a phenomenon that is present in man's varied forms of existence,

development and growth via the processes of elimination of the undesirable and substitution of ennobling values, and it goes on all the time without cessation

It is against this backdrop that I wish to look at the topic at hand: 'The Sierra Leone Armed Forces and the Police' - the forces for both the civil and martial protection of the state. The involvement of these forces in the conflict of a nation is the necessary indication of the fact that the members of the forces are themselves part of the nation. They are of the people and therefore of the state. The government is also of, for and by them. They all have vested interests in the administration of the state and are also part of the administration, but subject to the supervision of the governors. They cannot do anything outside the declared or tacit collaboration of the governors and or the governed. Whatever action they take or fail to take is instigated and facilitated by the governors and the governed, or by some members of either party. Therefore, I humbly submit, we should examine the abuse of the Sierra Leone Armed Forces and the Police by politicians and the consequences thereof.

Let us examine the root cause of the demise of values in the Royal Sierra Leone Army of 1967. The Army was an honourable, efficient and loyal institution which was generally respected by both the governors and the governed. What brought about the change for the worst? In this regard, please allow me to quote a very successful General in the Nigerian Army in the civil war era, and now President of the Federal Republic of Nigeria, President Olusegun Obasanjo. He observed that, "A successful operation can only be built on good administration and discipline." From this observation can be gleaned the wisdom that order and hierarchy are the noblest traditional foundations of any Army; when that structure is destroyed, chaos is bound to follow. Unfortunately, that was the path the Army and the Police were forced to follow; hence, my postulation that the Army and the Police cannot justly be blamed, but the politicians who abused them that way. And please do not tell me about resignation as a way out, in a poverty-stricken country like ours!

AFRICANISATION IN THE ARMED FORCES AND THE POLICE

The programme of africanisation in Sierra Leone started way back in 1964. The reason for the premature escalation of the africanisation of the military command was political and therefore deficient in professional judgment. The recipient of such political largesse was not given the time to mature in any of the new commands he had been given. I say, "given" because he had not merited them outside the criterion of the unnecessary need for africanisation. It appeared then as if the programme were designed to put the most senior Sierra Leonean Officer in a position of trust as political insurance for the politician who introduced the scheme. In 1964, for example, the speech of the Governor General lauded the elevation of Lieutenant Colonel Lansana to the substantive rank of a Colonel and, in 1965, he was promoted to the rank of Brigadier. Those were the salad days of Sir Albert Margai's reign and he was popularly hailed `Albert of Africa'! The image of Sierra Leone in the international arena became brighter (E.D..A. Turay and A. Abraham, 1987). At home, Sir Albert was fondly christened Akpata' - Waterside Bed Rock or the Rock of Gibraltar, and was loved. As the time for elections drew nearer, the political atmosphere took on a new dimension. Tribalism was clothed in negativity and this led to the alienation of tribes: the south and east from the north and the west. It was a very disastrous divide, which systematic demise of values and finally culminated in the crisis the merits and demerits of which we are currently investigating. It was that unfortunate phenomenon (negative tribalism) that catapulted the Force Commander into politics and consequently,

led to the erosion of his grip on the army, as the alienated segment in that same army fossilized into a counter-poise to safeguard stability and continuity of sanity in the force.

The seeming innocuous tribal and regional divide assumed a very catastrophic political dimension. The political parties eloquently exploited it to the extent that sycophancy became the order of the day. Professional promotions and other considerations that were hitherto meritorious were politicized. The primary criterion for promotion, merit, became redundant and ostracized The main criterion became 'The right tribe and the ability to pass on intelligence on fellow officers and men'. This system automatically made square pegs in round holes extremely prominent in telling abominable lies and calumnies about innocent, hardworking, more qualified, and competent colleagues. It completely negated and alienated such virtues as easy camaraderie, sharing, mutuality and permissiveness, which were the cohesive factors of the norms and traditions of the officer corps

The slogan became "Survival of the fittest", meaning `the most depraved liar was King'. Thus, depravity wedded the Army and as mediocrity assumed importance, the schism in the great tribal divide widened, and determined opposing actions and reactions soared. By 1967, the army stood apart in the divide, ready for a showdown. The showdown was not, from the collective view of the northern and the western area officers, political, but a determined stance to reinstate the military values that had eroded. That was, essentially, the acid that ate the spinal chord of the army and reduced it to the moral cripple that perpetrated the catastrophe that engendered the present investigation. The anti-climax of that phenomenon was the erroneous arrest of seven senior military officers, includmg this author, in 1967. That arrest signaled the start line of the decline and fall of the Army.

IN 1966, COL. AMBROSE GENDA WAS CASHIERED

The disintegrating forces enumerated above continued to spread their tentacles far and wide. By then, the Commander had become a veritable military dictator within the Army, without even a political leash. He gained that privilege through the realization that Sir Albert believed in and depended on him for his (Sir Albert's) security and political victory in the fast-approaching election. He was gradually indirectly groomed to become a temporary political figure that should, eventually (in the event of a seeming loss of power), restore power to Sir Albert. Thus, Brigadier Lansana became 'the Force' to reckon with. His first error was with Colonel Ambrose Genda. Genda was slow in speech and an easy-going Commanding Officer of the First Battalion, Royal Sierra Leone Military Forces. He was interested in wildlife, and went out to find small forest animals like chameleons, lizards, monkeys, snakes, etc., etc. for -a children's television programme entitled 'Uncle Ambrose'. That programme made him very popular both in and out of the Army. He was a real socialite. His popularity did not go down well with Brigadier Lansana; the fact also that Genda hailed from Moyamba District gave Lansana the chill In January 1966, Brigadier Lansana left Sierra Leone to attend an O.A.U. Defence Commission Meeting in Accra, Ghana (A.D.A Turay and A Abraham). On his way out, Lansana appointed the British Paymaster, Major Frank West, to act as Force Commander. That action was a martial mortal sin because it violated the sacred tenets of order and hierarchy. Genda was not prepared to let it go unpunished He made a lot of noise about it and indeed he never recognized Major West as Commander.

On Lansana's return the sycophants relayed to him all that transpired in his absence and he took offence at it and described the action as insubordination. Eventually, Genda was cashiered. That was not all, the information given to him (which included me, the author), charged that both Genda and I had affiliation with the All Peoples' Congress party. Therefore while Genda was kicked out unjustly, I was banished to Daru with a letter to the

Foreign Commanding Officer that he should observe me, and if he found out that I was associating with politicians, he should arrest and send me down to Pademba Road Prison. That, however, did not materialize as the Commanding Officer, on the contrary, found me extremely loyal and dedicated to my job as Training Officer. It was he (when he discovered the truth) that told me what the Brigadier stated in a letter and showed me the letter. He however refused me the permission to have it copied. That was the first politico-military blunder and it shook the foundation of discipline in the Army.

After a little over six months in Daru, and as a result of the recommendation given to me by my Commanding Officer, I was recalled and posted to the now-defunct Military Academy as Adjutant.

The election by then had gathered momentum and electioneering campaign galloped at break-neck speed in the efforts to catch floating votes, and also in the attempt to attract supporters from both parties. The politically transformed Force Commander too was concretizing his loyal troops into a formidable war machine for the election. He had succeeded in perfecting the alienation of the western and northern segment of the Army: those who factored as individual parts of his assemblage became arrogant and reckless in their speeches and actions. Their position was rendered formidable and seemingly impregnable by the systematic disarmament of the alienated segment to reduce them into a castrated lot that could not stand in the way of Lansana's tribal war machine. A lot of threats were made against the disenfranchised lot. But that action was counter-productive, for, the troops whom they ignored were taking stock of the events and were, individually, preparing their minds for any contingency that might offer itself. The last straw that broke the camel's back landed when the Brigadier invited me to his flagstaff house in a bid to recruit me. I went and listened to him. But I soon discovered that the whole exercise was truly tribalised and regionalized. I became disillusioned, and when he left me to have a quick word with his group of officers, the majority of whom I had seen entering, I walked out of Lansana's house and never returned. The Brigadier executed his plan at 5:55 pm on the 21 St of March 1967 by a declaration of martial law and the detention of Siaka Stevens, Sir Albert and the Governor-General, His Excellency, Sir Lightfoot Boston. This exercise was short-lived as one of Lansana's proteges, LT. Col. Jumu, arrested him and set up the NRC government together with Majors Kai Samba and Augustine Charles Blake. That action of the Brigadier's was the cruelest blow to our constitution and the catalyst of the APC's dictatorship. If Sir Albert had accepted defeat at the polls and gone into the opposition, Siaka Stevens would have found it very difficult, if not impossible, to establish his dictatorship.

Here again, we see the extended effect of the appointment of Frank West as Force Commander over Col. Ambrose Genda and Genda's subsequent discharge from the Army. The cohesive structure of discipline, which was based on order and hierarchy, had been destroyed and things were falling apart. The anomaly perpetrated against Col. Genda by the appointment of Maj. Frank West was beginning to tell its own story, and it took a long time telling it.

The soldiers in Power

Two days after Brigadier Lansana's coup, Jumu the Battalion Commander overthrew him and invited Blake and Kai Samba to join the coup. They formed a military government and named it the National Reformation Council (NRC) and invited Juxon-Smith, who was on a military course in England, to head it. Again,

another bad example had been initiated and this was to be replayed to the depth of absurdity. Promotions were extravagantly dished out among themselves (NRC members), thus setting an unfortunate example, which was again copied and exercised by all and sundry within the rank and file of the Army. Subsequently, private soldiers rose to Captains and Lieutenants, flew over to Colonels and BrigadiersGeneral overnight.

The NRC lasted for almost thirteen months and established many institutions in the hope of salvaging the fast eroding values of both the Army and the State. I was a member of one such institution, the Beok-,iBetts Commission of Inquiry, whose terms of reference included the investigation of the administration of the Sierra Leone Produce Marketing Board (SLPMB) and of the purchase of a feed mill machine for Moyamba District. The machine was to be installed at Moyamba to service all animal farms in the entire country. Disgruntlement and machinations did not allow the NRC to go far. Political machinations spearheaded by downright calumnies and lies were peddled to the junior officers to the extent that the politicians succeeded in inciting the other ranks to rise and overthrow the NRC. It was mooted that Juxon-Smith was to have been removed by a palace coup; that was a manufactured story peddled as an apologia by someone who was trying to portray himself as a liberator. There was an attempted coup by Col. Ambrose Genda and other senior officers, but it was nipped in the bud and all the officers embarrassingly exposed. But to say that the NRC members were going to overthrow the chairman was a spineless fabrication that was intended to deceive.

On the 17th of April 1968, the NRC was overthrown by the other ranks and this action led to the arrest of all senior military and police officers including my humble self. In its place a military council was established and named the Anti-Corruption Revolutionary Movement (ACRM). The council immediately appointed both Brigadier Bangura and Col. Genda. Bangura assumed the leadership role while Genda took over command of the Army. It must be noted here that the NRC first initiated the Police and Army marriage in Government, when Mr. William Leigh, the Commissioner of Police, was appointed as Deputy to Juxon-Smith, and Assistant Commissioner of Police, Mr. Alpha Kamara, member. The new formation availed itself of the idea after its transformation and invited Mr. Malcolm Parker, Commissioner of Police, as Bangura's deputy. The marriage, however, was limited to the top brass and did not percolate to the rank and file. The ACRM was immediately transformed into a National Interim Council (NIC), which eventually returned the nation to civilian rule, and left the scene -a very commendable action, which did not earn the architects the accolade they deserved. Rather, they were all eventually detained in the maximum-security prison and some were later executed by the recipient of their favour -Siaka Stevens.

The return of Siaka Stevens and his rise to power ushered in the final assault on the values and traditions of order and hierarchy in the Army. His first gratitude to the Army was the inundation of the officer corps with an avalanche of 21 Warrant Officers, mostly illiterates, who were granted administrative commissions. Those officers could never have risen beyond their station, as the soldiers knew their limitations. They were regarded as embellished Warrant Officers with whom politicians socialized in the evenings. But Shaki, who also knew their limitations wanted it that way, since it was easy for him to use them.

Siaka Stevens

Siaka Stevens was appointed Prime Minister on April 26, 1968. After tidying up his table, Stevens turned his attention to the military and police officers in detention. His first reaction was to bring charges against the NRC members. All of them were in jail with us except Col. Jumu who had deserted his battalion and fled to Ghana. Our colleagues were charged with High Treason and condemned to death. All these happened under the nose of Bangura, who handed over power to Siaka Stevens and could have prevailed on him to release every one of us. He did not do it. He forgot the principle of camaraderie of the officer corps. He himself paid the price for his grave mistake.

After a period of nine months, Siaka Stevens released some of us and still held some others. We came out and Bangura invited us to meet him at the Army Headquarters at Murray Town Barracks. On our arrival (my friend, Fara Jawara and I), Bangura informed us that we were to return to our quarters in the Barracks and I went to 'A' company and Fara to Headquarters Company. I approached Bangura on behalf of my colleagues in Pademba Road Prison and he promised to do something about them. He did something but did not get all of them out. When I cornered him, he explained to me that the Prime Minister was opposed to their release. I told him he- was the Force Commander and the officers and men, both in the condemned cell and ordinary detention, were his colleagues and brothers. He replied that he could not do anything about it because all of them in jail were guilty of the conspiracy that led to our detention and sent him out of the Army. I did not pursue it because I believed he had been struck by the blind prejudice of negative tribalism too. We laboriously managed the Army when another coup struck

1971 coup d'etat

You might recall that I stated earlier that the Army and the Police were subjected to the supervision of the politicians. That was another flaw that contributed to their reckless abuse by a dictator. I am aware of the fact that the full independence of these institutions is a thing of mere conjecture. But if the constitution can be strengthened by moral support from the legislative body instead of being undermined by immoral sycophancy, it will help to curb the political excesses in the use of the Army and the Police.

Africanisation in the police walked a smoother path because William Leigh, who got to the top as Commissioner of Police, rose through a long but beneficial apprenticeship under the colonial administrators. Thus, his administration in the police was a continuation of the old. There was no noticeable change until the marriage between the police and politics.

The `bachelor's eve' of that marriage was the invitation of the Army and the Police to a political convention in Makeni. The marriage was finally consummated by the APC in the Republican Period (A.D.A. Turay and A. Abraham). It is thus clear that the complete demise of these institutions was caused by their marriage with politics and the only cure now is their depoliticisation and realistic professional re-orientation. They are, as a

political necessity, to be divorced from politics in all its negative dimensions, so that they return to their constitutional functions. This will have the effect of banishing, for good, the negative practices of sycophancy clientellism and mediocrity, and returning honourable reward for good work to the noble status of merit.

Several events preceded the coup of 1971. These events were related to the abuse of both the Army and the Police by the politicians. Let me here cite two pertinent examples!

The first was in the creation of an Army/Police mechanism – AMIPOL in September 1969 to address violent crimes of armed robbery in Freetown; it indeed extended its frontier to the provinces. The idea could have been brilliant if it had not been tainted with prejudice in its functions, which included persecuting other political parties. Things came to a head in 1970, when the Prime Minister ordered Amipol to arrest and send to Pademba Road Prison, all UDP members including Dr. Sariff Easmon. The Unit's command base was elevated and the Brigadier became the ground Commander of the operation. The operation was billed to take place at night, on the evening of 8th October after the Prime Minister (Siaka Stevens) had announced the banning of the United Democratic Party (UDP), a newly formed political party. The police and Army Commanders assembled at the Myhaoung Officers' Mess at Wilberforce Barracks for the operation: and it kicked off without delay. We had not gone far when senior police officers started complaining about the illegality of the operation They called the attention of some senior officers to the constitutional flaws inherent in our collective action and its repercussion, which our colleagues, the members of the overthrown National Reformation Council, were paying for in the condemned cells. No one had the guts to take the matter up with the Commander, and apprehension was all around. My friend, Major Fara Jawara, was informed about the illegality of the operation and he immediately passed it on to me. I asked him if he was sure and when he told me that he was, I asked him to take me to his source. We went first to Major Ben Amadu Kargbo (deceased), who was later kicked out of the Army on the false charge that he and Major Yankay Sesay were in league with the American CIA to overthrow the APC Government. He took us to some police officers. The officers expressed their concern about the operation on constitutional grounds. I bought the idea and went to the Commander to find out whether the operation we were engaged in was constitutional. Bangura told me that he did not know and none of the other senior officers had any salvaging knowledge. I, there and then, told the Commander that I was calling the operation off and requested that we went to the Commissioner of Police in the morning to be advised on the matter. I asked him to get in touch with the Commissioner of Police, Mr. Jenkins Smith, to request a meeting of all senior officers of the Army and the Police. I dismissed everybody with the information that the operation had been suspended till further notice.

The following morning, at about 10:00 a.m., the Army segment of the unit, comprising all senior officers without exception, left Wilberforce Barracks for Police headquarters at George Street. We found all the senior police officers in the conference room awaiting our arrival. The Commissioner chaired the meeting and the force Commander tabled our concerns. All the senior police officers confirmed the statement of the Commissioner of Police that the operation was illegal. We proposed that we should go over to see our Commander-In-Chief, the Governor-General, Sir Banja Tejansie, at State House, to seek his advice on the issue. It was unanimously approved. We left Police Headquarters and went straight to see the Governor-General. After the matter had been put to him, His Excellency was quite surprised to learn that we had been ordered by the Prime Minister to arrest UDP members. He said the Prime Minister never told him about it. We requested that he invited the Prime Minister to advise him to drop the exercise. We did that because we did not want the Prime Minister to feel that we meant to subvert his orders. It was only meant to be for our future protection against prosecution. The Governor-General thanked

us profusely and promised to invite the Prime Minister and his cabinet to a meeting in his office. He asked us **all to be there.** The **Brigadier** thanked **him and we dispersed. The meeting was fixed for 12 noon.**

At 12 noon, all the senior officers of both the Army and the police, together with the Prime Minister and his team, met in the office of the Governor-General. I was ten minutes late, fortunately. While the meeting was going on, some APC thugs who had been organized for the occasion, were moving up Independence Avenue towards State House, brandishing a variety of weapons which ranged from machetes, revolvers, shot-guns to sticks, chanting songs supportive of their leaders and condemning the army. I was luckily just arriving. I went over to the gate at State House, drew my revolver and held it above my head for them to see and then ordered them to stop their noisy song and disperse without delay. They obeyed and the area was once more quiet. As I turned to go into the hall of the meeting, both Hon. S.I. Koroma and Hon. C.A. Kamara-Taylor were coming out to meet their thugs. I stopped them and explained that the men had been dispersed by me. "Oh, thank you Abu, because those boys could have caused a lot of damage around here," said S.I. Koroma. "Sir, there was no way they could have attempted it as they would have met determined resistance from the Army. The destruction might have been against them," I replied.

They turned around and went together with me, sandwiched between the two of them. They asked me not to join the others already at the meeting as, they told me, they knew what they (the Police and Military officers) were up to. I replied that I could not tell them whether I would join or not join as I did not know what was going on inside I assured them that whether I joined or not, my action would be supportive of the Government. They thanked me and we entered the hall.

I saw all the officers seated in front of the Governor-General, while the politicians were to his left and Brigadier Bangura was on stage. I did not readily apprehend the import of the unfolding drama; but after I had saluted Sir Banja, the Governor-General, and taken a place by the door, as there was no vacant seat, I discovered that the Force Commander was laboriously trying to rationalise our joint action to a belligerent group of politicians and the Governor-General. We were not supposed to be actors but spectators. The situation had changed dramatically; the Commander was then the accused that was being prosecuted by both Siaka Stevens and Banja Tejansie with the corps of Army and Police officers acting as spectators. Even when Bangura was turning to them for support, no one had the guts to support the betrayed Commander. His colleague officers abandoned him. Very disgraceful indeed!

The traitorous behaviour of both the Army and the Police officers and the Governor-General dissipated all caution in me. I moved into the middle of the hall and asked the Commander to take his seat. I turned to face the Governor-General at close quarters and asked him whether it was not he who told us that the operation was illegal. He did not answer immediately; I suggested that he told the assembly whether it was not his idea that the Prime Minister and his cabinet should come to his office so that he could inform them that the operation was illegal. He finally admitted that it was indeed so. This got the Force Commander off the carpet, and the matter was resolved quite amicably. The operation was called off, fortunately.

The next incident was the 1971 coup, which necessistated a meeting among the military, the Prime Minister and his ministers.

Let me say a few words about the coup. This coup had been long in the making. The signs were blatantly obvious. A sizeable number of officers had been recruited and bribed. Bangura was my friend but he did not bring me into it, as he knew I would never approve of it and that I would oppose it most vehemently. I had seen the signs in the air but did not know where it was coming from. Major S.E. Momoh, who turned out to be the coordinator, came to my office one morning to inform me that the Brigadier wanted to see me. I asked him what was up, and he said he did not know. I there and then accused him of plotting a coup with the Brigadier and that they should leave me out of it. I warned him that if he ever attempted it again, I would land a solid blow on his face. I told him that I was going to meet the Brigadier to warn him too.

I went down to the headquarters at Murray Town and found the Brigadier in his office. I asked him whether he told Major S.E. Momoh that he would like to see me; he confirmed it. As he attempted to explain, I cut him off with a direct challenge that he was planning a coup d'etat with S.E. Momoh. He denied vigorously, but I insisted that he was, and that he was playing a dangerous game. I advised him to think of his two wives and children and save them the embarrassment of his action. I warned him that the coup plan was no longer a secret. He continued denying, but I told him that he could never say that I did not warn him. "The coup will fail, Brigadier!" I told him and left.

They continued with their plans until the night of the 23rd of March 1971, when they struck. I never knew that my friend Fara Jawara was involved. He had once met me at the now-defunct Coconut Jazz Club at Cline Town in the company of four people, three of whom were ex-military personnel who were wrongfully dismissed and as a result disgruntled. The following morning I went to his office; he was the Adjutant of the Battalion, and I found him behind his desk. I directly accused him of being involved in a coup plot. He denied and that infuriated me to the extent that I slapped him very hard across his face and he rushed at me from behind his table. I was ready for him. We engaged each other in a boxing bout. It was a real explosion of anger both ways. The affray attracted the attention of the Commanding Officer, Joseph Saidu Momoh, who was also our common friend. He came out and separated us. He then asked me why I had attacked Fara. I told him that he, Fara, was my friend, and that I had accused him of involving with a group of disgruntled ex-soldiers. Fara continued to deny this. His refusal to admit the fact and drop the idea was what angered me. Joe, as we called our Commander, advised him to drop out of any coup plot he might be involved in. "The voice of the people is the voice of God. Abu is trying to save you from trouble, and that is because you are his friend. Please listen and drop the idea," Joe said. I thanked him and left. What I had suspected in both instances (Bangura and Fara's involvement in a coup), materialized and my attempt to save them by asking for Amnesty landed me in jail for ten years and eight months, while they lost their lives. Also, the other four people I had accused of plotting to overthrow the government were arrested and detained at the Pademba Road Maximum Prisons. Fara was livid with them and was going to rope them in during the trial. I saved them by describing his intention as infantile and derogatory to his rank. I reminded him that I warned him but he refused to heed my warning.

The fatal coup was ignited at midnight by which time I was fast asleep. At about 1:00 a.m., the Battalion Commander, Joseph Saidu Momoh (later President), woke me up by the persistent ringing of my phone. I picked it up angrily (as I was not expecting such a late call), only to learn from him that there was a coup at the Battalion. "How did you know and who are the architects," I asked. He told me that someone telephoned him from the Battalion to warn him that Fara Jawara and Major S. E. Momoh had dispatched a team of officers and men, led by Captain Akibo Harding, to arrest him. I asked him why; he said he did not know. I advised him to

deploy his guards all round his quarter and issue them with ammunition, giving them orders to shoot at anybody that crossed into his compound. I also advised him to take command of the deployment. I said I was going to the Battalion to find out. He did as I told him and, during my trial later, he testified to the veracity of the above in court, as my witness.

I left for the Battalion after passing on the information to both Majors Tarawalie and Sam-King, who were my neighbours at Spur Road. On my way to the Battalion, I took my batman, Osman (who is presently a Staff Sergeant in the Military Police) with me. I got him to move in front so that he could warn me of any movement from that end. We were going up Spur Road in the direction of the Battalion. As we approached the entrance to the Battalion Commander's residence, I heard vehicles, a car and a lorry (personnel carrier) stop just outside the entrance and saw soldiers descend. When they started moving towards the Commander's drive, I came out and challenged them in a strong voice. They took to their heels and ran helter-skelter in various directions, away from the axis of their advance, to safety. The vehicles sped off down Spur Road. I saw the leader, Captain Harding, running back towards the Battalion.

I gave chase and when I was about five yards to him, I ordered him to stop or receive bullets from me. He stopped suddenly and faced me. I asked him what was going on. He told me that Majors Jawara and S.E. Momoh had assigned him the arrest of Colonel Momoh. I asked him why was that**;** he said he did not know. I then asked him to load his gun. He was shocked and asked me why. I told him we would have to eliminate one opposing loyalty of the two we represented. Since he was with the coupists and I with the Battalion Commander, only one loyalty would walk out of our position. "That, I said, "will be achieved in one of two ways: either we resolve it by gun or you come over to my side." He opted for the latter. I then told him that we should go back to the Battalion. He did not believe that it was a wise move at that time as the soldiers were all drunk from the drinks they had stolen from the Officers' Mess. He advised that we waited till daybreak.

The coup was eventually reversed and we, a handful of officers including Major Tom Caulker, Captain Spencer, Major D.D.K. Vandi, decided to dissociate ourselves from the announcement and pledge our continued support for the government. Major Tarawallie later joined us as we drafted a speech to counter the broadcast by both Brigadier Bangura and Major Sam-King. Sam-King and Momoh drafted the speech of the Brigadier. The three of them went to do it, and the Brigadier and Sam-King made the announcement. Sam-King introduced Brigadier Bangura. I was very disappointed when I learnt that Sam-King was prosecuting Brigadier Bangura. That must have been the most painful blow to Bangura. He must have died during the trial and lived only in spirit. We had decided that Tom Caulker should go and make the announcement when SamKing came beaming with the smile of mission accomplished. When we informed him that we were not a party to their action, his countenance changed suddenly. He appeared very scared and begged us to allow him to go and make the statement. He looked so pathetic that we agreed to let him go, though I later learnt that he claimed the credit for the counter action. Immediately after the second announcement went out, the soldiers who had been fooled that the operation was to counter an attack by Guinea on Sierra Leone, became disillusioned and angry.

They knew all the officers who were involved in it. They arrested all senior officers and detained them in offices and at the Myhaung Officers' Mess, with the exception of Major Tom Caulker and me. We dispatched vehicles to collect all the soldiers they had deployed in various areas in pursuance of the coup. That exercise met with irritating obstacle from Guinean troops who had been imported by the Prime Minister, Siaka Stevens, to put

down the already aborted coup, and this was not to our knowledge. The Guinean soldiers were taking pot shots at our troops and playing `Red Indian war game' with us. The situation was gradually developing heat and our soldiers were getting angry and ready to hit back. We decided to have a meeting with the Prime Minister and his cabinet at the town hall. The meeting took place at about 12 noon and all the parties were present. I was again late, fortunately.

When I arrived at the venue, I found, to my surprise, a Guinean Lieutenant at the foot of the steps leading to the hall. I was actually shocked to see him there. As I approached him, he asked me to surrender my gun. I considered his request an insult, and I told him so in very strong terms. I pushed past him and, when I had gained a stand, two steps above him, I turned around and told him that I was going in with my gun, to the meeting, and that he could only stop me by a shoot-out. He did not make any move; I continued to the hall. My shock was profound when t saw the entire room cordoned by armed Guinean troops while ail our troops were completely disarmed. Tom Caulker, whom I had nominated to be the spokesman, was painfully endeavouring to let the politicians realize that we were still loyal to the Government. But I was still angry within because of the conquering stance of the Guinean soldiers.

They stood as if they had salvaged the government from us and that they were superior to us. I took one look at their faces and my anger exploded. got up and asked Tom Caulker to sit down. I told the Prime Minister in strong and unequivocal terms that if we saw the Guinean soldiers in the streets of Freetown again or should they fire a single shot in this country after that meeting, it would be regarded as a declaration of war. We would seek them wherever they were concealed and deal with them mercilessly. I invited the Prime Minister to take his team out of the room with his Ministers and give us five minutes; I told him that within that time we would disarm and tie all the Guinean soldiers in the room. Siaka Stevens believed me and accepted my terms; he asked all his ministers, who had Guinean soldiers as guards, to restrict them to their compounds and restrain them from shooting. My next request was general amnesty for all those who were involved in the coup attempt. My reason was that there had been a lot of bloodshed in the country and our colleagues (NRC members) were still incarcerated at the Pademba Road maximumsecurity prison. I told him that those actions (trials and executions) had not achieved the desired goals (peace and stability); rather, one failed attempted coup had led to another. I said that we were loyal to the government of the day and that we had derailed the coup. He said that was a question they would have to resolve in cabinet; therefore, I should give them time to go and meet on it. I disagreed on the grounds that they the cabinet) were all present, and could as well meet in the room. If they desired, I would take my team (military delegation) out to enable them take a decision there and then. He agreed and I took my team out.

After about ten minutes; we were invited in again. Siaka Stevens announced to us that they had accepted our proposal in principle. A general amnesty was granted to all without exception. It was also agreed the architects of the coup would be retired and given diplomatic appointments abroad. I thanked him and we left. But that was not to be, some of our senior colleagues, who had been arrested by the soldiers,but set free by us, as a result of our achievement at the meeting, joined forces with some politicians to betray us and the coupists for promotions and other considerations. That action eventually led to the execution of Brigadier Bangura, Majors Fara Jawara, S.E. Momoh and Lieutenant Kolugbonda, while the rest of us suffered varying terms of imprisonment, ranging from life imprisonment to seven years in prison. My share was a 15-year term, of which I served ten

years and eight months completely, between March 1971 and October 1981 when I was released.

1981 - 2003 ERA OF THE CULMINATION OF THE CRISIS

Between 1981 and 1985, I was a passive observer of the chameleon-like metamorphosis of the political scene, which was dominated by the imposing stature of Siaka Stevens. The only factor that was not affected by that change was Siaka Stevens himself, who effected the changes at will. Siaka Stevens was the next leader after Sir Milton Margai (who ruled from 1960-1964) who actually put into practice a national programme to bring together all the tribes into government through proportional representation with the larger tribes, Mende and Temne, carving a larger share. The good thing was that every tribe, no matter how small, had a share in the government. Indeed, he identified himself with all tribes and attempted to fuse them into unity. He thus was able to hold his power machinery together. That, I believe, was the main factor of his stay in power for so long. On the negative aspect, he institutionalized corruption, clientelism and mediocrity. All he cared about was the maintenance of his power; whatever it took to keep him there. Arbitrary killings, both extrajudicial and quasi-judicial by Kangaroo courts, ensued. His ability to trample under his feet members of the honourable judiciary was fostered by greed for power and wealth in the latter.

Both the bar association and the bench of the judicial system betrayed the honour **of their profession. It was under their noses that Siaka Stevens transformed the constitution into his scrap notebook into which he scribbled whatever he felt was necessary for his safety as president. The unfortunate thing was that whatever he had his sycophants to enter into that scrapbook became law. The then Parliamentarians were Siaka's domestic servants who did exactly what he wanted them to** do.

A fitting example is the bill entitled `court martial' without appeal. This bill was piloted through Parliament and passed into law. The most disgraceful aspect of the law was that it was passed during the trial of Brigadier Bangura and others, and was made retrospective to get them executed. It was and has remained a law until this day. The nature of the bill violated the inalienable right to life as enshrined in the constitution. How could a parliament have passed such a bill? How could the judiciary have accepted it as law?

Can anything be more segregationist and unjust? Where is the prophet of human rights? What about the rights of citizens who have chosen to serve the country in the Army? Does that service take from them their full citizenship? That is what happens because if foreign criminals are entitled to appeal, why should a soldier serving his people be deprived of his constitutional right to appeal? A lot of us suffered from it.

How could the bar and the bench have participated in something that stank so foul of injustice? Was that not a travesty of justice? That travesty led to the blatant and brutal jeopardy of justice, which in turn led to the indiscriminate, irresponsible and cowardly murder of droves of our decent, intelligent and promising compatriots. I had no objection or ill feeling when there was fair play; but everything in me revolted against naked, shameless and unnecessary wrong. The abuse of power and its attendant evils destroyed our country morally, politically, economically and socially. We need to work extremely hard to redeem these social, political and economic virtues. Negative tribalism must, of necessity, be proscribed for good. Let

merit be enthroned and justice be divested of its cumbersome trappings. In this regard, lawyers must be compelled, by a constitutional mechanism, to honour their obligations to their clients and see that they, the clients, get justice in the shortest possible time.

The shortcomings making their interplay in our political system are colossal. These shortcomings were responsible for the crisis that has brought us together here. The first and foremost was negative tribalism: this disease has the mortal poison of blinding the victim to reality and poisoning his mind with unjustified hatred for anything good outside his tribe; he desires nothing good for any one outside his tribe also. Negative tribalism is schizophrenic and injurious to national growth.

The Second was Justice. The statement that, `justice must not only be done but must be seen to be done' has, for long, been merely a cliche in Sierra Leone. It must become a reality. `Justice must be done and be seen to be done'.

The Bench: An *ad infinitum* adjournment of cases is morally wrong; equally, it is immoral to overload a judge with cases that he cannot conclude within a year. If judges are not enough, please recruit more; judges and decentralize the hearing system. Spread them all over the city, by zones, for expedition.

Remand prison: Accused persons are remanded almost interminably at Pademba Road Prisons for matters in which, in most cases, they are not guilty. These wrongs need to be righted. Justice must be swift but fair if it is to be worth its salt. Cases go on almost forever without conclusion – this is not justice.

Job opportunities were very limited and distributed selectively. One had to belong, even if not qualified, to get the job. Appointing a relation to office is not an evil if not recklessly done. Charity, it is said, begins at home. Education was restricted to the class of those that had the wherewithal and the status. The statements of both Presidents Siaka Stevens and Joseph Saidu Momoh concretized this. Their respective statements were that (a) *"Den Say Bailor Barrie, you say Davidson Nicol"* meaning that "people are talking about money you are talking about education!" and (b) "Education is a privilege and not an obligation." Those two statements from our Heads of State destroyed all the social and moral values of our country and they are responsible for the moral paucity of our functionaries in the Civil Service who became open and shameless robbers of the nation's wealth, which they irresponsibly and publicly displayed. Such ill-gotten riches were flashy cars and rows of huge buildings, which cost a million times more than official emoluments for fifty years. In addition, they used the stolen wealth to compete in business with struggling, honest and hardworking citizens, either as individuals or in partnership with foreigners. The worst effect of the destructive use of stolen money is the distortion of the truth by bribery.

The most destructive of all these ills was the introduction of thuggery in political campaigns. This phenomenon introduced violence as a way of achieving political goals. These thugs were ruthlessly used by the politicians and discarded after the achievement of their goals. These discarded thugs soon gravitated to criminal activities in their own right. Violence continued to multiply and diversify till it culminated in the grand alliance with the war machine, the Revolutionary United Front, which had the intention of fighting the APC dictatorship. That intention was bedeviled and rendered ugly by insane killings, amputations, rape and robbery of innocent citizens who had nothing to do with politics. Besides, it was a cowardly act for them to have attacked poor, unarmed civilians when their

targets were in their barracks. If the rebels were that brave, why did they not go directly for the camps? The answer is simple: they were afraid of the soldiers. The lesson here is that thuggery is a curse, though, seemingly, a brief blessing.

The evil inherent in the use of thugs for political goals is far greater than its transient good. We must stop to criminalize our youths for political goals. It is a road that will bring no one any good in the long run.

Another area that one needs to look at is the abuse that the Army was subjected to by politicians. The Army was rendered so impotent by a system of subtle but deliberate disarmament through fear, by Siaka Stevens that when it was called upon to perform its constitutional role (to defend the sovereignty of the state), it was in no position to do so. Also, over-politicization of the Army had castrated the higher echelon, and entrenched those whose sole desire to get to the top led to their betrayal of their colleagues. They became *Merchant-Generals* and sought `Bailor Barrie' as advised by their Presidents. Thus, when war came, there was no officer corps to handle it.

There are many shortcomings that ought to be addressed, but time cannot permit me to do so now. But I must emphasize here that corruption and bad governance (or the absence of good governance) were the seedbed of all the evils of this country.

Finally the remedy to the myriad problems of the republic, I humbly submit, is the establishment of suitable and effective checks and balances at all levels. Institutions must be established to police government's budgetary expenditure at all levels. We now have a few that are in operation, but what institution checks their deeds? Above and beyond these questions, there is the primary question: "Are the functionaries morally qualified to be part of the institution? How can we have an immoral person policing morality?" Time is short. I will end my paper with that question, please.

THE ERRORS OR CATALYST OF OUR CRISIS

1. The politicization of the Army - 1966
2. The declaration of martial law to derail the people's democratic choice - 1967
3. The shameful establishment of a military government, instead of respecting and upholding the election results - 1967
4. Institutionalization of corruption or rather politicization of it.
5. Negative tribalism and its politicization.
6. Poverty
7. Poor education
8. Absence of job opportunities
9. Utilization of the youths as thugs for electioneering purposes
10. Negative regionalism
11. Mediocrity
12. Sycophanc
13. **Political marginalization of minority tribes**

RECOMMENDATIONS

1. The Army must be completely de-politicised and allowed to function as required by the constitution.

2 Education of the Army on their constitutional responsibility and its correct interpretation must be expedited.

3 **Institutions must be put in place to curb, if not eliminate, corruption.** The **Anti-Corruption Commission is a brilliant idea but it should** be **aided by independent investigative machinery.**

4 Tribalism must be totally neutralized and banished to achieve national unity.

5. Indigenous institutions must, as a matter of government policy, be empowered directly by the Government. **They must be given priority over all foreign investors, especially** in areas **where Sierra Leoneans can ably perform.**

6. The current system of education is woefully poor. **The education curriculum for all schools, from primary to university levels, must be orientated to address the social, economic and cultural needs of Sierra Leone. The reverse is the case at the moment and this is responsible for the socio-cultural and moral decadence in our school-going children.**

7. The empowerment of indigenous institutions will extend the frontier of job opportunities and take a major load off the government.

8. The youths are presently idle in the urban centers without jobs, shelter and bearing. They must be sent back to their homes where they can be gainfully engaged in agriculture. In this regard, the government must make provision for agricultural implements to aid them.

9 Regionalism is good only as a microcosm of holistic nationalism. Every Sierra Leonean should be free everywhere, and job opportunities must percolate to all.

10. Mediocrity must be eliminated from this system. It must cease to be a political reward for sycophancy. This is the highest form of corruption and its perpetuation is fatal. This is a dangerous weed and must be eliminated from our governance.

11. Political distribution of equal opportunities must be rational and national rather than tribal and regional. Prejudicial actions in this regard will lead to disgruntlement and political friction.

12. It is my sincere view that if the foregoing are implemented, the political atmosphere will be greatly enhanced and the resultant national cohesion will usher in realistic patriotism which is most conspicuous by its absence in our sovereign state.

I THANK YOU

PRESENTATION BY THE CHIEF OF DEFENCE STAFF, MAJOR GENERAL T.S. CAREW, ON THE THEME: "THE SIERRA LEONE ARMED FORCES AND POLICE" AT THE PUBLIC HEARING OF THE TRUTH AND RECONCILIATION COMMISSION (TRC) AT THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION HALL (YWCA) HALL, BROOKFIELDS, FREETOWN

Mr. Chairman

Members of the Commission

Invited Guests

Distinguished Ladies and Gentlemen

INTRODUCTION

1. I wish to express-my profound appreciation and gratitude to you, Mr Chairman and members of your commission for the kind invitation extended to me to make, this presentation at this esteemed public hearing of the Truth and Reconciliation Commission.

2. The topic, which you asked me to discuss, "The Sierra Leone Armed Forces and Police", is indeed very fundamental to the people of Sierra Leone. The topic itself is loaded, as both the Republic of Sierra Leone Armed Forces and the Sierra Leone Police Force constitute the main organs of the security apparatus of Sierra Leone and have a significant role to play in the maintenance and promotion of security, peace and stability as well as national development.

3. Though the theme of my presentation covers both the military and the police, as a military man, I would attempt to provide an overview of the main requirements of security forces in general, discuss the RSLAF in detail and leave enough time for discussion, contributions and questions by the audience. In making this presentation, I will use the usual military style:

AIM

4. The aim of this presentation is to discuss the Sierra Leone Armed Forces and the Sierra Leone Police with a view to examining their roles in the maintenance and promotion of peace, stability and development in Sierra Leone.

SCOPE

5. In discussing this topic, I will cover the following:

a. Definition, composition and duties of security forces.

b. RSLAF and SLP roles in peacetime.

c. RSLAF and SLP roles in wartime.

d. Conditions of jurisdiction of the security forces.

e. History and constitutional role of the RSLAF.

f. The decay and disintegration of the SLA.

g. Training and recruitment in the RSLAF.

h. Credibility and professionalism of the RSLAF.

i. Restructuring and current trends.

j. Forgiveness and reconciliation.

DEFINITION, COMPOSITION AND DUTIES OF THE SECURITY FORCES

6. The Security Forces of Sierra Leone comprise of the constitutional body of disciplined and well-trained armed men and women ready to fight for and defend this country by way of enhancing the security of the citizenry against both external aggression and during internal disturbances or uprising. During our role to defend the country from external aggression, we the security forces follow certain rules of engagement in conjunction with the Geneva Convention and other Laws of Armed Conflict.

7. The Security Forces in Sierra Leone are composed mainly of the Sierra Leone Armed Forces (RSLAF), the Sierra Leone Police (SLP) and its paramilitary wing, the Operational Support Division (OSD), formerly called the Special Security Division (SSD). The auxiliaries or reserve forces also form part of our security forces. They include the Special **Constabularies** of the **Police and the former Civil Defence Forces (CDF), which were referred to as pro-Government militia.** The **major role of the RSLAF is to protect the nation against external, aggression and to defend and maintain our territorial integrity and national sovereignty.** It is **also charged with the responsibility of protecting our constitution. The major role of the civil police is to maintain internal security and protect the lives and property of the citizens so as**

to maintain good discipline, law and order. The role of auxiliary or ancillary forces in security apparatus is to complement or augment the efforts of the regular security forces both in peacetime and in wartime.

8. Both the military and civil police are interdependent and hence their duties are supplementary in the carrying out of collective and individual security functions. For example, during internal unrest or uprising, it is the primary duty of the civil police, who have primacy over Internal Security (IS) operations, to contain it and to restore law and order and so to protect life and property. But when the situation gets out of hand and the police can no longer cope with it, Government can order the military to step in to assist the police to restore calm. In this way, Joint Internal Security Operations, encompassing the police and military are conducted with a common mission. Similarly, the civil police (sometimes in conjunction with customs and immigration officers) can assist the regular armed forces in duties such as border patrols to abolish smuggling, illegal immigration, arms trafficking and cross-border subversive activities. In certain instances, the security forces can also assist in national development by taking part in infrastructure rehabilitation such as building, construction, repair and maintenance of bridges, roads and other public utilities. These activities fall under civic responsibilities of the security forces.

9. As I said earlier, the roles of auxiliary/ancillary/reserve forces in a state security structure are relevant in assisting regular security forces, where necessary. But in our own situation their duties must be clearly defined before committing them into operations. If not, in the execution of their complementary duties, these forces sometimes exceed their limits, thus, doing things otherwise, as our recent experiences have shown.
Hence, amongst the auxiliaries, we have the Special Constabularies of the SLP and the Pro-Government forces.

RSLAF AND POLICE ROLES IN PEACETIME

10. Generally, the RSLAF and SLP perform security duties with the common aim of defending the citizenry, upholding the rule of law, protecting the constitution and the maintenance of state security. Hence, it is vital that we improve and strengthen military/police relationship at all times, as both elements are interdependent. Then, it is but necessary that we create the conducive environment for good working relationship for both forces. This will enhance maximum co-operation and mutual understanding between us.

11. In peacetime, RSLAF mostly embark on training of its personnel at all levels to acquire the professional knowledge, skills and orientation our personnel require. In peacetime, the military also contribute to the development of the state by taking part in development projects such as agriculture, road construction, infrastructural development and cleaning exercises, etc. The Army Engineers, for one, have contributed immensely to the construction and repair of roads in the country. When the nation was preparing to host the Organization of African Unity (OAU) Conference in 1980, for example, our Army Engineers constructed the Hill Station - Wilberforce Road and this road is still in perfect condition to this day. Similarly, in the early 80's, the same Army Engineers repaired the entire road network of Koidu town. The Army Agricultural Unit at Kontobi and the resurfacing of Murraytown main Road, are all examples of the countless ways in which we the RSLAF have contributed towards national development. And currently, through

our Civil/Military Cooperation (CIMIC) programmes, Engineer Regiment, in collaboration with NGOs and the civil populace, have constructed or repaired several bridges, ferries, local courthouses and community centres across the country.

12. **In peacetime, the SLP put mechanisms in place to ensure that crime rate is minimized. They also enhance the job of the judiciary in the administration of justice and maintenance of the rule of law. Police also ensure that the human life, human rights and the human dignity of every individual are respected and that all citizens and non-citizens are treated equally in the eyes of the law, irrespective of origin, tribe, colour, religion or creed. The SLP also assist greatly in upholding the rule of law for the promotion of peace, stability and security within the state. However, both RSLAF and SLP are expected to be neutral in the politics of the country and must honour, be loyal and subservient to the government of the day. As custodians of the law, both forces must ensure that law enforcement mechanisms and the maintenance of good order in place at all times.**

13. **The two security groups can also join forces together in joint operations, when, for example, there is a national strike, demonstration, not, any mass civil uprising or student unrest, within any part of Sierra Leone. As I said earlier, the SLP are primarily responsible for the restoration of calm in internal security operations. If and when the situation gets out of control beyond SLP capability, then Government could order the RSLAF to step in to assist the SLP to restore calm, with clear-cut roles and responsibilities. It is done within the context of the rules of engagement as enshrined in the Geneva Convention. Thus with the two forces operating jointly, security plans are worked out, based on the type of operation at hand, with a clear-cut understanding of each other's professional duties so that all personnel involved in the operation can identify the other forces' own roles without undue interference, encroachment or duplication of effort.**

14. **Furthermore, before the army is involved in such an operation, the relevant documents are brought and signed by the recognized authorities, authorizing the military to go into action. Specific responsibilities are delegated to the officers commanding the troops in such an operation for accountability and record purposes. These documents are kept for future reference. This is because, in the conduct of such operations, if anything goes wrong, (like rioters or demonstrators been shot and wounded or killed in the process of crowd dispersal), these documents will be used to vindicate or prosecute personnel engaged in the operations. There are standard procedures or rules of engagement for forces during peacetime joint operations when handling internal security operations. But again, it depends on the specific mission, experience, level of training and the given situation.**

RSLAF AND POLICE ROLE IN WARTIME

15. In wartime, the prevailing situation dictates the role of every security force, be it Army, Police, Ancillary or Reserve Force; depending on the nature of crisis the country is involved in. For example, during the last rebel war, besides the military, there was no clear-cut mission spelt out for any of the other security forces. They were only involved to assist the military to put down the rebellion. That was why in the end, the army took the credit for playing the dominant role. However, the police (especially the OSDs) performed a national duty fighting side by side with the military for a common purpose. The auxiliary forces (CDF) also gave their support in similar manner. Yet

they all performed their national obligations to the state with combined effort to fight a common enemy - the RUF, and protect the lives and property of our citizens. A lot was achieved in this way.

16. In wars like nation-to-nation armed conflict, the role of every element of the security forces is well defined; this type of warfare is conventional, as opposed to guerrilla warfare or internal insurrection. In the former, all combatants on the other side are regarded as enemies and are the prime targets of attack. The country would then put its security forces into action to gain all intelligence details about the enemy's disposition, intentions, uniforms, weapons, movements, deployments, and activities. The Army is launched straight into combat; the Police do their police duties out of combat, which include information gathering, law enforcement activities, administration of refugees, displaced persons and interrogation of criminal suspects, etc. Auxiliary forces will operate side by side with the Army to carryout secondary activities like acting as guides and scouts, evacuation of casualties, information gathering, etc. In this type of war, the duties or roles of security forces are clearly identified.

CONDITIONS OF JURISDICTION OF THE SECURITY FORCES

17. The police and Military both have their respective rules and regulations, codes of conduct and standing operating procedures through which they operate. The Police deal with rules and regulations, as they are the chief custodians of the law, while the military, in addition to being governed by civil law, deals with army ordinances. Hence all military personnel are subject to both military and civil laws. The Army and the Police are constitutional forces, whilst, the auxiliary or ancillary forces operate under some loose guidelines to complement the efforts of the regular security forces.

18. Judicial matters involving all forces are dealt with within the ambit of the law of the land. There is a police jurisdiction, which see into it that all parties carrying arms are investigators, prosecutors and executors of the law. The army is seen to defend the land from external aggression. The police deal more with the public/civil aspect; other forces are seen as auxiliaries in support of both the military and the police. Anything pertaining judicial matters with the forces is dealt with under civil law. For example, if a soldier commits a crime that has both military and civil bearing, he is first dealt with in accordance with military law, after which his case is forwarded to the civil police for investigations, prosecution and subsequent trial in any court of law. This is to ensure that both military and civil justice prevail in the end.

THE HISTORY AND CONSTITUTIONAL ROLE OF THE RSLAF

19. The present-day Republic of Sierra Leone Armed Forces traces its history back to British colonial days. From its inception, the RSLAF has had series of title changes and undergone rapid transformation from colonial days to date. The original name was the Royal West African Rifles, which was later transformed into the Royal Sierra Leone Rifles, and subsequently the Royal Sierra Leone Regiment, served with distinction in both first and second world wars gaining the battle honours of Cameroun, in what was then German West Africa, and Myohaung, in Burma in 1944. Popular names such as RSM Farandugu performed miraculous wonders of bravery and courage in the battlefront, which contributed greatly to the victory of our troops in those battles. Following

independence, our military became known as the Sierra Leone Regiment and finally, the Republic of Sierra Leone Military Forces (RSLMF) after the attainment of republican status in 1971. In 1995, the NPRC military regime renamed it the Armed Forces of the Republic of Sierra Leone (AFRSL). His Excellency the President finally endorsed the current title, Republic of Sierra Leone Armed Forces (RSLAF) during the historic inauguration of the new Ministry of Defence Building at Paramount Building, Tower Hill, on 21 January 2002.

20. The RSLAF was founded on a sound tradition of discipline, professionalism, and valour. Needless to say, the RSLAF continues to enjoy a very rich military history from its memorable participation in the Second World War and its peacekeeping operations in Congo and Liberia. From experience, I believe with proper training, leadership and reorganization, as well as the requisite material resources, the RSLAF will, no doubt, come out as one of the best on the African continent. With our current restructuring and reformation process in full swing and with our 10-year war experience, I look forward to the day when we RSLAF personnel will begin to join or even head UN peacekeeping missions around the world.

21. The Republic of Sierra Leone Armed Forces is a primary organ of the security forces of this country. It is an institution that is answerable and accountable to civil constituted authority. Article 165 (2) of the 1991 Constitution clearly defined the constitutional role of the Republic of Sierra Leone Armed Forces as follows:

a. To guard and secure the sovereignty of the Republic of Sierra Leone and its citizens.

b. To preserve the safety and territorial integrity of the state.

c. To participate in the development of the state.

d. To safeguard the people's achievement.

e. To protect the Constitution.

DECAY AND DISINTEGRATION OF THE SLA

22. However, with the passage of time, instead of building on this enviable foundation, the entire institution deterioted. Things became so bad that the Sierra Leone Military completely lost all semblances of command and control. The appointment of Army Commander to parliament, for example, was enough inducement to selfish, greedy and disgruntled soldiers dreaming to become president or ministers overnight instead of aspiring to become generals by rising through the ranks systematically and by merit. This decay of the military institution could also be attributed to series of actions and inactions by some elite members of our society who sought to use the military to further their own personal ambitions and interests. The decay of the' institution was further compounded by other vices such as

tribalism, sectionalism, lip service, indiscipline, loss of command and control and the lack of respect for the chain of command within the ranks of the military. Another major contributing factor to the rapid fall in discipline and standards was the 10year rebel war. In March 1991, Sierra Leone experienced an armed insurrection as an offshoot of the regional destabilization plan from the Republic of Liberia; perpetrated by a Corporal Foday Sankoh who was supported and financed by the now embattled Charles Taylor. This rebel war of 1991-2001 also precipitated the NPRC military takeover of 29 April 1992, because guns were available to every soldier. It was the dawn of the sharp fall in discipline, training standards and professionalism of the RSLAF. During the NPRC era, it was common to Brigadiers and Colonels saluting their juniors (mostly captains and lieutenants), because these people were the coupists and in authority).

23,During the war years also, the cherished gate of the military was thrown open to good citizens, criminals, and hooligans alike in the hope of flooding the warfront with enough manpower to prosecute the war. These undeserved individuals quickly exploited their uniforms and guns for personal, sectional and other selfish interests. The ultimate result was the AFRC disaster of May 25, 1997, which threw the entire nation into turbulence, lawlessness, chaos, anarchy and catastrophe. We are all witnesses to the tragedy of a Colonel persuading fellow senior officers that there was nothing wrong in a Colonel paying compliment to a corporal during the era of the inglorious AFRC. That was how discipline disappeared and the entire officer corps decomposed. We are indeed grateful to ECOMOG for their timely intervention. Their gallantry, sacrifice and professionalism restored hope to us when we thought all was lost. My gratitude also goes to the brave citizens of Sierra Leone who defied the terror of the AFRC and their RUF allies during the brutal AFRC period. Your brave and courageous stand for democracy, for our constitutional Government and for sanity indeed won the admiration of the world.

TRAINING AND RECRUITMENT OF THE RSLAF

24.The efficiency and professional level of any military force is determined largely by training. It is through training that we soldiers inculcate a sense of responsibility, professional pride, dedication to duty, confidence, good conduct, discipline and self-esteem. Through training, our soldiers acquire the requisite skills, knowledge, orientation and experience. It is through training, teamwork that the soldier inculcates military values and undergoes continuous counselling at all levels, and in all aspects of military life, so that he feels he belongs to an institution that cares for proper management of his life.

25.Training is part of our overall strategy to build a professional armed forces, which is respected and trusted by the civil population. We believe that given our recent national experience, the task of rebuilding our Armed Forces requires the involvement of everybody, as it is too serious a matter that should not be left alone to the military. May I also use this opportunity to join you to encourage your qualified young men and women to join the military. Recently a Safari Recruiting System was introduced and the exercise conducted at the

4 regional recruiting centres to enlist young, patriotic, qualified, willing and determined citizens to join the military fold, with the recommendation of civil authorities. To ensure this, clear-cut criteria were introduced for the selection and these state that all applicants must be:

a. Citizens of the Republic of Sierra Leone by birth.

b. Between ages 18-25 years.

c. Physically, mentally and medically fit.

d. Possess a minimum qualification of GCE O'Level with credits in at least 5 subjects, including English and Mathematics, obtained in not more than 2 sittings. (This is for officer cadet applicants only).

e. Identified and recommended by Paramount Chiefs, District Officers, Resident Ministers or other civil and tribal authorities. This is to ensure fair and equitable ethnic, sectional and regional balance and representation.

26. The intakes for both officer cadets and soldiers in that exercise have just been concluded. Another intake using the same safari recruiting method is scheduled to take place in November this year. And the process will continue as routine to ensure that the number of new entrants each year counterbalances the annual retirements and voluntary discharges from our forces. I assure you, ladies and gentlemen that this system is very open fair and transparent. It is left with you the civil populace to cooperate for the benefit of us all. If you hold back interested, educated and qualified youths from joining the Armed Forces, then you have yourselves to blame. We are committed to building a military, which will be first in terms of professional ability, loyalty to civil authority and discipline. In terms of overseas training for our armed forces personnel, much has been accomplished in this field. I am delighted to place on record my gratitude and appreciation for the continued training support our country and military continue to receive from the UK, US, China, Nigeria and Ghana. These countries are offering numerous staff courses to our personnel at all levels on regular basis. These are all geared towards the reformation, restructuring, reorganization and rebuilding of our Armed Forces.

CREDIBILITY AND PROFESSIONALISM OF THE RSLAF

27. We are fully in the process of creating a new RSLAF, which would in every aspect, be disciplined, professional, loyal, patriotic and accountable. We are working assiduously to make the Armed Forces regain its lost pride, one that will be a true representative of the country that all citizens will be proud of. The President has stated on several occasions that the objective of the Government is to have a professional Armed Force, that will enhance career prospects of personnel in areas such as regular promotions, better salaries, pensions and improved welfare facilities within available resources. Maintaining a military of reasonable size, according to the country's needs and ability is what we are currently working on.

RESTRUCTURING AND CURRENT TRENDS

28. We are fully in the process of reforming, restructuring and reorganizing our entire military institution in Sierra Leone. And the backbone of this process is, of course, the UK: This process, I believe, will produce a well-trained, professional, disciplined, and accountable, Armed Forces which will be under the control of the democratically elected civilian government of the day and which will be respected by the people of Sierra Leone as well as the international community.

29. The climax of our reorganization process was the opening in January last year of the newly refurbished Ministry of Defence (MOD). This building now provides a permanent forum where senior military personnel and civil servants of the Ministry of Defence have married up to form the new staff structure of the restructured MOD. In this ministry, civilians and their military counterparts have established good working relationship and on a daily basis meet, interact, work together and jointly handle issues that are crucial to the security and well being of our country. We have created an environment where we are pooling together the knowledge, skills and experience we the personnel have acquired over the years in our respective fields for the benefit of our national security, under one roof. We have now established trust, mutual understanding, maximum cooperation for the promotion of the welfare of our armed forces and the management of our national defence.

30. As I said earlier, with the assistance of the British, our entire security sector is being overhauled with the retraining of the RSLAF. With this new institution in place, civilians have had more confidence, trust and hope that indeed the new RSLAF is a force for good. Thanks to the massive assistance from the British Government and Armed Forces.

FORGIVENESS AND RECONCILIATION.

31. As we know, credibility of the Armed Forces is very significant, as the actions of a handful of soldiers should not be used to discredit a whole noble institution. The Armed Forces are aware of the fact that at a certain point, the country's citizenry had totally lost faith in the Army. I admire the statesmanship of the President, who truly deserves praise for his efforts to ensure that national reconciliation and good civil/military relationship take firm root. In this vein, I ask all Sierra Leoneans to heed the President's advice that all should bury the hatchet and turn to a new page. I wish to assure this gathering that there is awareness now in the Armed Forces and most soldiers now know their constitutional role and have fully realized that discipline, patriotism and loyalty form the bedrock of our military.

32. It is my plea, therefore, that this TRC hearing be used as an avenue or platform to accelerate the long process of forgiveness and reconciliation for the terrible wrong done by some members of our Armed Forces. It is an open secret that most of our soldiers have shown remorse and repentance for the past misdeeds of some disgruntled elements in our midst. I therefore asked all civilians to forgive us soldiers in the interest and spirit of sustainable peace, unity mutual respect and reconciliation. It is human to make mistakes but to forgive is divine. With our repentance and your forgiveness, we will all be assisting His Excellency, the President in his committed efforts to achieving the difficult but necessary task of national reconciliation.

CONCLUSION

33. Distinguished ladies and gentlemen, I have been speaking on the Security Forces. I started by saying that the security forces of Sierra Leone comprise of a body of disciplined, loyal, patriotic and well-trained men and women ready to protect the nation against internal and external aggression. I also said that the security forces in Sierra Leone are composed of the Republic of Sierra Leone Armed Forces, the Sierra Leone Police Force and paramilitary wing, the Operational Support Division as well as the auxiliary or ancillary forces. I further reviewed the roles of the military and police in peace and wartime.

34. In going further, I examined the history and constitutional role of our Armed Forces and dilated on the key issues relating to these. I stressed that the principal role of our military in post-war democratic Sierra Leone is to secure our country's international borders to prevent infiltration into our country of armed elements from neighbouring countries as well as cross-border rebel activities. As both are members of the security forces of Sierra Leone, the RSLAF and SLP should be seen to work together amicably through the spirit of unity, co-operation, understanding, mutual respect and team spirit. Going further, I considered ways in which the security forces, especially the RSLAF can also be utilized by government to assist in infrastructure rehabilitation and other civil programmes when required. In wrapping up, I talked about the recruitment and training, credibility and professionalism, and current trends in the RSLAF before asking, the entire people of **Sierra** Leone, on behalf of the entire RSLAF, to forgive us for our past mistakes and misdeeds, in the interest of truth and reconciliation. Hence, this TRC is the competent platform that encourages and promotes healing and reconciliation so that we can forge ahead to build a better and peaceful Sierra Leone.

35. Mr Chairman, to crown it all, I wish to heartily congratulate your commission for putting in place such an auspicious event at this time in the history of Sierra Leone. I wish to further thank you for the honour of inviting me as one of the presenters at this close hearing of your commission. The TRC, in my view, Mr Chairman, is timely in enhancing, facilitating and promoting the process of healing,

36. Mr Chairman, esteemed audience, ladies and gentlemen, I thank you most heartily for your kind attention.

Major General TS CARFW, pse, fndu, GUR
Chief of Defence Staff
Republic of Sierra Leone Armed Forces

PRESENTATION

To The

TRUTH AND RECONCILIATION COMMISSION

BY

Brima Acha Kamara, B.A. M.A.

ON

Wednesday, 23 Id July, 2003

INTRODUCTION

Mr. Chairman, on behalf of the men and women of the Sierra Leone Police, I stand here as a proud and honoured representative of our noble institution to present our views to the Truth and Reconciliation Commission (T.R.C.).

The views I will be presenting on behalf of the Sierra Leone Police are based on victims' and perpetrators' views. To be frank, the Sierra Leone Police engaged and suffered as both perpetrators and victims respectively throughout the decade of civil war.

My presence and presentation this day is a clear manifestation that we in the SLP honestly believe in the principles of the Truth and Reconciliation Commission. The healing effect of the entire exercise is primordial and will help to a very large extent in seeing war no more in Sierra Leone.

LEGAL STATUS

The 1991 Constitution of Sierra Leone (Section 155 (1) (Act. No.6 of 1991) stipulates what the functions of the police are and its relationship to the State. It is directly under the supervision of the Ministry of Internal Affairs and its main duties are the protection of life and property, and keeping the peace.

HISTORICAL BACKGROUND

Shortly after Independence in 1961, the Police Act, 1964 was passed by the Sierra Leone Parliament. Successive governments used the police to restrain the Army from politics and to stifle opposition. Once Siaka Stevens became Prime Minister in 1967 and the plans to unseat him failed, he began to rely more on the police than the Military to protect him undertake his State functions. A para-military wing was formed inside the police and gradually it became an instrument of tyranny and suppression. This was the start of the drift from its traditional peace-keeping constitutional role to that of a fighting force and its subsequent failure to protect the people from the excesses of the State. This fighting force was used to suppress all segments of society, including members of the opposition party, the Army, youths and others who were perceived as threats to the Stevens administration.

Successive governments continued to use the police to suppress opposition in all forms. However, there did not appear to be any visible beneficiaries. Neither the political nor police leadership cared for the men and women under their command. Police leadership was corrupt and self-serving. They cared only for themselves and used their position to amass as much personal wealth as they could. This was clearly to the detriment of the junior personnel who were deliberately kept in abject poverty.

GENERAL CAUSES OF THE WAR

Many civil conflicts in the past have been blamed on civil grievances against the state, whether they are economic or socio-political. Also, it was known here that many of the aggressors had their own hidden agenda, which in many cases was connected to greed, the acquisition of wealth or their thirst for political power. However, to gain recognition and support, they always advance the grievance explanation as the motivating factor.

We all know that the cause of the rebel war in Sierra Leone varies across individuals and organisations. We may say at the start of the conflict the grievance explanation seemed convincing, but as the war progressed, it became apparently clear that the importance of the self became greater than the good of the state - it was about personal greed and thirst for economic and political power.

ROLE OF THE SLP DURING THE WAR

As I said in my introduction, the SLP, as an institution, suffered as a victim as well as a perpetrator. Several factors were responsible for this dual role and if I may, I will attempt to catalogue some of them so that we get a very clear view of where we were, where we are and where we want to be in the future. The most important factor is that we want to put where we were behind us, our future success, as an institution that is committed to protecting human life and property, lies in where we are today and where the direction we are taking as an organisation.

A. POLITICISATION OF THE POLICE

The decline of the SLP continued as it detracted from its constitutional duties. The police spent less and less time protecting the individuals in society. The rule of law that says that no one is above the law and that all men will be treated equally, regardless of their status, was blatantly ignored. People were arrested and locked up for taking alluvial diamonds found on apparently common land, but the corrupt practices carried on in high government circles diverted millions of dollars away from the State and into private bank accounts and no-one was ever arrested.

To compound it all, the police were demasculated. The checks and balances surrounding the doctrine of separation of the powers where those who have the power to make the legislation are constitutionally kept separate from the upholders of that legislation, were ignored. The Inspector-General of Police, whose constitutional powers revolve around protecting the rights of the individual was key to that process (so far as protecting the citizen from arbitrary arrest), was brought into the political arena. He was given a seat in the Cabinet and invited to contribute to the debates in Parliament. If ever there was a time when the IGP wanted to raise a voice against the excesses of the Government, once inside the Parliamentary machine, he was silenced.

Like, promotions, postings had become so politicised that they were done either at State House or Parliament, in many cases without any reference to the IGP, SLP or, indeed, the Police Council.

B. TRANSFORMATION OF THE SLP TO AN INSTRUMENT OF TYRANNY

The traditional role of the Sierra Leone Police is to keep the peace. Previous governments succeeded in transforming the Sierra Leone Police into an instrument of tyranny. It is known that politicians and people in high places used police personnel when they wanted to plant, or manufacture, evidence on people whom they saw as threats. People were tortured at the Criminal Investigations Department and forced to falsely admit their involvement in cases of treason, murder or any other high profile case. Armed SSD (Special Security Division) personnel were used to terrorise the people and regularly used to raid their homes and harass the youths, in fact they terrorised anyone who was perceived as being a threat to their administration.

The SB (Special Branch) was solely used to spy on political opponents of the government. At times it would appear that only personnel who were loyal to the party were posted to SB. They reported directly to the powers that be, rather than to the Inspector-General of Police. In fact, some of the reports certainly contributed to the early demise of some of the former Inspector Generals of Police. There is no doubt that they had good skills, but the intrusive nature of their inquiries were channelled towards what the politicians wanted, rather than what the citizen needs.

The general public, victims' relatives and the youths themselves, did not take kindly to this. When the opportunity came through a rebel war, we saw the army, armed civilians masquerading as members of the Civil Defence Force and some unarmed civilians attacking, maiming, burning and killing police personnel and destroying buildings, vehicles and other forms of police equipment.

C. RECRUITMENT AND PROMOTION MALPRACTICES

It is crystal clear that any well meaning organisation has an objective recruitment policy that is aimed at bringing in good quality people who will support and improve the organisation. The Colonial Masters left a legacy of prescribed entry requirements, with emphasis on educational qualifications. Part of the politicisation process was to engender the affiliation or political patronage of the police to its party politics. Most of the new recruits were deliberately targeted because they were not competent, many were illiterate, and, within a very short time effective service delivery of the SLP was to a large extent diminished. Others were targeted because they had reputations for being able to coerce people to comply with the wishes of the political masters. These political thugs were thought to be useful assets and they were sent to the police for recruitment. We were infiltrated.

The same applied to promotions. Traditionally, promotion was merit based and the selection process was used to fill vacancies with those officers who had earned the respect of their senior officers. However, it all changed, it was from amongst this incompetent bunch that personnel were taken

and promoted to higher ranks. This happened through nepotism, cronyism and often as a reward for dubious favours undertaken. These officers, both junior and senior, owe much, not because of their [lack of] ability, but because they had their various "Godfathers". These beneficiaries were prepared to serve these "Godfathers" rather than the people living in the communities. They, therefore, were not working in the interests of safety and security of the state.

Owing to the inhumane ways in which many of the police conducted themselves in maintaining the status quo, the public no longer trusted their local police. They had no confidence in anyone in the SLP to protect them. Additionally, within the police, there were many competent hard-working officers who were kept down, and they too, began to harbour a sense of grievance. One strategy they embarked upon was to "informally" join the rebels by passing on vital information to ensure the success of the rebels with the sole intention of catapulting these "Godfathers" out of positions of influence over the behaviour of the police.

D. POSTINGS AND TRANSFERS.

Postings and transfers of police personnel are done by Senior Police Officers who allegedly have the expertise and competence to objectively assess the suitability of a police officer to perform a task in a given situation, But what happened in the case of the SLP was that people were put as square pegs in round poles. What would regularly happen was that top politicians gave names of, usually Senior Police Officers, with instructions that they should be posted or transferred to specific areas of interest like Kono, Traffic. It was a fait accompli.

E. UNLAWFUL DISMISSALS

Many police officers were unlawfully dismissed on trumped up charges and that is the difference between the leadership then and the leadership of today. Many of these dismissals culminated in the final unlawful dismissals of over 13 very Senior Police Officers by the NPRC (National Provincial Ruling Council). Others were imprisoned and tortured. The entire leadership of the SLP was unlawfully dismissed in 1995 and the relatives of these officers joined other militia units and caused mayhem during the revenge period.

F. EXTRA-JUDICIAL KILLINGS

In 1992, as the war progressed, the Army decided to seize power. Some Senior Police Officers, police drivers and labourer who were on a drinking spree at Lumpa, Waterloo were arrested and falsely accused of treason. They were later summarily executed.

Some other officers were brutally murdered by the AFRC (Armed Forces Ruling Council) and other warring factions, an act that caused despair to many police officers and their relatives. This fanned the flame of enmity with the families of the massacred officers, which in turn, led to helping the rebels on their way to success.

The circumstances under which the police officers were killed clearly indicated that the enemy forces ignored the conventional rules of engagement in conflict situation. Our records reveal that throughout the war, a total of two hundred and ninety three (293) police personnel were killed during the war; forty-two (42) wounded and thirty-seven (37) missing in action making a grand total of three hundred and seventy-two (372) personnel short of our previous strength. This is of considerable operational and economic cost to the organisation. Some of these personnel were unarmed, ill prepared to fight a war. The first victims of both the Koindu and Zimmi attacks were police officers. The Civil Defence Forces in Bo and Kenema killed close to fifty (50) police officers and during the reign of the AFRC close to two hundred police personnel were killed.

The killings of these unarmed police officers can be linked to the killing of unarmed civilians. Police officers are citizens in uniform, thus it is tantamount to gross violation of international humanitarian law, for which the perpetrators must take full responsibility for the sake of peaceful co-existence.

G. THE POLITICS OF RICE

It was during this period that we saw some of our most senior men receiving five hundred (500) bags of rice per month whilst the junior ranks received one bag, regardless of the size of the family they supported. However, according to spectators at the time, it was heart rending to see that at times, even this one bag was taken from some of the most junior officers by the same senior officer who would have received his five hundred bags the same day. Not surprisingly, the end result was the start of a grudge against those in authority and a deep rift set in between the junior and senior officers.

This is so clearly evidenced by the `politics of rice' whereby men and women of the Sierra Leone Police were supplied with sack of rice every month. It was reported shortly after this episode that some of those aggrieved officers began to support the rebels and many swelled their ranks.

H. PUBLIC ORDER ACTIVITIES AND ABUSE OF HUMAN RIGHTS

The police are constitutionally bound to keep the peace and legally responsible (Public Order Act, Act No. 46 of 1965) to police all activities bordering upon Public Order or outbreaks of disorder. This legitimacy of actions does not extend itself into the hands of the police to suppress dissenting views.

However, the police did use this power to control governmental opposition and those who held dissenting opinions. Processions, demonstrations held by opposition parties, students or persons/groups for which the police had no political credence would always be turned down.

The effect of this public denial, was that the groups chose to go underground. If they could not vent out their grievances in the open they resorted to private clandestine methods. The police, owing to their level of [in]competence at that time, could not effectively put in place any intelligence network to monitor these underground networks, as they themselves were heavily engaged in political intrigue.

Any spontaneous outbursts tended to take the form of heavy-handed violence and, subsequently most of these aggrieved people joined the ranks of the rebels and then targeted the police.

Others, as a result of the tyrannical attitude of the police and treatment they received from the police, stored up anger waiting for the right moment to retaliate. Some were tortured and forced to admit wrongdoings and many of the innocent were sent to prison. When the rebels released them from the prison they were seen as their saviours and they immediately wreaked havoc on the police, or anything that gave them cause to remember what the police had done to them.

HALLMARKS OF THE REBELLION

The rebellion was marred by destruction, terror and violence, the like never seen or perpetrated anywhere before. The atrocities have been well documented elsewhere and those surrounding the amputations and brandings witnessed in Freetown were simply a replica of what was happening in the rural areas.

IMPACT OF THE REBELLION ON THE SLP

With the above scenarios, the organisation was widely viewed as a citadel of corruption, an instrument of tyranny and an obstacle to the socio-politicoeconomic progress of Sierra Leone.

Before the advent of the war, the Sierra Leone Police was confronted with problems of all sorts ranging from a shortage of logistics to welfare issues of personnel. The rebellion brought along its own problems. It hindered effective service delivery; increased the crime rate; any movement of personnel and **logistics was a complete nightmare; police personnel became targets for the various warring factions and policing was limited to only government controlled areas.** The **Sierra Leone Police was also faced with the enormous challenge of maintaining a balance between containing the** enemy **forces and performing our traditional** role.

Like I mentioned earlier, the Sierra Leone Police was not spared in the destruction that followed. Although, I am merely trying to explain the role of the police during the war and we know that many saw us as perpetrators, we need to tell you that we also suffered as victims.

Today we are short of sufficient manpower to effectively police this country and we are now running a non-stop recruitment drive. This is one of the effects of the war that we are now facing. Notwithstanding the catalogue of behaviour I have already listed, many police officers were either killed or declared missing in action at the battlefront. Some of our personnel officially joined the ranks of the Army and were killed in active service whilst defending their motherland. Others were trained by ECOMOG Peace Keepers at Lungi to help remove the AFRC government from power.

In the process, some were killed in battle, others brutally murdered by the various warring factions, and their only alleged crime was that they were Police Officers. To really portray the depth of hatred against police personnel, mere pictures or uniforms of police personnel were considered legitimate targets. Let me illustrate a point, it is known that whenever the RUF rebels entered any town, their first task was to locate the Police Stations and structures and target the personnel, both would be burnt and killed respectively.

The damage to structures and equipment is so enormous that it is difficult to attach realistic cost to it. Just as they saw the service men as legitimate target, so too did they target

the SLP infrastructure. The ruthlessness exhibited by the enemy forces during the war always left one with the impression that they were enemies of the state and the people they claimed they were fighting to liberate.

Our encounters with some of them through investigations and intelligence from other sources indicated that the RUF (Revolutionary United Front) in particular was getting support from certain rogue states. Collaboration from within the country was also a worrying problem for the Sierra Leone Police. The internal collaboration became more apparent when the RUF joined forces with some elements of the National Army.

7. THE WAY FORWARD

The guns have now fallen silent and we pray to the Almighty God that the situation shall remain like that some time to come. The question now is how do we maintain this new found peace and what do we do in the years to come to ensure that such a horrible nightmare does not befall this nation again?

The war brought untold suffering to the people of this country, creating in the process deep seated resentment, which can be a real obstacle to peaceful coexistence. One way to overcome such a problem can be through the T.R.C. - and the restorative justice system. Archbishop Desmond Tutu of South Africa once observed that an offence injures a relationship but restorative justice, he said, can restore that injured relationship. We could not agree with him more on this. We pray that the Sierra Leone T.R.C. be another success story.

However, to achieve this goal**,** the perpetrators must muster the courage to confess their misdeeds and beg for forgiveness. The victims, too, for the sake of peace, should forgive. Even psychologists have contended that forgiveness is good for one's health. Such bold and courageous actions can surely provide a clean slate for peaceful co-existence.

At this juncture, please allow me to rest as I feel free. Free in the sense that as perpetrators of the war and a suppressive arm of the government during the pre-war years, the general public including the various combatants saw the police as an enemy. This battered image alienated the police from the community. We confessed and apologised our misdeeds to the public at large. Today we are policing through mutual co-operation, that is, local needs policing. The populace have once more accepted the police. The cooperation and the appreciation is enormous. I repeat I feel free because today before the Truth and Reconciliation Commission, we have officially vent out our feelings, our position, the mistrust and misgivings throughout this ten year civil war. I hope all will appreciate, forgive us and we all turn a new page so that we push Mother Sierra Leone forward.

To ensure the police provides an efficient and effective service to the community, we are appealing to the government and people of Sierra Leone and to some extent to the international community to do their best to improve our conditions of service. I have already outlined the functions of the police, and its primary peace keeping role. The constable is the lowest rank of the service. Yes it is at that junior rank that the majority of the service delivery is carried out. It is the constable that has the power to arrest for a

multitude of criminal offences. It is the constable who is patrolling the streets at night, yet the pay and conditions of service for a person with so much power is abysmal. The salary that the constable takes home each month is the equivalent of a sack of rice and a sack of onions, with a little left over to buy some loaves of bread. This is tantamount to an abuse of the human rights of police officers.

The challenge to the future policing style came in the guise of Local Needs Policing and Local Partnership Boards. The Government Policing charter and our Police mission statement, came about as the result of the Inspector General of Police asking His Excellency the President about the style of policing he wanted for the Sierra Leoneans; and the Mission Statement tells the public how we, the SLP, will deliver that style of policing. The Local Policing Partnership Boards are the medium where we ask the communities what their concerns are and to help us tackle crime in their neighbourhoods.

The civil society is our focus and in that vein we are establishing local partnership boards nationally. It is part of our strong commitment to providing a service to the individuals who five in a diverse range of communities throughout Sierra Leone.

Furthermore, in the past, programmes meant to overhaul the Sierra Leone Police with a view of improving its service delivery could not be undertaken and even when it did, the instability kept interrupting it and sometimes lead to its abandonment altogether.

We know that to become an efficient service the police have to be free from corruption, political influence and abide by the rule of law. We are now going through a period of time where the community are visibly showing that their trust in the police service is returning to how it used to be. The government and the people are working in partnership in many of the Local Partnership Boards to reduce crime in the community. However, there is a negative to what I have just said, and I want to be realistic. I believe we all agree in the type of police service we need to feel safe in our beds, but we can't expect the police to deliver a professional service on a less than professional wage. If you ask members of our Complaints, Discipline and Internal Investigations Department what is the number one reason why police officers take bribes on the streets, they will tell you that it is to feed the family, or pay for their children's school expenses. The majority of our police officers live in poverty. Go to King Tom or Ross Road barracks and see for yourself. There is overcrowding, temporary structures have been built. There are not enough barracks for our new recruits, the ones we need to replace those lost in the war. Police officers are sleeping rough, some are sleeping on the floors of friends houses, others are paying exorbitant rents for one room. Part of our terms and conditions of service include a rent allowance in lieu of accommodation. It is Le1,000 per month: a bottle of Coka Cola costs more.

What we need now as part of our own TRC is adequate recompense for the professional job we do. Good housing conditions and appropriate allowances in lieu of the accommodation. Our welfare scheme is limited. We would like to expand it to include some form of maintenance to support the families of our personnel who were either killed, or are missing, in action. Micro finance opportunities would also be useful for the police wives and their children, to help support their families.

We also need adequate logistics including transport and communication to help us share the burden of tackling crime with the communities, especially, those remote communities in the provinces. At times they feel especially vulnerable, more so in the Liberian border areas.

Above all, what we would like to see is the barest minimum so that we can begin to put the past behind us and ever sleep in peace and harmony. The period of the rebel war needs to be relegated to history books for our descendants to read and understand just exactly what went on in Sierra Leone and why the police suffered the way they did.

In order to build a new Sierra Leone which should be a land of prosperity adhering to formal democratic practices and the rule of law, it is appropriate that those who are responsible for igniting the machinery of justice should have their terms and conditions of service improved so that they are commensurate with the tasks they are expected to perform. Not everyone can move dead bodies, but that task if undertaken daily on behalf of the Coroner must be really appreciated.

We in the Sierra Leone police, on our part, have forgiven all those who traumatised us, killed and maimed our colleagues, brutalised our families, raped our wives and daughters, burnt our houses and Police stations during those turbulent years.

We do, however, hope that none of these will ever recur. It is an organisation which to all intents and purposes continues to be a *force for good.*

We in the SLP hope for everlasting peace in the land that we love, Sierra Leone.

Thank you.

A THEMATIC PAPER PRESENTED TO THE TRUTH AND RECONCILIATION COMMISSION (TRC) ON BEHALF OF THE SIERRA LEONE PEOPLES' PARTY SLPP BY PASCAL O EGBENDA

TITLE OF PAPER: 'THE SIERRA LEONE ARMED FORCES AND POLICE

Mr Chairman, let me first of all thank your Commission for extending this invitation to the ruling Sierra Leone Peoples' Party. I am here representing the SLPP in presenting this paper titled, "the Sierra Leone Armed Forces and Police".

In putting the paper together I kept in mind the purpose of this Commission (The Truth and Reconciliation Commission) which, on one hand, is for the oppressed to come up and sincerely explain why he/she is aggrieved and to express willingness to forgive and, on the other hand, for the perpetrator to honestly and courageously explain and admit his wrong doing and ask for forgiveness.

Mr Chairman, let me at this point, on behalf of the SLPP, congratulate your Commission for its relentless efforts, so far, in ensuring your target of traum0l healing and national reconciliation. Let me assure you of our Government's continued support in your drive to achieving your goal. It is our expectation that all the testimonies at this Commission will be compiled and made available to our Schools, Colleges, Libraries and Museums for posterity.

Turning to the subject matter of my paper, let me hasten to make an important clarification in the use of terminologies such as the "Sierra Leone Armed Forces" and the "Sierra Leone Police" which for the purpose of this paper is time dependent. As the Commission is aware, what used to be referred to as the Armed Forces of the Republic of Sierra Leone - cum - Sierra Leone Army (SLA) which is the subject matter of this paper, has undergone restructuring and is now better known as the Republic of Sierra Leone Armed Forces. Even the Police has undergone restructuring and now acclaimed as a "Force for Good": The Armed Forces and Police referred to in this paper are those that existed before the said restructurings, excluding those men and women who were loyal to the SLPP Government during the period under review..

THE ARMED FORCES OF THE REPUBLIC OF SIERRA LEONE (AFRSL) OR SIERRA LEONE ARMY (SLA)

Mr Chairman, Section 165 subsection 1 of the 1991 Constitution of Sierra Leone which is currently in operation, makes provision for the establishment *of* the Armed Forces of Sierra Leone. Subsection 2 *of* Section 165 of the same constitution describes the function of the Armed Forces as follows: ".....to guard and secure the Republic *of* Sierra Leone and preserve the safety and territorial integrity of the sate, to participate in its development, to safeguard the people's achievements and to protect this constitution".

The action therefore, of the Sierra Leone Army to have overthrown the democratically elected SLPP Government in May 1997, replacing it with a Military Junta that was referred to as the Armed Forces Revolutionary Council (AFRC) and the destructions of lives and properties that ensued, was in complete violation of the constitution which our Government was safeguarding. As a party geared up for peace and national development, we are aggrieved by this action especially when we were on the way to carrying out our development plans, already put in place, which I would like to summarise below:

SLPP DEVELOPMENT STRATEGY ON ASSUMING POWER IN 1996

By the year 1996 the Civil war and unrest had plagued Sierra Leone for five years. Since 1991 successive governments were unable to completely defeat the rebel forces and end the way. In the light *of* a ceasefire brokered with the RUF in 1996, the SLPP Government carried out an intensive needs assessment *of* war-affected areas as a basis for formulating a national plan for the resettlement, rehabilitation and reconstruction of the country.

The plan, referred to as the National Resettlement, Rehabilitation and Reconstruction Programme (NRRRP) was presented to the donor community at a Round Table conference in September 1996. At the core of the NRRRP was an initial quick Action Programme (QUAP) that focussed on 17 different sectors or programme areas considered crucial for the social and economic recovery and revitalisation of the country.
The QUAP specifically targeted short-term priority areas of post-war reconstruction focusing on resettlement of displaced persons, demobilisation and reintegration of excombatants, re-establishment of basic social services and reconstruction of economic infrastructure particularly related to agricultural production. The signing of the first peace agreement between the Government and the RUF in November 1996 gave hope to national and international efforts to begin the recovery in earnest. Commitments made in September began to become project agreements between donor countries, the Government and various implementing partners on the ground. The Roundtable conference yielded pledges of approximately US$230 million, and formal commitments were estimated at 50% of this total by November 1996.

During the same period the Government elaborated a Poverty Reduction Strategy that was anchored on the principle of growth with equity and developed a good governance strategy that dealt with decentralisation of administration, civil service reform, strengthening of civil society, and promotion of transparency and accountability in the public service.

These strategy documents were presented to a Consultative Group of donors in March 1997 resulting in pledges of more than US$600 million. The coup of May 1997, however, effectively put the NCRRP, the QUAP, as well as other crucial programme activities, on hold.

Thanks to the resolve by the majority of Sierra Leone and the International Community in reinstating constitutionality, our Government returned from exile, in 1998.

Having returned from exile, and as we were embarking on putting our development plans in action again, sections of the then SLA together with the then Revolutionary United Front (RUF) fighters stormed the city (Freetown) on January 6, 1999 inflicting damages to property loss in human lives and yet again putting a hold on our development programmes. The January 1999 incursion followed by the occupation of Okro Hill by a renegade AFRC group, sent negative signals to

the business world and our donors in particular and did not augur well for the country.

Mr Chairman, in the light of the foregoing, it is clear that by overthrowing our Government in 1997, the SLA thwarted our efforts in carrying out our development programmes for the country and thus creating a negative outlook of our Government in the minds of the people. As a party we saw no reason for their unconstitutional behaviour.

However, in the spirit of reconciliation, national cohesiveness and in the light of what the SLPP stands for, "One Country One People", we as a party have without any reservations forgiven the then Sierra Leone Army. Infact in demonstration of this reconciliatory gesture during the restructuring exercise of the army we allowed the intake of qualified former fighters including the former Sierra Leone Army.

Mr Chairman, while we have forgiven our detractors, it is our expectation that those that are now in the newly restructured army, the Republic of Sierra Leone Armed Forces, (RSLAF), will in the interest of this nation, adhere to their constitutional functions.

THE SIERRA LEONE POLICE

In the same vein, Mr Chairman, the SLPP, has pardoned those members of the Police who may have taken sides with the then AFRC during those trying times in the history of this nation. It is our hope that the term "Force for Good" now used to describe the newly structured Police Force would be actualised for the good of our people**.**

CONCLUSION

In conclusion, Mr. Chairman,I would like everyone to understand that the SLPP is a peace seeking and peace loving political organisation and we will stop at nothing to bring peace to the people of Sierra Leone. It is in this that we have pardoned our detractors. My appeal to all Sierra Leoneans is to follow suit in this process of national healing. Let me assure your Commission again Mr. Chairman of our Party's fullest support and cooperation.

I thank you.

THEMATIC, EVENT-SPECIFIC AND INSTITUTIONAL HEARING. *UN CIVILIAN POLICE PERSPECTIVE.*

1. INTRODUCTION*:*

My contribution to the Truth and Reconciliation Commission (TRC) today will not be to state how the GoSL security forces (specifically the Sierra Leone Police) were involved in the ten years conflict in Sierra Leone but rather to positively contribute to what in my view would go a long way into creating a professional and democratic police force. !n support of Sierra Leone Police efforts to turn around the force through the contribution of the SLP officers, UN, and the international donor community, the UNCIVPOL feels much obligated to the Government and people of Sierra Leone and the international community to be part and parcel of turning the SLP into the "Force for Good." To achieve this we are intent on working in close cooperation with the SLP, and the Commonwealth Community Safety and Security Project (CCSSP) in recruiting, and training the

SLP officers as well as mentoring them on the job. The purpose of which is to enhance the capacity building of the force.

2. ROLE OF POLICE:

One of the primary and constitutional responsibilities of any Government is the protection of the citizenry against threat to life and the enjoyment of other fundamental human rights. In any functioning democratic government, the law enforcement organ of the Government namely the police mostly carries out this function. Whereas the armed forces will be responsible for guarding of the state from any external aggression by securing the entire international border as well as the national airspace, the police are primarily responsible for the internal security through maintenance of law and order. The armed forces would in certain specific occasions reinforce the police to re-establish law and order. However, the constitution or other relevant laws of the land would specify when such interventions would be called. Outside such a scenario, the military will normally be confined to the barracks as they discharge their constitutional responsibility of protecting the state from external aggressions.

3. WHAT NEEDS TO BE DONE?

In order to turn around the SLP into the "Force for Good" which will eventually deliver a professional police service in Sierra Leone without prejudice to the local communities and foreigners settled or visiting Sierra Leone, there is the need to address some of the factors that may have had a hand that placed the SL P where it was before the restructuring and retraining efforts began in 1996 and which are ongoing. These factors are as enumerated below.

a. Politicization of the force.

In any democratic process, the police service should be left to operate independently and professionally without political influence or interference from the "powers that be." Indications are that the SLP at a point found itself in a position of political patronage. The Constitution and the Act setting a police service and also which stipulates its functions in a democratic environment should guide the police service together with the Government policing charter as well as the Vision and mission of the service. The police service should not be used to trample on the people's democratic rights.

The police should be impartial in the discharge of their service to the people. Justice should not be sacrificed at the altar of those who can buy it at the expense of the principles of natural justice. The law is supposed to be blind to any sort of prejudices with every person being considered as equal before it.

The day-to-day operational running of the SLP should be left to the Inspector General and the Executive Management Board Members while the Police Council should be left to operate at the policy level without interfering with the running of the service.

b. Human rights abuses.

Strict observance of Human Rights is a cardinal requirement of all law enforcement agencies. Human Rights is well entrenched in the Constitution of Sierra Leone 1991 and besides, the GoSL is a signatory to the United Nation charter on Human Rights. The Sierra Leone Police force has an obligation to strictly observe issues pertaining to Human Rights in delivering a police service under the new concept of "Local Need Policing." Failure to observe the fundamentals of Human Rights will not only erode the much needed police/public confidence but also the public acceptance on which the new concept of policing is hinged. Every member of the force should be trained and retrained on the fundamentals of Human Rights given that the focus of the SLP change process is the service delivery to the local communities.

c. Run away Corruption.

There are indications that majority of the SLP officers were highly corrupt at all levels. This is exemplified by a derogatory title that was given to the police where they were referred to as the "two block police." Though the state of corruption would be mitigated by the alleged neglect by the successive Governments in Sierra Leone on the police force, this cannot be justified if the force was to remain a dignified one. Any state of corruption erodes any form of public confidence. Without the public confidence, no police service would be able to achieve any major accomplishments. Though corruption in the force can be addressed by improving the welfare and the genera! well being of the members of the force plus their family members, a robust anti corruption campaign for the members of the force as well as the communities will be quite essential. Integrity courses should be developed and implemented with the police officers as the primary target group. Though the improvement of the welfare through better remuneration, medical coverage, better housing or house allowances in lieu of accommodation would address the socioeconomic status of the officers, robust anti corruption campaign as well as integrity courses would address the officers attitude towards corruption and its impact to individuals and the country at large.

d. Recruitment and Promotion.

These two aspects of a police service are normally the first victims where the political caucus would be intent on politicizing a police service. It is by ensuring that those recruited or promoted in the force are politically correct that their (politicians) status quo will be guaranteed. Besides impacting negatively on the performance of a police service, the "cult of mediocrity" is slowly promoted in the service finally becoming well entrenched. This diminishes the effectiveness of a police service, which subsequently looses the public confidence and acceptance. The end result would be a police service that is irrelevant to the people. The SLP was never exempt from this state of affair with the politicization of the organization.

To become the Force for Good, SLP should strictly follow the laid down Force's recruitment and promotion policies bearing in mind the principles of equal opportunity. Merit in promotion should be the hallmark of the force

under a watertight system of reward and punishment. Quota system in recruitment should be entrenched in the force's recruitment policy to ensure that all ethnic groups in Sierra Leone are well represented in the service. However, the policy requirements for enlistment into SLP should be strictly observed without prejudice.

4. OTHERS.

Having looked at some of these factors that may have pushed the SLP to the level that the force found itself, there are still others issues that need to be looked into if the force is to be the "Force for Good" in discharging a professional police service. These areas are as enumerated below:

a. Provision of Logistics.

Part of the neglect of the SLP by the previous Governments is in the area of provision of equipments that would have enabled the force to discharge its responsibilities. The Force was left to live "hands to mouth" at the time when its service was in high demand hence could not satisfy the policing needs of the people in a very tangible manner. To turn around the Force in a manner that it can discharge its constitutional responsibilities in Sierra Leone, the need to provide it with the necessary logistics cannot be overemphasized. These logistics include transport and communication. Under the concept of "Local Need policing", there comes the element of intelligence led policing and to achieve this, the force must gain the public confidence through best practice. The provision of logistic will go a long to assist SLP in this endeavour.

b. Improvement of the criminal justice system.

In the rule of law a police service is part of the criminal justice system. The others are the judiciary and the Corrections/prisons. Each of these arms of the criminal justice system cannot succeed in their specific endeavours without the other. This being the case, there is the need to call for a holistic approach in the improvement of the criminal justice system. A lot has been done for the SLP though there is quite a long way to go. However, little seems to have been done on the other two aspects of the system. This creates urgency in ensuring that the other two arms are improved at the same pace with the police.

5. CONCLUSION:

Having talked about all the above, I want to emphasize on the need to ensure that SLIP provides a robust police service to the people of Sierra Leone that

would be aimed at ensuring that there exists a very stable environment that would encourage both local as well as foreign investment. Sierra Leone should never again be at war with itself. However, the determinant of whether this is going to be the case or not will the effort of all people of Sierra Leone both within the Government and without. As UNCIVPOL we will play our role as stated in the preamble through:

a. Recruitment into SLP. Working in conjunction with SLIP and CCSSP, we will assist the former in recruiting and training new members of the force according to the SLP strategic plan (2002).

b. In service training aimed at enhancing the professional capacity of the serving officers in accordance with Sierra Leone national standards.

c. Mentoring the SLP officers on the job with a view to improving the service delivery in line with the concept of the "Local Need Policing."

We are determined to assist the SLP to live up to their motto "Force for Good." We hope and pray for an everlasting peace in Sierra Leone.

Thank you.

SUBMISSION AND PUBLIC TESTIMONY AT THE TRUTH AND RECONCILIATION COMMISSION B Y THE INTERNATIONAL HUMAN RIGHTS LAW GROUP.

Freetown, YWCA New Hall Brookfields, 28 July 2003.

Theme: 'The Judiciary, the Legal Profession and the Rule of law".

I. Introduction and Overview of the situation.

The recent years of conflict have exacerbated the deplorable state of the justice sector in Sierra Leone, which was (and is still) in a very poor state of affairs. Through the Sierra Leone history, there has been a gradual decline in the independence and impartiality of the justice sector as well as in the quality of resources.

Inside and outside the country, some think that abuses in the justice system, impunity and the state's failure to protect citizen's rights were among the causes of the war.

Sierra Leone is one of the most impoverished countries in the world, and the vast majority of Sierra Leoneans lack awareness of both the substance of their constitutional and human rights, and the available means by which they can seek redress if such rights are violated. Moreover, most Sierra Leoneans lack the means to surmount the formal legal systems' daunting barriers to justice. Legal services are exorbitant, and almost all legal professionals are situated in Freetown. Access to justice is characterized by expense, delays, geographical remoteness and cultural distance. The system is not equipped, either in terms of physical infrastructure, or personnel to meet the needs of the poor and marginalized, and in particular women and youth.

While not formally part of the judiciary, both private legal practitioners and state counsel play a daily role in its functions. The Law Officers Department has responsibility for prosecuting and defending on behalf of the state, but its ability to perform this function is extremely constrained. The full complement of legal officers was 38 in the national office in Freetown alone, but at the time of research there were only 10 officers in Freetown and one, serving simultaneously as a customary law officer and state counsel, in the provinces. The deficiency was primarily due to poor remuneration, which made it impossible to attract even new graduates to government service. Although the Law Officers Department is empowered to prosecute cases on behalf of the state at any court level (save the local courts), in practice it had to hire private practitioners on contract for serious cases in the superior courts. It relied largely on the police to prosecute criminal cases at the magistrates' courts level.

Private practitioners, whose situation is not consistently as dire as that of their counterparts in government service or on the Bench, have also suffered from Sierra Leone's general economic collapse. Barristers lost their best source of income when almost all formal, large-scale commercial activity dried up by the latter half of the 1990s. Legal practice in Sierra Leone is to a large extent the domain of sole practitioners. Less than 10 per cent of barristers work in a firm. The result of a legal profession increasingly starved of revenue has been a sharp drop in pro *bono* legal assistance that barristers were once able to give in addition to their paid work.

The Sierra Leone Bar Association (SLBA) is nevertheless an active body with a fully constituted executive, a human rights committee and an impressive record of service to the legal community. It has campaigned on a number of legal issues, some of which advocate for basic civil rights within the justice system rather than for the narrowly defined "interests" of private practitioners as a group of professionals. The SLBA has, for example, protested the use of police prosecutors in place of independent professional state prosecutors in the magistrates' courts, even though it might be more advantageous for defense barristers to face prosecutors with less specialist legal training than themselves.

The erosion of the machinery of justice is just one of the factors contributing to an altogether more fundamental problem: the general cultural erosion of the notion of criminal accountability and the rule of law. Sierra Leoneans' expectations of justice have been woefully low due to their accrued experience of failed court systems, powerful local militias and a weak police force. There are few parts of Sierra Leone where official courts, supported by policing and facilities for detention, have existed over the past ten years. Even before the civil war, under-capacity, corruption and arbitrariness had hobbled the authority of the courts. However, with the onset of chronic insecurity in 1991, a host of improvised justice systems' emerged to compete with or replace the state judiciary, just as vigilantism in the form of civil defense militias (CDF) filled the vacuum created by the retreating official Sierra Leone Army (SLA). As a result, the authority of the courts has been seriously eroded.

Outside Freetown and the provincial capitals of Bo and Kenema, the police Criminal Investigation Department freely admitted that at that time the local cells of the CDF supplied the sole guarantee of order and possibility for redress in criminal and civil matters. These local bodies were loosely organized but well armed and drew from a largely illiterate rural population. They dispensed an unpredictable brand of summary justice in what the police and members of the Bench refer to as `bush courts'. They were completely beyond the reach of official structures, and therefore of any means of appeal or standards of fair trial and predictable punishment. The CDF militias in some cases did and in some case did not co-operate with traditional authorities - Paramount Chiefs and Councils of Elders - and the local customary law courts, but it is widely reported that both Chiefs and local court Chairmen were powerless to challenge the power of militias. The savage violence meted out by the rebels to civilians is well documented, and has nothing to do with justice, regardless of the claims made by the RUF to this effect. There may be a form of traditional justice administered at the village level by the local courts, but these authorities have been powerless to resist or punish the abuses of the RUF over the past decade.

2. Modest contribution of the International Human Rights Law Group.

International Human Rights Law Group has a longstanding interest in promoting and protecting human rights in Sierra Leone. In June 1999, when Law Group Executive Director Gay McDougall visited Sierra Leone with the UN High Commissioner for Human Rights, the National Forum for Human Rights, an umbrella organization composed of nearly thirty human rights organizations, requested that the Law Group establish a program of support for human rights NGOs in Sierra Leone. During the next year, the Law Group remained involved in Sierra Leone through serving as an expert consultant to the UN High Commissioner for Human Rights on the Sierra Leone Truth and Reconciliation Commission, while maintaining close relationships with Sierra Leonean activists and human rights groups.

In 2001, International Human Rights Law Group opened its office in Freetown to respond consistently to the local NGO's needs. Examples of our work to date include:

- **Building the confidence and capacity of the local human rights community, allowing them to participate more effectively in deliberations over the political, security and human rights situation in the country. For example, Law Group support provided local NGOs with the capacity to participate constructively in national discussions concerning the relationship between the TRC and Special Court in December 2001.**
- **Helping set the agenda for prioritizing reforms of the justice sector in Sierra Leone by organizing an important rule of law consultative conference in collaboration with the Sierra Leone Bar Association. The proceedings from the conference form the**

foundation of involvement by the World Bank and the British Department for International Development in this sector.

- **The Law Group provided technical support to the National Forum for Human Rights (NFHR), and Community Based Organizations (CBOs), in the production of the organization's first annual human rights report. This was the first comprehensive human rights report prepared by a Sierra Leonean organization in the post-conflict period. Through activities such as this, the Law Group has helped place the NFHR at the forefront of the human rights struggle as the most vibrant human rights coalition in Sierra Leone.**

- Facilitating the participation of four local activists in the 57th and 58th Sessions of the UN Commission on Human Rights. The participants joined an annual Law Group training program on human rights reporting and advocacy at the UN Commission, which is the preeminent UN human rights forum. By bringing this knowledge and experience back to Sierra Leone, these activists have strengthened the capacity of the local human rights community to include UN human rights language in their engagements with government, thereby improving their skills and general confidence in presenting human rights arguments to Sierra Leonean government officials.

- The Law Group was instrumental in the formation of the Women's Task Force in Sierra Leone. The Women's Task Force consults regularly with the Special Court and the Truth and Reconciliation Commission (TRC) to create an enabling environment that will encourage the participation of women at all levels in both of these transitional justice mechanisms in Sierra Leone. The Women's Task Force also pushed for the creation of a special unit to investigate gender-specific war crimes during the country's decade long civil war.

- Driving and facilitating the formation of the NGO Steering Committee on the TRC that coordinated and organized the sensitization efforts on the TRC to ensure quality, synergy and maximum coverage of the country with funding from the Office of the High Commission for Human Rights in Geneva.

- The Law Group, in collaboration with the NFHR, established the initial infrastructure for a Human Rights Resource Center at the Law Group's offices in Freetown. The Resource Center is currently equipped with a television, videocassette recorder and two computers with Internet access. With the addition of research materials, the Resource Center will become an invaluable asset to the human rights community in Freetown. The Resource Center also serves as a training center, where workshops are conducted and NGO activists meet on an informal basis. This has become an increasingly important space for NGO activities given poor infrastructure within the NGO community in Sierra Leone.

- Advancing discussions around the concept of women's equality in inheritance rights. The Law Group has initiated a training program for two lawyers who will provide advice and information on inheritance issues to returning refugees and internally displaced persons especially in Kono, Kailahun and Koinadugu.

For these two years 2003-2004, International Human Rights Law Group will focus on two key areas of mobilizing civil society on anti-corruption issues and access to justice.

• ***Mobilizing Civil Society on Anti-Corruption Issues:*** In mobilizing Sierra Leonean NGOs and grassroots communities, especially in Kono, Kailahun and Koinadugu, to effectively combat corruption at all levels, the Law Group will continue to provide formal training in advocacy, coalition building and grassroots mobilization, as well as informal mentoring support to build up strong networks of stakeholders to make the parliament and the government accountable. In particular the initial focus will be on various forms of advocacy, in conjunction with Freetown based networks, to force the government of Sierra Leone to take action on the cases

presented for prosecution by the Anti-Corruption Commission that are yet to be prosecuted. In addition, the Law Group will introduce training on Grassroots Budget Tracking in the three geographical areas that will enable NGOs and CBOs to link budgetary figures for specific community development projects in their areas with actual **disbursement of the funds to ensure accountability at both the national and local** levels. **Further, working in conjunction with Freetown NGOs and CBOs in Kono, Kailahun and Koinadugu, the Law Group will help civil society draft bills and mobilize their constituencies on anti-corruption legislation.**

- ***Access to Justice:*** *To* reduce tension between returnees, refugees, "remainees" and demobilized soldiers, and to encourage mechanisms of alternative dispute settlement and mediation, the Law Group will launch a program of access to justice that trains and works with credible CBOs in the three geographical areas to provide Community Liaison Officers who can act as mediators and settle disputes. This program will also work with the Court Barri in these areas.

Finally, the Law Group would like to reflect with its partners the best ways the Special Court, which is unique in the international criminal practice, could benefit the Sierra Leone judiciary before it completes its work. It would be very unfortunate to see the domestic justice system continue to function inefficiently after Sierra Leone has accommodated an international court for more than three years.

Mr. **Chairman, distinguished Commissioners, the Law Group is pleased to make the following recommendations:**

1. Mr. **Chairman, Commissioners, ladies and gentlemen, the Law Group learnt with dismay that there is an unbelievable inadequacy of personnel to deliver justice to the people of Sierra Leone, especially the indigent. One of the factors that might be responsible for this is the deplorable salaries and conditions of service. To salvage this ugly situation, we strongly urge the Government to:**

- **consider improving the conditions of service and salaries that could be very instrumental in improving the delivery of justice because we believe that functionaries of the judiciary are hugely demoralized because of their low salaries. Although it may not be the solution to the perceived corruption, an increase, we believe must be part of any serious law reform effort. Thus far, we are informed that eighty-six (86) Justices of the Peace have begun work but these usually retired honourable citizens engaged in providing valuable support to their communities need enough legal education and training to be able to fulfill their difficult mission. To this end,** UNDP and the Sierra Leone Bar Association and other NGOs could be encouraged to conduct regular workshops to continuously train ,JPs on
  the legal issues they are facing. Moreover, the daily sitting fee of Le 3,000 (plus Le 2,000) travel reimbursement is meager and needs to be revisited.
- A **grant system for law students be put in place so that it is made obligatory for them to serve the government before proceeding on private practice.**

However, for this to be achieved there has to be the political will on the part of the government and an additional indication or willingness of the functionaries to accept change and members of the donor community, human rights and civil society groups to give them the required support.

2. **DEATH PENALTY:** Mr. Chairman distinguished Commissioners, the Law Group believes that it is becoming increasingly accepted international practice to abolish the death penalty. Sierra Leone should consider the option of outlawing the death penalty for all

crimes and thus establish itself at the forefront of international human rights law. It is likely that there will be enough support in the Sierra Leone legal community to lobby on a concerted basis for the abolition of the death penalty. This would be consistent with other ongoing human rights and reconciliation efforts currently occurring in the country and would signal the country's commitment to the value of life. Moreover, the imposition of the death penalty in a country with inadequate legal representation and widespread illiteracy is especially hazardous and unfair. Many impoverished defendants have no resources to appeal their sentences. Thus, from a standpoint of judicial fairness, it would be prudent to repeal the death penalty. A campaign for such could be orchestrated through the Sierra Leone Bar Association and domestic and international human rights groups. These groups could form a committee to study the death penalty and lobby parliament and the executive to consider changes to the current law.

3. **HUMAN RIGHTS:** The Lome Peace Agreement makes provision for an independent National Human Rights Commission which has to date not being established. It is our hope that such an institution could be set up to monitor human rights developments in the country. Furthermore, the introduction of human rights in school curriculums to make them knowledgeable and aware of human rights. This would obviously require the Bar Association, NGOs and related agencies conducting workshops and providing them with educational materials. Personnel of the courts as well as the lawyers deserve and need to be adequately trained in human rights and other updated international standards of undertaking their duties so that minimum standards are maintained.

4. CORRUPTION:

Internal Leadership and Code of Conduct:

Corruption presents a monumental problem to fair and equal justice in Sierra Leone. Unfortunately, there is no silver bullet that will take care of this problem. As mentioned, one part of the alleviation of corruption lies in increased salaries for judicial personnel. Nonetheless, more important than any financial disincentive will be principled leadership from within. Therefore, it is imperative that the judiciary be subjected to a binding code of conduct. The Chief Justice of the Sierra Leone Bar Association should draft a code of conduct that sets out clear principles. Thus, the fight against corruption must start from the top - as the saying goes leadership by example.

Corruption Legislation: Parallel to a push for internal corruption measures, parliament must pass and implement much tougher anti-corruption laws. The current provisions are simply inadequate and rarely enforced.

5. **Law Reform:** The existence of obsolete and archaic laws in the Sierra Leone judicial system continue to render the system retarded and unwilling to adapt to the changes of our times. The preservation of draconian customary laws compounds the problem of discrimination against women and children thereby paying lip-service to several international covenants/instruments especially the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child signed and ratified by the Government of Sierra Leone. The Law Group therefore strongly urges the Government through the Law Reform Commission and encourages the Law Reform Initiative recently launched by some legal practitioners to continue the nationwide consultations on an acceptable level of harmonization of these laws for them to reflect the views and interests of Sierra Leoneans irrespective of their sex and regions of origin.

Bearing in mind the dramatic increase in the occurrence of sexual and gender based violence throughout the country, the open manner in which the courts prosecute such cases and the consequent stigmatization suffered by the victims as well as the exorbitant amounts requested by medical practitioners to examine victims, the Law Group urges the Government to:

- ensure that SGBV cases are heard in camera so that prosecuting witness are well protected and that the victim is protected from public eye.
- minimal charges are requested from victims of sexual violence

- criminalise the refusal of persons to provide evidence for cases of sexual and gender based violence crimes.
- Include child trafficking, the use of other objects in rape as offences in the laws of Sierra Leone

We also strongly encourage non-governmental organizations that have women and child protection as part of their mandates to collaborate with government agencies to ensure that the public is made aware of these crimes and the negative impact that these acts could have on the lives of the victims.

6. Legal Profession Development and Education: Mr. Chairman, Commissioners, The recent history of Sierra Leone demands that today's and tomorrow's generation of lawyers are educated in the area of human rights and international humanitarian law to assist the country in its arduous rebuilding process. This could be made less onerous if proposals are made for the incorporation of these courses into the curriculum. Simultaneously, funding needs to be sought to entice additional professors or lecturers to cover these areas of law.

Diversify Legal Expertise: Coupled with this, the Sierra Leone Bar Association needs to take responsibility on specialized law training. The Bar could form committees of interested members focusing on various topics. Substantive support would be possible through international organizations in Sierra Leone. Furthermore, the Bar Association should attempt to initiate partnerships with international bar associations. These partnerships could lead to mutual exchanges and further assistance to Sierra Leone's legal system.

International Legal Expertise: The currently assembled international legal talent should be tapped for the benefit of Sierra Leone's Judiciary. Workshops in international humanitarian law and human rights law could be conducted by numerous international practitioners and institutions in the country (e.g. the Special Court, UNDP, DFID). These workshops for lawyers, judges, magistrates and JPs could be jointly organized by the Sierra Leone Bar Association on a regular basis.

7. Mr. Chairman, Commissioners, it is also the conviction of the International Human Rights Law Group that the combination of the offices of Minister of Justice and that of Attorney General should be separate to ensure independence and practical separation of powers. We would therefore encourage the Government to consider separating these two offices as an important ingredient in the process of democratization.

I thank you very much for your attention and look forward to continued cooperation with the Commission.

THE JUDICIARY, THE LEGAL PROFESSION AND THE RULE OF LAW (INCLUDING THE SPECIAL COURT AND ISSUES OF AMNESTY AND IMPUNITY)

BY GEORGE BANDA THOMAS
MINISTER OF INTERNAL AFFAIRS

The Constitutions of the majority of modern states have as one of its fundamental principles the ""Rule of Law". This is simply the concept that the government itself, including the president and ministers, the members of the judiciary and the parliamentarians are subject to and must abide by the laws of the state. Central to this issue is the thought that all men are equal in the eyes of the law and must abide by the laws of the state. The rule of law is one of the central guiding principles of the modern state and for any nation to be accepted in the comity of nations this idea should be the bed rock and foundation of its laws.

In the absence of the rule of law, there is tyranny and dictatorship. Paradoxically where the rule of law is present in any state and working effectively, citizens will see the laws passed by government as promoting the good of all in a reasonably equal manner and therefore feel an obligation to obey them. They will not see the laws as merely restraints imposed on them by the privileged ruling class, but as a means of establishing a system of rules and regulations where the weak and the strong, the rich and the poor, the affluent and the under privileged can coexist. The members of the government must themselves see that they are subject to the law of the land.

Certain criteria must be present for the effective operation of the rule of law. One of these is the existence of a democratic state, where the government of the day is elected by the majority of the people of that state. It is this government that is entrusted with the sacred task

of enacting laws for the benefit of the general good of the people. Laws that will apply generally to all persons in the state irrespective of race, colour, religion or sex. It is submitted that there can be no true democracy in the absence of the rule of law. These two concepts democracy and the rule of law have a symbiotic relationship. The citizens may be more likely to obey the laws passed by persons that they themselves have chosen from amongst them.

The Constitution of Sierra Leone Act No. 6 of 1991 makes sufficient provisions for the protection of all persons in Sierra Leone. Chapter 3 of the Constitution from sections 15 through 29 contains provisions protecting the fundamental human rights of the all persons residing in this country. Whilst guaranteeing these freedoms, the constitution ensures that in the enjoyment of these rights and privileges the rights of others are not impaired. The constitution secures the right to due process of law, the protection of life, freedom of conscience, association, etc which are the ingredients that make for equality of all persons within this country. It is submitted that the fundamental rights of all citizens and persons within Sierra Leone are adequately secured by the constitution. Incidentally our Ruling Party's Constitution states as one of the aims and objectives of the Sierra Leone Peoples Party and I quote **""To promote the rule of law, fundamental** human **rights, genuine social justice, constitutional rule, and** other democratic values, institutions and practices in Sierra Leone as essential prerequisites of good governance;"

Although the National Constitution does not contain any explicit provision which states that the Government, the President and his Ministers, the Parliamentarians and the Members of the Judiciary, are expected to abide by the law, it is submitted that this is implied. One has only to study the oaths of offices of these various officials as prescribed under second and third schedule of that document to see that all officials are expected to preserve, support, uphold, maintain and defend the same constitution and to do right to all manner of people within the sovereign territory of this country. In fact all of them may be removed from office for violation of the constitution. Section 51 of the constitution for instance provides for the removal from office of the President in the event of violation of the constitution or any gross misconduct.

The Anti-Corruption Act No. 1 of 2000 is a very good example of one instance in which the highest officials of this country have been explicitly subjected to criminal prosecution in the same manner as other more ordinary officers of the sate. To date a Minister of State and a Judge of the High Court have been charged and prosecuted under this act. It is also true to say that our criminal code by and large is applicable to and enforceable against government executives as well as parliamentarians. In the recent past a senior Parliamentarian of our Ruling Party was prosecuted for Assault and an opposition MP has been facing a criminal charge.

Some of the factors that are directly relevant for the effective operation of the rule of law in any state are a high rate of literacy and observance of due process by all members of the legal profession responsible for the implementation of the law. The legal profession has a pivotal role to play for the effective implementation of the rule of law, especially in the light of the high level of illiteracy in this country. I should at this juncture note that government and various non-governmental organizations have been of great assistance in the education of the masses of their rights as secured by the law. Numerous programs over the radio and television have assisted in educating the citizens of this country of their rights under law. Ministers, Parliamentarians, Lawyers Policemen and other public officers have all been over the wires explaining to the public their right on various matters ranging from traffic matters, bail, the rights of women and children etc.

The existence of an accessible and affordable judicial system is also of invaluable assistance to the operation of the rule of law. The legal system must be accessible and affordable by all, from the man in the city to the man in the village in the provinces. The rebel war had the effect of disrupting and indeed completely destroying the system of administration of the law and justice in all of Sierra Leone except Freetown. Even in Freetown the system of administration of the law was greatly impaired by the rebel war. However progress has been made in the reconstruction of the courts infrastructure in Freetown and in the provinces by the government. Part of the reconstruction of the judiciary should involve the engagement of competent Lawyers to serve as Judges and Magistrates. Although government has made numerous approaches to the most qualified practitioners unfortunately most of them have not accepted the offers. The issue of legal aid for the poor is also relevant to having an accessible system of justice.

Let me say that government is committed to continuing to create an enabling environment for the operation and promotion of the Rule of Law. Given our violent and destructive past as a nation, we are faced with increasing challenges. Firstly there is the need to reconstruct legal and judicial frameworks having gone through so much destruction. Secondly the need to weigh the demand for immediate justice against the need for comprehensive legal and judicial reforms.

Thirdly the shortage of qualified and capable Lawyers, Judges and other legal personnel.

Fourthly the total collapse of the institution and destruction of judicial infrastructure. In an attempt to adequately address these concerns government has embarked on several programmes and projects.

1. It has established a law reform commission

2. There is now a functioning elected and independent legislative. Government and its partners are now giving Parliament the required support to build its capacity for lawmaking and carrying out its oversight functions.
3. In an effort to deal with transitional justice issues, there are the TRC and The special Court. Our aim has been to allow the country to move forward within a system that fosters national peace and reconciliation.
4. With regard to the Ministry of Justice, Judiciary, Police and Prisons. Government policy has been geared towards rebuilding **their facilities** and restructuring and building or **enhancing** the **capacities of these institutions.** In **sum let me emphases that the Rule of Law is not a rule. It is not a law rather it is an expression that signifies a concept.** The **following are a number of broad principles underlying the concept of the rule of law:**

    (i) The **right of every nation to representative and responsible government including protection of civil liberties;**

    (ii) **The need for proper control of delegated legislation and the provision of adequate remedies for the protection of the individual's rights**

    (iii) **The strengthening of the independence of the judiciary as well as the ensuring of an organized and autonomous legal profession.** I **pause here to say that in this jurisdiction there exists a very organized and hopefully autonomous legal profession.**

    (iv) **The right of an accused person to a fair hearing before an impartial and independent tribunal constituted by law;** the **adoption of the presumption of innocence, and the** right **of an**

appeal as part of the criminal procedure of every country and the avoidance of cruel, degrading or inhuman punishments.

There is no doubt as to the immense assistance of the Judiciary and the legal profession to the application and promotion of the rule of law in this country. **It is my considered view that in order to enhance their role, there is need for code of ethics for both the Bar and Bench. The Legal Practitioners Act No. 15 of 2000 is a step in this direction regarding the provision of a code of ethics for the** Bar. **Section 4 (2) (d) of that act empowers the general legal council to prescribe the standard of professional conduct and code of etiquette for legal practitioners. Unfortunately the council has still not drawn up this document. There is need for the Judicial and Legal Service Commission to make similar rules.**

Similarly, there is an urgent need for Judges and Magistrates to adopt a code of conduct for judicial officers. There is a need for judicial officers to actively participate in establishing, maintaining and enforcing and observing high standards of conduct so that the integrity and respect for the independence of the judiciary is preserved. I would further submit that an independent, strong, and respected and respectable Judiciary is indispensable for the impartial administration of Justice in a democratic state such as ours.

It must also be emphasized that the bench must hear and determine cases as expeditiously as possible. Judgments must be delivered not later than three months after the conclusion of the evidence and the address by counsel as stipulated by the constitution. There must be adherence to due process by all officials of the Court involved in the administration of justice. An important issue here is that of bail. There is a need for the provision of practice directions to be given to guide the bench and the prosecution on this matter. Incarceration of accused persons on trial for invariably lengthy period of trial has the effect of defeating the presumption of innocence and denying justice.

In closing I should say that development of the rule of law in any state is a process. This government has taken numerous steps in the right direction and I am sure will continue to do more to develop the culture of a state where all men are subject to the law of the land. The legal profession has a most important role to play both in fostering the culture of the rule of law and in the nursing and guardianship of meaningful democracy in this country. Judges must be vigilant to ensure that due process of law is observed by the executive and the other organs of state responsible for implementing the law. The Judiciary must jealously guard and protect the rights of the citizens as established by law.

THE SPECIAL COURT AND ISSUES OF AMNESTY AND IMPUNITY

The Lome peace Agreement was signed on the 7th July 1999 and it was later enacted in Sierra Leone as the Lome Peace Agreement (Ratification) Act.

Article ix provided for an "absolute and Free Pardon for Corporal Foday Sankoh and for an amnesty for all other combatants in respect of anything done by them in pursuit of their objectives as members of those organization, since March 1991 up to the signing of the Agreement".

It may be necessary to consider Amnesty provision in relation to the constitution of Sierra Leone and The Special Court Agreement (Ratification) Act 2002, To enable the commission to appreciate the background facts that led to an amnesty provision and later an enactment for a Special Court I would refer to a portion of President Kabba's speech to the Royal Commonwealth society on the 24th July 2003.

"A major problem we have had to contend with in our efforts to sustain lasting peace and development in our country is impunity. We can all recall how the Government had to agree to the granting of a near-blanket amnesty to the RUF and renegade elements of our army, as well as their leaderships, in order to bring the war to an end. The people of Sierra Leone were unanimously against this amnesty but eventually accepted it as the price of peace.

Concern continued to be expressed, however, about granting amnesty to people who had committed some of the most heinous crimes known to man. It was felt that peace could not be sustained without justice and that all human rights violations should be investigated; and redress provided for the victims. We are pleased to report that the Government of Sierra Leone and the UN have been able to set up both a Truth and Reconciliation Commission and the Special Court to address this issue.

The Truth and Reconciliation Commission is gradually promoting healing and Reconciliation by providing a conducive climate for constructive exchanges between victims and perpetrators so that the victims can regain their human dignity and perpetrators given the opportunity to repent. The Special Court, on the other hand, is set up to bring to book those who bear the greatest responsibility for the atrocities committed during the war. Both institutions are progressing well. We are convinced that they will achieve their objectives of addressing impunity, responding to the needs of the victims of the war and preventing a repetition of the violation of human rights that occurred during the war".

Let me stress that even after the execution of the Lome Agreement and its Amnesty provision the atrocities continued unabated. This was in marked contrast to the situation in the country following the setting up of the Special Court

- namely an end to atrocities and impunity

Transitional justice is and has been a troubling human rights issue. The question that is most commonly asked is how should States emerging from periods of serious human rights violations frame the relationship among truth, justice, and reconciliation? Some jurists pose the issue as a difficult balance between punishment and reconciliation while others see truth or, alternatively, justice, as a precondition for reconciliation. Human rights advocates generally have

adopted the latter position, without clearly defining under what conditions and through what methods justice should achieved.

The paths chosen by states are now viewed as issues of international concern, rather than solely domestic matters. In the last ten years, there has been a wave of change, prompted both by the end of the cold war, and by recognition that failure to come to terms with past cycles of violation may lead to future violations. International human rights groups now routinely demand and assess accountability for past violations, and anti-impunity measures are no longer simply a question of national choice. It is therefore not surprising that The Special Representative of the Secretary-General of the United Nations attached to the Lome Peace Agreement the following caveat:

"The United Nations interprets that the amnesty and pardon in Article 9 of this agreement shall not apply to international crimes of genocide, crimes against humanity, war crimes, and other serious violations of international law."

Article 10 of the statute of the Special court provides that:

"An Amnesty granted to any person falling within the jurisdiction of the Special Court..... shall not be a bar to prosecution."

In my view this article to some extent addresses the issue of Amnesty granted under the Lome Agreement. Additionally also it may be argued that the Amnesty provisions must be considered in the light of the constitutional provision which guarantee the rights to life liberty and judicial protection.

Let me end by saying that it is the hope and prayer of our Party the SLPP and the government and people of Sierra Leone that justice be done to all. As a Lawyer and Legal Adviser to our Party it is my considered view that minimum international standards guaranteeing fair trial for Accused persons are provided for in the Special Court Act.

THE JUDICIARY, THE LEGAL PROFESSION AND THE RULE OF LAW (INCLUDING THE SPECIAL COURT AND ISSUES OF AMNESTY AND IMPUNITY)

The Constitution of Sierra Leone Act No. 6 of 1991 establishes the Judiciary of Sierra Leone as an independent third organ of Government. The Judiciary consists of the entire body of courts and the machinery that governs them. As Chief Justice I am the Head of the Judiciary and, acting on the advice of the Judicial and Legal Service Commission, I am responsible for the effective and efficient administration of the Judiciary.

The Judicature consists of the Supreme Court of Sierra Leone, the Court of Appeal and the High Court which are the superior courts of record and the courts of first instance comprise the Magistrates' Courts and the Local Courts. The Superior Court of Judicature has the power to commit for contempt if circumstances warrant such a procedure.

By s.121 of the Constitution, the Supreme Court should comprise of the Chief Justice and not less than four other Supreme Court Justices. It is the final court of appeal for criminal and civil cases. It has jurisdictions both appellate and original as in addition to hearing appeals, it can hear applications to interprete the Constitution of Sierra Leone. The Supreme Court while treating its own previous decisions as normally binding may depart from a previous decision when it appears right to do so. All other courts are bound to follow the decisions of the Supreme Court.

The Court of Appeal should comprise of the Chief Justice and not less than seven Court of Appeal Justices. A panel of three Justices of Appeal shall hear all appeals. The Court of Appeal has only appellate functions and hears both civil and criminal appeals from the decision of the High Court.

The High Court should comprise of the Chief Justice and not less than nine High Court Judges. The High Court has jurisdiction to hear any criminal or civil matter that comes before it for trial. It also exercises appellate function for cases from the inferior courts.

The Magistrates Courts operate under the provisions of the Courts Act, Act No. 31 of 1965 and hold summary trials for criminal offences and less serious civil matters. These courts do not have jurisdiction over more serious offences such as murder, arson and rape though these cases can be heard on preliminary investigation to determine whether there is enough evidence to warrant committing the case to the High Court for trial. Over 80 per cent of all cases heard in the courts are heard at the Magistrates Courts.

The Local courts are established by the Local Courts Act, Act No. 20 of 1963. They have limited jurisdiction and can only try customary law matters. These courts are presided over by local court chairmen who are usually Elders of the Chiefdom. A **customary law officer who is legally qualified advises and supervises the court chairmen. These courts unlike the other formal courts do not fall within the administrative jurisdiction of the Judiciary. Appeals from the local courts are heard by the District Appeal Court which is the Magistrate Court operating within the area where the local court is situated. The District Appeal Court is presided over by a Magistrate sitting with two assessors who are familiar and knowledgeable in customary law. Appeals from the District Appeal Court are heard by the High Court where the presiding Judge sits with two assessors. Further appeals may be made to the Court of Appeal and to the Supreme Court. Under the Local Courts Act 1963 a solicitor does not have audience in the local courts.**

This in brief is a description of the various courts in the land.

THE JUDICIARY AND THE 10 YEARS CONFLICT

Before 1991 when the RUF rebels launched their incursion into Kailahun in the Eastern Province of Sierra Leone, there was at least one functioning Magistrate Court in each of the 12 provincial districts. In **fact in some of the major provincial towns such as Bo, Kenema and Makeni, two magistrate courts operated in each of these towns. High Courts also operated in the provinces, Bo Kenema and Makeni, with the Judge in Bo going on trek to Moyamba, the Judge in Kenema travelling to Kono and Sefadu and the one in Makeni, covering Port Loko.**

Needless to say as the war spread over the country, and the security situation worsened, the judges and Magistrates in the provinces had to return to Freetown and gradually the functioning of the courts there ceased.

Much of the infrastructure of the court system was destroyed during the war years as the rebels actually made Government Institutions such as Courts, and Police Stations their main targets. By 2000, steps were being taken to have the courts resume sittings again. Thus by September 2000, there was one Magistrate Court functioning in both Bo and Kenema and another Magistrate sitting in Lungi to cover the rebel controlled Northern Province. None of the High Courts could resume court sittings and it was only in 2001 that a Judge was able to start court sitting in Bo and much later the same Judge was able to cover Kenema High Court as well as Moyamba High Court.

In the meantime as you can imagine, there was a complete breakdown of law and order in most of the provinces. The prisons, where they were functioning were overcrowded. The Police in their own way settled differences as far as they were able. The Local Courts too helped to alleviate the situation by hearing matters which were brought before them under customary law. However it is true to state that for about five years during the height of the conflict no serious crimes or dispute could be heard or tried in the courts in any judicial district in the provinces.

It has been alleged, that one of the reasons why the courts were made particular targets of the rebels and in fact, one of the main causes of the war has been allegedly the non-availability of justice for the ordinary citizen, the delays in the system and lack of effective access to justice by one and all. In short the citizens had lost faith in the Judiciary.

These feelings did not just arise at once but as a result of a gradual erosion of the justice system in the country. Over the years, succeeding Governments have tended to neglect the Judiciary and failed to make adequate financial provision to meet the needs of the Department. The system of `self accounting' formerly used successfully by the Judiciary in the 1970s and which enabled it to use the income it received from court fees and fines and other services it provided to fund its operations was removed by Government. The judiciary thereafter became wholly financially dependent on the Ministry of Finance for its funding. The financial provisions made to the Department proved woefully inadequate and this has resulted in the downward trend of the Judiciary.

However, I am happy to report that since the realisation of peace in the country and the resumption of political stability, the Judiciary has been making giant strides towards the restoration of the rule of law throughout Sierra Leone. The court system has been re-established throughout Sierra Leone including Kailahun where the conflict started. The High Court now operates in Bo, Moyamba, Kenema, Port Loko and Makeni. There are Magistrates Courts operating in all the 12 Judicial Districts. However, the Judiciary is still faced with the grave problem of shortage of personnel. At present there is only one High Court Judge presiding in the Provinces and the Magistrates courts are presided over mainly by Justices of the Peace who through the help of the UNDP have undergone some training.

THE SPECIAL COURT AND ITS IMPACT ON THE JUSTICE SYSTEM OF SIERRA LEONE

With the restoration of peace and stability and the rule of law in the country, attention needs to be drawn to making accountable those who were responsible for the conflict. The Special Court for Sierra Leone is governed by its statute, an annex to the Agreement between the United Nations and the Government of Sierra Leone. The Rules of procedure and evidence are adapted with necessary changes from the Rules of Procedure and Evidence of the International Criminal Tribunal for Rwanda (as amended).

The jurisdiction of the Special Court is to prosecute persons who bear the greatest responsibility for the following crimes, committed in Sierra Leone since 30 November 1996: serious violations of International Humanitarian Law (war crimes); Crimes against humanity, namely murder, enslavement, rape, sexual slavery and other forms of sexual violence, torture, persecution and other inhumane acts committed as part of a widespread or systematic attack against a civilian population; Crimes under Sierra Leonean law relating to sexual violence against children and malicious damage to homes, public and other buildings.

It is interesting to note that there are two categories of persons never before prosecuted by an International Tribunal, namely Peacekeepers and Juveniles who will face the jurisdiction of the Special Court. However, substantial conditions will have to be satisfied before any prosecution of a Peacekeeper can be undertaken. In the case of a Peacekeeper, the Special Court can prosecute only if the sending State is unwilling or unable genuinely to carry out the prosecution.

In the case of juveniles, they are regarded as being between the ages of 15 and 18. This has been a controversial issue. However, it is provided that they will not be sentenced to prison but if convicted, the Special Court may order a variety of correction and rehabilitative care. If given the fact that the Special Court only prosecute those who bear the greatest responsibility for violations, it is unlikely that juveniles will be prosecuted. When determining the appropriate sentence to be imposed on persons found guilty before the Court, the Special Court will follow the sentencing practices of Sierra Leone Courts as well as the International Criminal Tribunal for Rwanda. The Court will therefore be entitled to impose custodial sentences. Additionally, the Special Court will have the power to order forfeiture of any convicted person's property, proceeds and assets which

were considered to be acquired unlawfully. These will be returned to their rightful owner or to the state of Sierra Leone.
However in sentencing the Special Court will not follow the laws of Sierra Leone which still has the death penalty in its statute books. It will therefore not be able to impose the death penalty.

The imposing of the death penalty is still a controversial issue around the world as more and more countries are abolishing or have abolished the death penalty. It is understood that some countries would not have been willing to finance a court which has the power to impose the death penalty. In fact the two International Tribunals for Rwanda and the former Yugoslavia did not have such powers.

At the planning stage our fear at the Judiciary was that with the establishment of the Special Court the Judiciary would lose a number of its staff to the more lucrative conditions of service offered by the court. However up till now we have only lost 2 members of staff, namely a Justice of the Court of Appeal and our Deputy Master and Registrar.

Indeed the work of the Special Court has actually started and I do hope it will not interfere greatly with operations of the Judiciary. I believe the Judiciary will benefit from the infrastructure expected to be left behind when the Special Court would have completed their work.

.ISSUES OF AMNESTY AND IMPUNITY AND THEIR IMPACT ON SOCIETY

As in the case of many countries that have made the painful transition from conflict to peace, Sierra Leone has faced monumental challenges in instituting the legal and judicial reforms that are vital for the sustenance of peace and law and order after a conflict. Demand for immediate justice usually overwhelms the capacity of post-conflict governments to initiate comprehensive legal and judicial reforms. The first few years after the end of a violent conflict, such as we have experienced here, are dominated by efforts to establish accountability and breaking the cycle of impunity. This is considered as being the key to creating conditions for peace and stability. The first steps taken by the Government were to establish legal and judicial structures aimed at dealing with impunity. Efforts were made with the help of some bilateral donors to establish a legal mechanism for trials to take place in the country of those accused of having perpetrated the war. The creation of the Special Court to prosecute the war criminals in Sierra Leone is therefore to put an end to the cycle of impunity.

In addition to the concept of prosecution and punishment via the courts, the Government had also turned its focus on reconciliation as is characterised by the Lome Peace Accord signed in July 1999. The initial reaction of most Sierra Leoneans to the Government's signing the Lome Accord was that it was a terrible compromise forced upon the Government by an International Community unwilling to vest resources and troops in Sierra Leone. This was mainly because of the amnesty provisions which protected ex-combatants and granted free and absolute pardon to people who perpetrated atrocities during the war in Sierra Leone since 1991 and for anything done during the course of the conflict before the signing of the agreement in July 1999.
However the fear that these war criminals will escape justice was removed with the creation of the Special Court and particularly the provisions of Article 10 of the statute of the Special Court for Sierra Leone, *viz: "An Amnesty granted to any person falling within the jurisdiction of the special court in respect of crimes against humanity, war crimes or other serious violations of International Humanitarian Law shall not be a bar to prosecution ".*

On the basis of this and general principles of international law, the amnesty provisions of Lome Accord will not prevent war criminals from being prosecuted for violations of international humanitarian law before the Special Court. Therefore those crimes committed after July 1999 will be investigated and prosecuted before the Special Court.

EXISTING SHORTCOMINGS IN THE SYSTEM INCLUDING LEGAL POLITICAL AND OTHER ISSUES

I have already dealt with the status of the Judiciary including its composition. I have also dealt in passing with some of the problems facing the Judiciary. I shall now take this opportunity to elaborate on these problems. It has been argued that there is a causal link between past abuses in the justice system and the conflict and that the frustration with the justice system was a contributory factor in causing the war. This, it is alleged, was the reason why during the course of the war, court buildings, prisons and police stations throughout the country were targeted and either completely destroyed or severely damaged. Nothing can however excuse the brutality visited on the Sierra Leone population by the rebels.

We must be honest and admit that hitherto, the justice sector had limited scope and capacity and was inaccessible for the needs of the poor. Access to the justice system-the police, courts and legal representative in particular-is characterised by expense, delays and geographical remoteness. It is certainly not equipped either in terms of physical infrastructure of systems and processes, or personnel to meet the needs of the ordinary citizens.

Let me highlight a few of the problems:

Court Personnel

The Judiciary is presently facing an acute shortage of personnel especially in the professional cadre. The following breakdown graphically illustrates the acute nature of the problem.

SUPREME COURT

Establishment -	Not less than 5 Justices
No. in post -	2 Substantive Justices
-	4 Acting Justices

COURT OF APPEAL

Establishment -	Not less than 7 Justices
No. in post -	2 Substantive Justices
-	2 Acting Justices

HIGH COURT

Establishment -	Not less than 9 Justices
No. in post -	5 Substantive Justice
-	2 Acting Judges

MAGISATRATES

Principal Magistrates

Establishment	-	7 Principal Magistrates
No. in post	-	1 Substantive
	-	4 Acting Judges

Senior Magistrates

Establishment	-	5 Senior Magistrates
No. in post	-	1 substantive

Magistrates

Establishment	-	14 Magistrates
No. in post	-	5 Substantive
	-	2 Temporary

REGISTRARS

Supreme Court

Establishment	-	1 Registrar
No. in post	-	Nil

Court of Appeal

Establishment	-	1 Registrar
No. in post	-	Nil

High Court

Establishment	-	3 i.e. 1 Master and Registrar
		2 Deputy Masters
No. in post	-	1 Master and Registrar
	-	1 Deputy Master and Registrar

The reason for this is the extremely poor conditions of service and remuneration. Though strenuous efforts have been made on my part to recruit members of the Bar, I have not been able to attract the right calibre of men and women. Usually the combination of superior financial compensation and prestige leads the most accomplished members of the Bar to move to the Bench. In Sierra Leone it is apparent that only love of one's country or of the profession can motivate private practitioners to leave their practice for the Bench. Since my appointment as Chief Justice I have myself made frantic efforts to lure especially some of the senior members of the Bar into the bench. Regrettably, all my endeavours have proved futile. Of course, I do understand the reason for their reluctance.

Even the young do not show any interest in the judiciary.

In a paper written for the British Council on the Structure of the Judicial System in overseas Territories, the writer Sir Albert Napier, Permanent Secretary to the Lord Chancellor 1944 to 1954 emphasised that: A *judge ought to have a high salary and an adequate pension. That is not only because of the heavy responsibilities of his office. The financial reward must be sufficient to induce a successful advocate to relinquish not only his private practice but many of his outside activities as well, and to compensate him for life long limitation on the additional sources of income available to him. For example, directorships in companies and parastatals, which are open to many men in salaried occupation, are denied to a Judge. Pensions cannot be calculated in the same way as those of other public officers, since preferment to the Bench come comparatively late in life. "*

Our situation has been made more problematic by the provision of section 138 (4) of the Constitution that: "A *Judge of the superior Court of Judicature shall not while he continues in office, hold any other office of profit or emollition, whether by way of allowances or otherwise, whether private or public, and either directly or indirectly. "*

In the recent Commonwealth Colloquium on combating corruption within the Judiciary held in Limasul Cyprus from 25th - 27th June 2000 Justice Weeramantry of the Supreme Court of Srilanka stressed the importance of the obligations of every government to uphold the integrity of the Judiciary by ensuring that the pay and conditions of service, are done in manner befitting the Judiciary. It is clear that unless some positive steps are taken by Government to alleviate this situation, the complaint of delays in the court system will continue to be made.

Financial Provision

I have mentioned supra the earlier system of self-accounting enjoyed by the Judiciary. I will reiterate that presently the Judiciary is starved of financial provision. There must be a fundamental improvement in budget allocations and priorities to be able to maintain a justice system envisaged for the 21 st century. Presently the Judiciary has had to rely mainly on donor support from foreign institutions and governments.

A major source of funding has come from the UK Government through its Department for International Development (DFID) managed under the Law Development Programme. The Project has been largely responsible for the rebuilding of damaged or destroyed infrastructure, providing logistical support and vehicles and giving training to personnel. Other assistance from DFID has also been given to other arms of the Justice system such as the Law Officers' Department, the Police, the Anti-corruption commission and Local Government. The UNDP has also assisted the courts in financing the training of Justices of the Peace who now preside over most of the Magistrates' courts in the Provinces in the absence of stipendiary Magistrates. UNAMSIL through its trust fund has been able to assist us with the provision of funds for furnishing and for the provision of office equipment for magistrate courts in the provinces.

In as much as these international donors have done a considerable job in improving the justice system in Sierra Leone, the Government too must be made aware that increased financial provision has to be made not only to sustain these infrastructure but to continue with the modernisation and improvement already commenced.

Conclusion

Inspite of the strides made by the judiciary in this relatively short period since the restoration of peace in the country, there is still massive investment required to be done in terms of professional and support staff, both in conditions of service, training, provision of logistics and facilities. Only solid inducements such as decent salaries, provision of transport, accommodation and so on can entice qualified barristers to take up appointment in Government service. With the resumption of courts in the provinces there is a need for new staff now more than ever before to man these courts. Acquiring new staff and getting them trained is therefore a priority.

Another challenge facing the judiciary is to reverse the perception of corruption and to create a Bench that is impartial and respected. Recruiting foreign Commonwealth Judges can only be a short term solution to the problem. Improving the salaries and general condition of service, introducing exchanges and training programmes, reducing the delays in delivery of judgments and making the appeals process more accessible and faster are the surest methods of improving standards of justice and giving the public a better perception of the justice system in Sierra Leone.

The maintenance of an independent and impartial judiciary is an expensive exercise. Judges and Magistrates must be paid well to deflect the considerable temptation they inevitably encounter when they hold the power of the law in their hands. It is clear that because of national budgetary constraints the Government would be hard pressed to make any marked improvement in the salary and conditions of service in the judiciary and reliance may have to be placed on foreign assistance. Suggestions have been made for a payroll trust fund to be set up as a solution to this problem. There has been much debate on this topic. Regrettably, some of the donor agencies have categorically stated that their regulations, in particular their accounting rules and conventions will not make it possible for them to make the necessary endowment. The agencies insist that action regarding salaries must be taken by Government. It is therefore incumbent on the Government to take the necessary steps to ensure the independence of the judiciary by the provision of adequate salary structure for judicial personnel, maintain a sound infrastructure both in the Western Area and the Provinces, provide adequate transportation, fuel and security, set up proper case management systems, as well as provide essential logistics. There should also be made available opportunity for judicial officers at all levels to acquire formal training or to attend conferences, exchanges and generally be exposed to other legal systems.

Recommendations

1. Government of Sierra Leone needs to take urgent steps to improve salaries and conditions of service of the judiciary at all levels. This would entail major infusion of funds.
2. The resumption of the system of "self-accounting" or alternately the provision of adequate financial allocations to the Judiciary by Government
3. There should be an effective and regular supervision of the local court by customary law officers from the Law Officers' Department. These officers should be provided with adequate transport and suitable accommodation.
4. To speed up the process for court matters and appeals, steps should be taken to modernise the various registries by introducing modern computerised records systems and case management. In this regard more stenographers should be employed who should be given specialised training in the use of the modern court equipment.
5. Assistance is required from International donor agencies for the inclusion of programmes that provide Judges and Magistrates with exposure to practice in other

Commonwealth jurisdictions, attendance at conferences and international judicial colloquia.

6. Serious attention should be put into law reporting in Sierra Leone. This has suffered severe setback over the years. Steps should now be taken urgently to resume this task with adequate funding being provided by Government with assistance from International donor agencies.

7. The Law Review Commission, recently re-constituted, must be given the facilities and resources necessary to undertake the task of updating the laws of Sierra Leone.

8. In view of the public perception that the average citizen's access to justice is compromised because of its expense, a legal aid programme funded by the Sierra Leone Government should be formulated and set up as soon as financially possible.

9. To provide adequate transportation and fuel and drivers for all Judges and Magistrates, particularly those presiding over courts in the Provinces.

10. To provide 24 hour security guards for all Judges as stipulated in the Judges conditions of Service Regulations, 1986.

SUBMISSION TO THE TRUTH AND RECONCILATION COMMISSION BY OLIVER O. NYLANDER EQS. PRESIDENT OF THE SIERRA LEONE BAR ASSOCIATION

The Judiciary is one of the three arms of Government the other being the executive and the Legislature. Successive Governments have over the years neglected and or failed to pay due attention to the needs and problems of the judiciary. As a result there has been a sharp decline in the quality of Justice dispense by the Courts, which has resulted in the rule of law being eroded and the public loosing confidence in the judiciary. It is our opinion that the most pressing problem facing the judiciary is the lack of personnel to man the courts. There has been an acute shortage of Magistrates on the lower bench and judges of the Superior Court of judicature i.e. the High Court, the court Appeal and the Supreme Court.

My Lord the Hon. Chief Justice Dr. Abdulai Timbo can confirm this as he has on several occasions made public pronouncement of this fact, the last being at the Annual Conference of the Sierra Leone Bar Association held on the 2nd of July 2003 at the British Council. In view of this shortage of Judges and Magistrate there is a heavy workload of cases on the few Judges and Magistrate available.

It is not uncommon for at least 20 cases to be listed a day for hearing before an High Court Judge especially Civil matters and also about 30 criminal cases to be listed for daily hearing before a Magistrate particularly in Magistrate Court No. 1. This might be a contributing factor to the long delays in trial of cases thus making litigation very expensive.

Then **there is the issue of numerous Adjournments. It is been alleged that lawyers take on to many cases for which they have not got the capacity to handle. This necessitates or gives rise to request of frequent adjournment of cases. There might be some truth in such allegation for some of our colleagues But most times adjournments have been requested because the parties or litigants and their witnesses have failed to appear on the day for the trial.**

In such situation the lawyer will have no alternative other than to apply for an adjournment. Therefore lawyers are not entirely responsible for the numerous adjournment of cases.

There is also the burning issue of shortage of materials like stationaries. At times Counsel will request that notices be sent out to both absent parties and their solicitor this request might be granted by the Judge. Then comes the next adjourned date: parties and their solicitor might fail to appear. The reason being failure by the registrar to send out notices as requested and this will be due to the fact that printed notices forms were not available. The need for continuous legal training for both legal and para legal supporting staff of the Judiciary like the registrar court clerks and bailiffs is also lacking.

RECOMMENDATIONS

The Government must improve the conditions of **service for Judges and Magistrates, so as to attract the right caliber of people to the bench. Firstly the salary should be made more attractive, the supply of electricity to the residence of Judges and Magistrate should be made a priority, this would enable Judges to spend long hours at night in writing up their judgement so that they could be able to deliver them promptly.**

The medical allowances given to Judges and Magistrate should bet increased. The allocation of a vehicle to each judge so as to enable them to arrive in Court promptly for court sittings.

Provision of legal Aid, government should seriously considered the establishment of a legal aid, and assistance scheme which will enable indigent litigants who could not afford the high cost of litigation's to access justice and not to be deprived of their right to seek redress in courts for wrongs done to them because they are impecunious. All ready a group of lawyers known as LAWCLA has established a form of legal assistant to indigent litigants.

The Bar Association has also be running a law clinic at **its Bar Association Secretariat whereby free legal advise are given to person who cannot solicits the services of a lawyer because of the high cost involved in litigation.**

The reforming of our laws especially obsolete ones. **In this area I must commend the Government of Sierra Leone who has recently reactivated the law reforming commission, who will be holding a seminar on the commercial use of land in Sierra Leone from the** 30th - 31st July 2003. **It's first major activity in reform of the law relating to the commercial use of land in Sierra Leone. The absences of reported Sierra Leonean**

Law cases has seriously hampered the work of the Judges, since the last law reporting of Sierra Leonean cases was in 1973. My Association with funding from DFID has embarked upon the publication of the Sierra Leone law reports, covering a ten-year period from 1990-2000 of cases decided in the Court of Appeal and the Supreme Court.

On completion of this first phase, my Association will embarked in reporting cases decided by the High Court for the period 1973 to date.

Recently some members of the Sierra Leone Bar Association came together to form a local none Governmental Organisation know as Legal Reform Initiatives. They are committed to support **legal reforms in Sierra Leone and to provide a bridge between National and International ongoing Justice efforts. We believe that the legal community must be at the fore front of promoting Justice and the impartial rule of Law and to participate** in **the difficult and vitally important project of improving the country's Judicial system.**

The Government should also seriously consider the provision of continuous legal training for both Judges and Magistrate and paralegal staff of the judiciary. .

I was privileged together with the Honorable Chief Justice Dr Abdulia Timbo, the learned Attorney General Eke Halloway Esq, to have attended the first all African conference of Law Justice and Development held in Abuja Nigeria some time in February 2003. At this conference, the need for continuous legal training for Judges, Magistrate and Barristers was stressed: if we in Africa are to meet the challenges and opportunities offered by globalization. Thanks to the UNDP who conducted sometime in March 2003, a Court for Justice of the Peace, Clerks and Bailiffs of the judiciary. Within a very short time we have started seeing the benefits of such legal training especially among Justices of **the Peace who presides over cases in the Magistrate Court as they now have the law stored in their bosom.**

We the members of the legal profession are sure that now that we have a President and a Vice President who are both Lawyers by Profession, need of the Judiciary will continue to be looked into.

SPECIAL COURT FOR SIERRA LEONE

JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE
PHONE: +1 212 963 9915 Extension: 178 7000 or +39 0831 257000 or +232 22 295995
FAX: Extension: 178 7001 or +39 0831 257001 Extension: 114 6996 or +232 22 295996

**STATEMENT OF THE REGISTRAR, MR. ROBIN VINCENT,
TO THE TRUTH AND RECONCILIATION COMMISSION FOR SIERRA LEONE
21 July 2003**

Introduction

It is an honour for me to be here to today, as Registrar of the Special Court for Sierra Leone, to present a statement before the Truth and Reconciliation Commission. It is indeed an extremely encouraging sign that both our institutions have effectively been established in parallel and that they have been able to work side by side and with a great spirit of cooperation, but independently, in responding to the quest of the people of Sierra Leone for accountability and justice.

My statement today will provide an overview of how the Court came into existence, what are its distinctive elements, the achievements met in the first year of operations and the possible impact of its activities on Sierra Leone society.

1. The origin of the Special Court

The Special Court officially began its operations a little over one year ago, on 1 July 2003, after two years of negotiations started at the initiative of the Government of Sierra Leone.

On 12 June 2000, H.E. President A. Tejan Kabbah wrote to the United Nations Secretary General requesting the assistance of the United Nations and the Security Council `in establishing a strong and credible court that will meet the objectives of bringing justice and ensuring lasting peace'.

According to President Kabbah's letter, the need for and international intervention in favour of the establishment of the Special Court derived from the scale and nature of the violations committed in the country during over ten years of conflict, as well as practical considerations. Sierra Leone did lack `the resources or expertise to conduct trials for such crimes as a consequence of the civil conflict, which destroyed the country's infrastructure, including the legal and judicial infrastructure, of the country.' In addition, Sierra Leone would not have been in a position to try those responsible for such crimes because its criminal law does not encompass, for example, crimes against humanity and other gross violations of human rights. Soon after receiving President Kabbah' appeal, the United Nations Security Council started informal consultations on the matter. It should be recalled that by the time the negotiating process was set in motion, the scale and the nature of the crimes committed in Sierra Leone, marked by the intentional targeting of the civilian population and the massive involvement of children as combatants, had attracted the attention and generated the condemnation of international public opinion and created a diffuse support for an intervention of the international community to prevent impunity for those involved in the conflict. In addition, as the United Nations had directly suffered from the conflict following the kidnapping and killing of some of its peacekeeping forces, the organisation was particularly receptive to support efforts to bring to justice those responsible for such crimes.

On 14 August 2000, the Security Council adopted Resolution 1315 on the establishment of a Special Court for Sierra Leone. The Resolution authorises the Secretary General to enter into negotiations with the Government of Sierra Leone to establish the Special Court and outlines the main aspects of the Court's functioning, in particular its jurisdiction and legal nature.

According to Resolution 1315, the Special Court should have subject matter jurisdiction over `crimes against humanity, war crimes and other serious violations of international law as well as crimes under relevant Sierra Leonean law committed within the territory of Sierra Leone.'

The Court should have personal jurisdiction over those persons who bear the greatest responsibility for the commission of the above mentioned crimes, including those leaders who, in committing such crimes have threatened the establishment and implementation of the peace process in Sierra Leone.

In addition, the decision to establish the Court by means of an international agreement between the United Nations and the Government of Sierra Leone, explicitly manifested the intention of the Council to create the Court as an independent hybrid legal institution rather than as a United Nations subsidiary body, as in the case of the international tribunals for the former Yugoslavia and Rwanda.

Finally, the Council decided that the Special Court should be financed entirely from voluntary contributions from Member States rather than the United Nations budget. That decision has been at the same time a source of flexibility and efficiency in the administrative structure of the Court, and a constant challenge.

It is on these premises, that the Agreement and the Statute of the Court were finalised and that the Court's composition and structure agreed.

2. Statute and the Agreement

a. Structure of the Court

The Court was officially established by the "Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone" (hereafter `Agreement') which was signed on 16 January 2002 by Mr. Hans Corell, Under-Secretary General for Legal Affairs on behalf of the United Nations, and by Mr Solomon Berewa, then Attorney General and Minister of justice on behalf of the Government of Sierra Leone.

The Agreement and the Statute therein annexed dictate to a large extent the basic structures of the Court. The court is comprised of three organs - the Chambers, the Prosecution and the Registry, which are regulated by Article 11 of the Statute, and Articles 2, 3 & 4 of the Agreement.

The Chambers are responsible for presiding over the trials and appeals, maintaining and updating the Court's rules of procedure and evidence and overseeing the judicial aspects of the Court.

The Prosecutor is responsible for investigating and prosecuting those whom he believes to bear the greatest responsibility for crimes under the jurisdiction of the Court.

The Registrar is responsible for the administrative and logistical functioning of the Court, including managing the detention facility, court records process and also the external relations of the Court.

b. Composition

The Chambers are composed according to Article 2 of the Agreement and Article 12 of the Statute - which dictate that the judges are appointed by the Secretary-General of the United Nations, or the Government of Sierra Leone. The Secretary General of the United Nations appointed five judges, and the Government of Sierra Leone appointed three judges. The nominations were split between the Appeal and Trial Chambers.

The Judges of the Court are as follows, with (UN) or (GoSL) after their name to indicate which entity they were nominated by:

Appeals Chamber:

President, Mr. Justice Geoffrey Robertson Q.C., Australia (GoSL);
Vice President, Justice George Gelaga King, Sierra Leone (GoSL);
Justice Renate Winter, Austria (UN);
Justice Hassan B. Jallow, Gambia (UN);
Justice Emmanuel Ayoola, Nigeria (UN).

Trial Chamber:

Judge Bankole Thompson, Presiding Judge, Sierra Leone (GoSL);
Judge Benjamin Itoe, Cameroon (UN);

Judge Pierre Boutet, Canada (UN)

On 2 December 2002, after the judges were officially sworn in, the President and Presiding judge were elected to their respective positions by their fellow judges after confidential deliberations. Justice George Gelaga King was elected Vice President for a six month period in March 2003, and the Vice Presidency then will be rotated through the Appeals Chamber every half year by order of seniority.

c. Composition of staff - international and national

The Staff of the Special Court are also mixed in composition, with the ratio of international to national staff currently standing at 48% internationals and 52% nationals, with a final projected split of 45% internationals and 55% nationals on full staffing of the Court according to the 2003/2004 budget. A high percentage of these national posts are professional posts within the Court.

3. The Role of the Registrar

As briefly mentioned above, the Registrar is responsible for all the administrative functions of the Court. These responsibilities fall into a number of general areas:
• Court management, including archiving, translation, and court management services;
• Detention facility;
• Security;
-Administration, including Personnel, Finance and budgetary oversight;
• Technical support, including IT and facilities management services;
• Witness and Victim Support Unit; and
• Defence Office.

The Registrar is bound by Article 16 of the Statute to establish the Witness and Victims Support Unit, which protects both prosecution and defence witnesses who are deemed to be under threat and manages the role of witnesses and victims during the trial process.

The Registrar has taken the innovative step of creating and incorporating a Defence Office into the structure of the Registry, and the Court. In an effort to ensure that the rights of the accused are protected by the Court, the Defence Office provides duty counsel to suspects and indictees who have either not been assigned counsel by the Court (if they claim legal aid), or who are still choosing their own counsel. The Defence Office also has the responsibility of administering the Court's Legal Aid programme for those indictees who claim they cannot afford counsel and also provides general research and support services to external counsel.

It is hoped that the Defence Office, while not specifically named in the Agreement or the Statute, will be recognised as having a valuable and important role in the structure of the Special Court, and provide an efficient, cost effective model for international tribunals of the future.

The Registrar arrived in Sierra Leone on 22 July 2002, and the Prosecutor arrived on 6 August 2002. In the year since the Court has been established, the following challenges have been encountered and the following achievements have been made.
The Registrar is also responsible for acting as the point of contact for the Management Committee of the Court in New York. The Management Committee is the body which provides administrative and budgetary oversight of the non-judicial functions of the Court, and consists of representatives of donor states, the United Nations and the Government of Sierra Leone. The Terms of Reference for the operations of the Management Committee are attached as an annex.

4. The Challenges

a. Environment

The nature of a post-conflict society is inevitably one in which severe difficulties can be encountered, particularly when dealing with establishing infrastructure and communications. The Special Court faced the challenge of turning eleven and a half acres of volcanic rock into the site of the Court, which has been accomplished, with the importation and erection of 17 office container blocks, which will provide the housing for Chambers, Prosecution, Registry and Defence. A permanent detention facility has been established, along with a permanent magistrates' court, and clinic/visitors block within the detention grounds. The Court house will have two courtrooms, and the design has been chosen, with building work expected to be finished by the end of 2003.

The site as a whole will be handed over to the Government of Sierra Leone on completion of the Court's mandate, and this will include the permanent structures of the detention facility, magistrate's court and clinic/visitors block, and the office blocks which are temporary constructs by nature.

In addition to the challenges presented to the construction of the Court, the environment has often proved difficult for many of the international staff, some of whom had not worked in West Africa before, and the heat and many tropical diseases or ailments all take their toll on staff capacity and morale.

b. Security

The security situation is of paramount importance to the Court's operations. This the first International Court to be based in the seat of the conflict, and as such has faced a new set of challenges in terms of maintaining the security of the premises and personnel. Assistance has been provided to the Court by the Sierra Leone Police Force and UNAMSIL. Inevitably there has been a significant impact on the budget as a result.

c. Finance

The Court has managed to successfully complete year one operations within its budget of US $19 million. However, this has at time placed burdens on the Court, particularly in the area of recruitment of staff, which has at times remained below an optimal operational level due to budget constraints.

The budget for year two operations is US $ 34,706,626 million gross and US $ 32,535,571 million net.

The Court currently has US$ 14,091,500.00 pledges for its year two operations, and a total of US$10338513.44 has been redeemed from those pledges. This means the Court is currently facing a funding shortfall of US $ 22,197,057.56.

5. The support received

a. The role of the international community:

The establishment of the Special Court is inextricably linked to the support of the international community for the principle of justice and accountability. Such support has been manifested in a multiplicity of ways: from the creation of the so called group of interested states and the Management Committee, which directly involve member States in the management of the non-judicial aspects of the Court, to the provision of financial contributions and political support in the Security Council.

Nevertheless, as the operations of the Special Court grow both in size and complexity, and the consequences of its activities extend beyond the borders of Sierra Leone, the Court will need a renewed commitment from the international community to ensure that adequate resources are made available and that cooperation is granted.

b. The role of the Government of Sierra Leone

As mentioned above, the negotiations for the establishment of the Special Court started at the initiative of the Government of Sierra Leone in June 2000. Throughout the negotiations, the Government consistently engaged itself to ensure that the Court became reality and that sufficient resources would be made available to it.

Since our arrival in Freetown, the Government of Sierra Leone has repeatedly stated its support to the Court as well as its desire to grant at all costs the Court's independence. The Court has nevertheless benefited from the Government's cooperation in all aspects of its work.

6.The achievements of the first year

I feel that the Special Court has achieved a huge amount in its first year of operations. Notable successes have been the development of the premises; the swearing in of the judges and revising of the Rules of Procedure and Evidence; the investigation and indictment of 12 persons accused of bearing the greatest responsibility for crimes committed within the jurisdiction of the Court and the arrest and detention of nine of those twelve; the establishment of a Temporary Detention Unit on Bonthe which currently houses 8 detainees; the establishment of the Trial Chamber, and the creation of Defence Unit.

7.The possible impact of the Special Court

It is undoubted that the Special Court will have an impact on Sierra Leonean society, not least as it hopes to demonstrate an end to impunity for those who commit atrocities. It is also one of the aims of the Special Court to leave a positive legacy for Sierra Leone.

One of the main ways this will be done will be by developing the potential of our Sierra Leonean staff through training, exposure to an international working environment and involvement in a developing and important area of international law.

At the same time, we are committed to enhancing the understanding of the Sierra Leonean people of the work of the Court and thus hope to contribute to a wider understanding of the concept of the rule of law, and we are also working with civil society and partner organisations to assess how the Special Court can contribute, given its limited budget, to national justice sector reform.

In particular, we have a good relationship with the Sierra Leonean Bar and have contributed to training and fuelled the debate over issues of international justice and the impact this hybrid Court will have on national jurisprudence.

Underlying all this will be the Court's physical legacy of the refurbished prison and magistrates Court in Bonthe, the site, including courthouse, detention centre, magistrate's court and offices.

I sincerely hope that the Special Court will contribute to a safer and more secure society in Sierra Leone, and in the wider region.

NO PEACE WITHOUT JUSTICE
E.P. 214262; Rue Wiertz 60; B-1047 Bruxelles; "1'el. +32 (0)2 284 3357; Fax +32 (0)2 2849983 866 UN Plaza #408; New York N1˙ 10017 Tel. +1 212 9802558 Fax +1 212 98010?2
Via di Torre Argentina 76; I-00186 Koma; Tel. +39 06 68803613 Fax +39 06 688036t)9

Mr Frank Kargbo
The Executive Secretary of the

Truth and Reconciliation Commission

TRC Secretariat

Jomo Kenyatta Road
New England,
Freetown

Monday, 28 July 2003

Dear Mr Kargbo,

I am writing to thank the Secretariat of the Truth and Reconciliation Commission for the excellence of its work. I had the opportunity to testify before the TRC today, and you should know that the Commission Secretariat, in particular the interpreter, the Evidence Leader, Mr Abdulai Charm, and the Reconciliation Officer, Mrs Aisha Wight, were very helpful in the process leading up to and during my testimony.

As part of my testimony, I explained that No Peace Without justice would like to make a written submission to the TRC, in addition to my testimony, to be filed with the Commission once we have completed the data processing and analysis process of our Conflict Mapping Program.

However, given that I understand that some of the Commissioners would also prefer to have a transcript of my oral presentation, I have the pleasure of attaching two copies of my speaking notes for their convenience. I would be grateful if you could circulate these speaking notes to those Commissioners who might be interested in reviewing my testimony.

I remain at your service and at the service of the Commission for any further information or clarification.

With warm regards,

Alison Smith

Country Director, Sierra Leone

Sierra Leone Office 127 Jomo Kenyatta Road; Freetown Tel +232 (022) 240-195

NO PEACE WITHOUT JUSTICE
E.P. 211262; Rue Wiertz 60; B-1047 Bruxelles; Tel. +32 (0)2 284 3357; Fax +32 (0)2 2849983 866 UN Plaza #408; New York NY 10017 Tel. +1 212 9802558 Fax +1 212 9801072 Via di "1'orre Argentina 76; I-00186 Roma; Tel. +39 06 68803613 Fax +39 06 68803609

ORAL SUBMISSION TO THE TRUTH AND RECONCILIATION

COMMISSION ON THE RULE OF LAW

SPEAKING NOTES

Testifying: L. Alison A. Smith
Country Director
NPWJ, Sierra Leone

NB This Oral Submission Speaking Notes does not constitute the NPWJ Written Submission to the Truth and Reconciliation Commission. The written submission will be prepared on the basis of the results of the data processing and analysis being carried out by the Conflict Mapping Program of NPWJ.

Sierra Leone Office 127 Jomo Kenyatta Road; Freetown Tel
+232 (022) 240-195
NO PEACE WITHOUT JUSTICE

Honourable Chairperson,

Honourable Commissioners,

Ladies and Gentlemen,

Thank you for the opportunity to testify before this Truth and Reconciliation Commission. I **am pleased to be here on behalf of my organisation, "No Peace Without Justice".**

With your leave, we would like to follow-up this oral submission with a full written submission, which will be prepared on the basis of the results of the data processing and analysis being carried out by the Conflict Mapping Program of NPWJ.

1. *Introduction*

Throughout the conflict in Sierra Leone, violations of international humanitarian law and gross abuses of human rights were committed by all parties. The conflict was characterised by extreme brutality, including but not limited to arbitrary executions and amputations of limbs of children and adults. Sierra Leonean society needs there to be accountability for the atrocities it has suffered if it is to move forward and make the transition to permanent peace. A record of the truth must be established and those people who have committed atrocities must be called to account for their actions, in one way or another.

For the restoration of dignity to victims, for peace and in order to create the necessary conditions for Sierra Leone to re-establish itself as a full-fledged democracy governed by the Rule of Law, there must be accountability for the past. Failing to account for past wrongs weakens the Rule of Law as a state of impunity for perpetrators of atrocities prevails, perpetuating a cycle of recrimination and revenge that lays the seed for future conflicts. In **the absence of the Rule of Law, democracy falters and the protection and promotion of human rights and the betterment of the living conditions of Sierra Leoneans is impaired. Re-establishing and strengthening the Rule of Law will provide the necessary pre-conditions for ensuring respect for human rights and democratic principles.** The **reestablishment** of an effective and **accountable constitutional and institutional framework, with safety, security and access to redress at its center, will ensure the restoration of peace in the country and spearhead peacemaking opportunities in the entire region.**

My submission today does not seek to outline or elaborate either the violations committed during the conflict or their legal consequences; this will be done by the Conflict Mapping Report currently being prehared by *No Peace Without Justice* which will be presented to the Truth and Reconciliation Commission and others on its completion. Rather, I would seek to mention some aspects of the rule of law in respect of the norms of international law, their implementation and mechanisms which they might be protected or their violations addressed. My submission today will commence with a brief description of my organisation and our work here, before outlining a Working definition of the Rule of Law, then discussing the' issues of *Amnesties,* the *Special Court* for Sierra Leone and NPWJ's *Conflict Mapping* Program.

2. No Peace Without Justice (the organisation)

No Peace Without Justice is an international non-governmental organisation, established in 1993, working for the establishment of all effective systems of accountability for the prevention, deterrence and prosecution of war crimes, crimes against humanity and genocide. NPWJ's major international Campaign focuses on the effective establishment of the permanent International Criminal Court (ICC). In the context of this campaign, NPWJ has organised and co-hosted international conferences with a number of governments and undertaken a wide-ranging program of technical assistance through the secondment of legal experts to government delegations during negotiations on the ICC. In addition, NPWJ has carried out a number of country-specific programs utilising its expertise in international criminal law to draft implementing legislation for international treaties at the request of specific governments and undertaking wide scale documentation of violations of international humanitarian law.

In 1998, No Peace Without Justice organised a judicial Assistance Program tor assist smaller delegations to participate fully in negotiations during the Rome Diplomatic Conference for the establishment of an international Criminal Court. The Program has been ongoing during the follow up negotiations of the Preparatory' Commission for the International Criminal Court and the Assembly of States Parties. Since the commencement of the Program during the Rome Diplomatic Conference in 1998, a team of legal experts has been seconded to a number of delegations, including theRepublic of Sierra Leone.

In June 2000, during a Preparatory Commission sitting, the President of Sierra Leone HE President Alhaji Dr Ahmad Tejan Kabbah), requested the assistance of the Unite Nations in trying those responsible for committing crimes during the ten year conflict in Sierra Leone. Responding to the request of the Sierra Leone Mission to the UN to provide further assistance at this critical juncture, NPWJ extended its JAP to cover the negotiations on the establishment of the Special Court between the UN and Sierra Leone, by providing legal advice. Two legal experts were seconded to the Office of the Attorney-General and Minister of Justice in Freetown and one legal expert was seconded to the Sierra Leone Mission to the UN in New York to continue the work of assisting the Sierra Leone Ambassador to the UN. This assistance continues today.

Since February 2001, NPWJ has also embarked on a broad-based program of public information and outreach, designed to ensure that the potential of the Special Court is not impaired by easily avoided misunderstandings about its nature and operations. The aim of our outreach program is to ensure that the general public is informed about the processes and decisions of the Special Court in order to seek fair justice and to enhance its ability to promote redress, reconciliation and reintegration within Sierra Leone. This has taken place in a variety of ways, including the "Freetown Conference on Accountability Mechanisms for Violations of International Humanitarian Law in Sierra Leone" back in February 2001, "Training the Trainers" seminars, during which nearly 2000 people have received training, radio programs and working with performing artists

among many other activities. In so doing, NPWJ continues to work closely with the Special Court Working Group, a coalition of Sierra Leonean non-governmental organisations interested in accountability whose coming together we facilitated in the first half of 2001.

NPWJ is also working with the legal profession on issues relating to the Special Court and international humanitarian law in general. As part of this program, in December 2002 we co-organised a seminar with the Sierra Leone Bar Association and the Special Court on the Rules of Procedure and Evidence for the Special Court, which provided an opportunity for members of the Sierra Leone legal profession to discuss their recommendations on the Rules with the newly sworn-in judges of the Special Court, particularly with a view to incorporating aspects of the Criminal Procedure Act of 1965. Last week, in co-ooperation with the Bar Human Rights Committee of England and Wales, we ran a training seminar on theoretical and practical aspects of the Special Court for interested members of the Sierra Leone Bar Association and staff of Special Court itself. NPWJ has also opened an International Humanitarian Law and Human Rights Library, with legal materials generously donated from a variety of individuals and institutions, in particular from Columbia University.

In addition, NPWJ is undertaking a conflict mapping program, which aims to provide a chronological and geographical mapping of violations of humanitarian law in Sierra Leone to help create an historical record of the truth, including individual and command responsibility, which will be discussed more later on.

3. The Rule of Law

As I have mentioned, this submission seeks to focus on international law, in particular its implementation and mechanisms by which it might be protected or its violations redressed. To contextualise this submission, I will outline briefly what we consider to be some of the key aspects of the "Rule of Law" and how it applies in practice.

The term "Rule of Law" embodies the basic principles of equal treatment for all people before the law; fairness; and both legal and actual guarantees of basic human rights. A predictable legal system with a participatory law-making process, impartial law enforcement mechanisms and a fair, transparent and effective adjudication system is essential to the credibility of the Law as a means to protect individuals against lawless acts of private individuals and organisations or the arbitrary use of State authority.

The basic concepts underpinning the Rule of Law could be summarised as follows:

1. The Rules both apply and are applied to everyone;
2. These Rules are known or can be known by anyone;
3. Everyone has access to effective means of recourse.

Perhaps the most important corollary to these principles is that the system be perceived as credible by the population it purports to affect. Thus justice must not only be done according to the highest international standards to which Sierra Leone adheres, it must be seen to be done and, furthermore, it must be *believed* to be done in order for the fundamental principles of the Rule of Law to be satisfied.

In practice, these principles affect individuals in four major ways:

a) protection from violence against person and property, particularly for the most vulnerable members of society;

b) the effectiveness of and access to judicial and administrative structures and other redress mechanisms applying those Rules impartially, consistently and in conformity with a predetermined process;

c) the existence and accessibility of clear written rules to regulate behaviour that are applicable to all, including to agents, institutions and organs of the State; and

d) the existence of a rule-making mechanism that is credible and legitimate in the eyes of the people it purports to affect.

4. Amnesties

Bearing these principles in mind, I will now turn to the issue of amnesties. Amnesty can be characterised as the act of "forgetting" a crime: a person who has been granted amnesty will not be prosecuted for a crime covered by the amnesty and their criminal responsibility, if any, will not be established. We the exception of the Ceasefire Agreement between the Government of Sierra Leone and the Revolutionary United Front signed in Abuja on 10 November 2000, all the agreements signed during the conflict, whether or not they have been partially respected and implemented, contain provisions granting amnesty to members of factions involved in the war.

From 1996 to 1999, three different peace agreements were signed, in addition to several ceasefire agreements.

- The Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front was signed in Abidjan on 30 November 1996 and followed soon after a military coup in May 1997.

- On 23 October 1997, the FCOWAS Six-Month Peace Plan for Sierra Leone was signed in Conakry, which prompted the military junta to agree to a peace deal. However, in January 1998, clashes began in Freetown between soldiers loyal to the military junta and the Nigerian-led force, ECOMOG.

- In January 1999, RUF forces launched an offensive against Freetown. On 17 April 1999, a cease-fire agreement was signed between the Sierra Leone Government and the Revolutionary United Front, which was followed by a new Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone and was signed in July 1999.

These events demonstrate that not only are amnesties damaging on a number of levels, which I will now discuss, they simply do not work to bring long term or even short term peace.

Amnesty provisions in peace agreements are generally included as a compromise on justice in the short term to meet longer terms objectives of peace and stability. Also, given the lack of an effective judicial system and the insufficient capacities of the government in that regard, amnesty is often claimed to be the only practical measure available to deal with past events. Those who support the provision of amnesties following an armed conflict claim that there is a need to strike a balance between the imperative to bring to justice and hold accountable those who allegedly committed serious crimes under international law, and the imperative of immediate peace and the finding of short term solutions to a conflict.

However, amnesty means amnesia and grants impunity for human rights violations committed during the conflict. This devalues the Rule of Law by ignoring the need for accountability and turning a blind eye to the claims for justice from civil populations, in particular by victims of those violations. Moreover, it puts at risk the healing process by removing the possibility to collect evidence and testimony and to establish a record of events, to address the underlying problems at stake and to allow the country to deal with its past..

Amnesty for serious violations of international law is itself a violation of international law.

International law does, in fact, support amnesty provisions in the aftermath of armed conflicts for having taken part in the conflict but not for any war crimes committed. However, such an amnesty should only extend to the fact of having participated in the conflict and should not extend to serious violations of international humanitarian and human rights law. State Parties to the 1949 Geneva Conventions - including Sierra Leone - undertook to prosecute such crimes and, as such, cannot grant immunity for those crimes through an amnesty either under national law or as part of

a Peace Agreement. Amnesty for war crimes, crimes against humanity and genocide are therefore illegal under international law, irrespective of the position under national law.

More importantly, however, sacrificing the goals of justice and redress to reach the goal of reconciliation simply does not work and did not meet the concerns of Sierra Leoneans, especially since the cycle of impunity contributed to the origins of the war. Restoring confidence in the Rule of Law and the justice system was not achieved through the granting of amnesty, which neither led to any kind of durable peace nor achieved the cessation of human rights abuses.

Saying that people who have committed crimes under international law, including crimes against humanity and war crimes, would not be prosecuted also meant that the rights of victims and their relatives to justice and redress were ignored.

In addition, such an amnesty contradicts the provisions of the Constitution of Sierra Leone (1991) dealing with the recognition and protection of fundamental human rights and freedoms of the individual. Protection of the right to life, freedom from arbitrary arrest or detention, from slavery and forced labour, from inhuman treatment, from deprivation of property and the right to secure protection of law, among others, are guaranteed under Chapter III of the Constitution. Section 28 of the Constitution guarantees the enforcement of protective provisions before the Supreme Court of Sierra Leone. The amnesty provision stands in contradiction to these constitutional provisions in that it allows neither the enforcement of such rights nor relief for their violation.

Dealing with the past, especially when a conflict has occurred, requires full knowledge of the chain of events and responsibilities that led to the conflict. It is important that emphasis be put on justice as a means of reconciliation. I could not put it better than the words of the Honourable Vice President, in the TRC Handbook from 2001, when he said "In the Lome Agreement the only means of accountability provided was through the TRC. It was then thought that with peace at hand, the wounds of war could be handled through reconciliation. In other words, it was recognised that truth was as good as, or at least a substitute for, justice. The Government of Sierra Leone reassessed this position only in May 2000."

Amnesty provisions granted under the three peace agreements opened the floor to more problems and concerns than they resolved and put an unnecessary burden on the process of the reconstruction of the State and of the Rule of Law in Sierra Leone. In Resolution 1315 (2000), the Security Council recognised that "in the particular circumstances of Sierra Leone, a credible system of justice and accountability for the very serious crimes committed there would end impunity and would contribute to the process of national reconciliation and to the restoration and maintenance of peace [. . .]", thereby acknowledging that the two processes are indeed closely interrelated. Indeed, the failures of the three agreements granting amnesty indicate that the imperatives of peace and the imperatives of justice are difficult, if not impossible, to separate.

5. The Special Court

Honourable Commissioners, with your permission I would now like to say a few words on the Special Court for Sierra Leone. The Special Court for Sierra Leone was established by Agreement between the Government of Sierra Leone and the United Nations to prosecute those who bear the greatest responsibility for violations of international humanitarian law and Sierra Leone law during the conflict. In so doing, it can demonstrate both that there are rules applicable during times of armed conflict and that there is a price to pay for violating those rules, no matter a person's position. Closely aligned with this is the broader objective of strengthening the protective function of the law through scrutiny of conduct during a conflict, application and development of the rules regulating that conduct and enforcement of those rules through the attribution of individual criminal responsibility. The Court is thus aimed at ending impunity, deterring would-be perpetrators and providing a measure of justice for the victims and, if implemented properly, it can also help strengthen the Rule of Law in Sierra Leone and contribute to capacity building within the country. The Special Court therefore has both backward and forward looking aims: to provide redress for what happened in Sierra Leone and to contribute to lasting peace, a strengthened Rule

of Law and the future protection of people involved in a conflict, both in Sierra Leone and elsewhere.

The Special Court has both the ability and the mandate to extract justice from those who were responsible at the highest levels of policy-making, namely those leaders who decided what methods of warfare were to be used.

Crimes under international law do not simply occur in the heat of battle, but rather result from following orders devised by political and military leaders, who weigh the perceived gains of specific methods of warfare against the possible consequences, which can include the likelihood of criminal prosecution. By focusing on those who devise wartime policies, responsibility is placed with those who actually planned the criminal acts and ordered or allowed them to occur. Holding these people to account for their actions is in itself necessary to strengthen the perception of the general population that justice is being done. **By focusing on the leaders who have planned and instigated atrocities - rather than the `trigger-pullers' - the deterrent effect of international prosecutions will be enhanced.**

However, it must be borne in mind that-while the mere existence of the Special Court is already, in many ways, having a positive impact on the Rule of Law in Sierra Leone, the process by which it undertakes its work is equally important. The perception that Sierra Leoneans have of the accountability mechanisms working on their behalf is in itself paramount to their success. The Court must therefore ensure that it involves the general population at every step of the way, ensuring that people understand the processes and why certain things are done in certain ways. In **addition, the Court itself must adhere to the principles of the Rule of Law, in terms of following its own rules, abiding by the laws of Sierra Leone and abiding by international law and practice. The recent illustration of the handling of Charles Taylor's indictment demonstrates this very clearly, as the Court -at the very least-** *appeared to* **violate its own orders relating to non-disclosure and to expect Ghana to violate its own domestic laws.**

In **requesting the Secretary-General's assistance to establish the Special Court, Sierra Leone was courageously finding ways to abide by the "aut dedere aut judicare" obligations, namely the obligation to extradite or prosecute, that are at the basis of the enforcement of the laws of war.**

The purpose of the Special Court is not only to punish individuals, or even just to "demonstrate" for the world and future conflicts the principle of individual responsibility, but also -and for Sierra Leoneans perhaps primarily- to restore some confidence in the Rule of Law (and the judicial process). As a matter of policy, it is essential that the Special Court does everything first and foremost with the prime objective of encouraging local accountability efforts. More than that: the Special Court should work with the police and prison system to improve their standards of practice and with the bar and the judiciary to increase their capacity, particularly in the area of international law. To a large extent, the Special Court has been doing this and should be commended for its efforts to make the most of its presence in the country.

However, with the Special Court and the TRC, Sierra Leone, Sierra Leoneans and the international community had an opportunity to create an integrated system of accountability for this country, which was lost when the TRC and the Special Court decided to operate at arms' length. This has harmed the credibility of both institutions and multiplied the resources required to provide Sierra Leoneans with an understanding of what happened in their country and who was responsible for it. Indeed, a central part of this, namely the discussions here and abroad which put into question the compliance that -as a matter of law- is due to the Special Court, belittled the incredibly bold step that Sierra Leone took of renouncing her sovereignty in respect of compliance with orders and decisions of the Special Court. Furthermore, it damaged the Rule of Law by denying the fundamental principle that the rules should apply equally to everyone.

6. The NPWIJ Conflict Mapping Program

With your permission, Honourable Commissioners, I would like to conclude my submission by discussing NPWJ's Conflict Mapping Program. The Conflict Mapping program aims to reconstruct the chain of events during a conflict through gathering information in the field and analysing the decision-making processes, the order of battle and command structures of the various forces as they evolved over time and space to ascertain the role of those who bear the greatest responsibility for policies of systematic and massive violations of the laws of war. This chronological and geographical mapping of the conflict, including reconstructing the order of battle and chain of command, serves to prevent denial of those events. An analysis of events according to international law establishes prima facie accountability for violations of international humanitarian law.

In so doing, it both serves to strengthen the Rule of Law and to promote and defend human rights by publicising the price for violating them. In addition, establishing the real chain of command within the fighting factions operating in Sierra Leone and assembling these disparate pieces of information to create the bigger picture of the decade long conflict enables the crucial first phase of establishing who bears direct and command responsibility for atrocities committed during the conflict, thereby avoiding the trap of blaming a group or segment of society and promoting peaceful conciliation.

The NPWJ Conflict Mapping Program was conceived on the basis that only if the accountability process belongs to each and every community -- and if each community is able to participate in it -- would it be possible for former combatants to be accepted and for meaningful long-term reintegration to take place. Rehabilitation and reintegration is not simply a matter of locating next of kin and assisting in individual reintegration; it is about enabling society and each community to move forward and to accept individuals back into its fold.

NPWJ is now undertaking a nation-wide conflict mapping program operating in conjunction with our outreach program that has contributed towards establishing confidence in the accountability mechanisms, by providing victims and witnesses the opportunity to recount their stories in such a way as to enable them to understand their personal and their communities' experiences in the context of the war.

Marrying the sensitisation and the documentation processes ensures that the perception of the communities reached is not that of being "told" about the accountability process as something that happens elsewhere and is relevant to others, but rather of truly taking part in it. The conflict mapping program has involved as much of the country as possible in conducting sensitisation and documentation in this manner so as to encourage a sense of ownership of the processes by the people of Sierra Leone.

The gathering of information has been conducted by national human rights workers acting as "Conflict Mapping Recorders", trained and supervised by NPWJ personnel, in communities and villages throughout the country. The CMRs interview key persons, whose profession, role in their community or in the forces involved in the conflict, placed them in a position to follow events as they unfolded. These selected individuals have therefore been able to give an overview of the conflict for a given geographical area. The key persons were asked to relate not only what happened to them or their family but also what happened to their community, their village, section and chiefdom.

The training process of these Conflict Mapping recorders was divided in four stages, which are now complete. Each of the twelve District capitals, where training took place, has therefore been visited four times by the NPWJ conflict mapping team. The actual carrying out of the work by 140 NPWJ CMRs working for a period of 6 months, has taken place in nearly every chiefdom across the country and has enhanced community understanding and acceptance of the processes.

The final result of this process will be the production of a public report that records geographically and historically the occurrence of violations of international humanitarian law analysed in the light of international criminal law, particularly as applied by the Special Court. This comprehensive report will include information gathered and processed by experienced analysts with the assistance of advanced database and mapping software, with the information checked and cross

checked to ensure that it is consistent, complete and correct. It must however be emphasised that the process in itself is as important as the final document, because the direct involvement of Sierra Leoneans (both as interviewer and interviewee) in this project allows them to be at the heart of the accountability work being carried out in the country.

N O P E A C E W I T H O U T
J U S T I C E

7. Preliminary Recommendations

I would like now to outline very briefly some of the preliminary= recommendations we would like to include, with your leave, in our written submission. Specifically, we would recommend the following:

- That the Special Court and the TRC follow the fundamental principles of the rule of law in all aspects of its operations;
- That the international community continue to support accountability efforts in Sierra Leone, in particular by concluding agreements for cooperation with the Special Court and by providing necessary financial support for the TRC: and the Special Court;
- That the international community extend its support to efforts aimed at rebuilding the judiciary in Sierra Leone, including through support to the Law Officers Department and to updating and harmonising legislation and law reporting in Sierra Leone, particularly in light of Sierra Leone's international obligations;
- That the Government of Sierra Leone and others work to ensure the security forces are trained in and adhere to all relevant aspects of international humanitarian and human rights law.

Also, that the Government of Sierra Leone and others work to ensure that information on international humanitarian and human rights law be provided to the general public.

- That the TRC acknowledge the importance of instituting the Rule of Law in Sierra Leonean society as one of the key elements for attaining sustainable peace and reconciliation. The Commission, therefore, should highlight the role past impunity and corruption of the Rule of Law played in initiating and sustaining the ten-year conflict. Efforts to restore Rule of Law should therefore be a priority of national reconciliation efforts and should include not only the protection of human rights but also the support of those mechanisms (such as the Special Court) addressing the impunity of the past.
- Finally, the TRC should recognize that adherence to international humanitarian law is not only an obligation of the Government and the State, but essential to the interests of peace and reconciliation of the nation.

UNAMSIL PRESENTATION TO THE TRUTH AND RECOCILIATION EVENT-SPECIFIC AND INSTITUTIONAL HEARING

INTRODUCTION:

Mr. Chairman,

Ladies and Gentlemen

1. I appear before you today in response to the Executive Secretary's invitation to UNAMSIL requesting that the Mission make a presentation on the theme: "The Judiciary, the legal profession and the rule of law (including the Special Court and issues of amnesty and impunity)" Besides the principal issues I have been asked to address myself to, other

rule of law-related concerns may also be raised. The Truth and Reconciliation Commission has been gathering a plethora of individual truths the aggregate of which will hopefully reveal the overall truth, as to how the events in Sierra Leone took such a tragic turn in 1991 resulting in years of inexplicable pandemonium. Buried within such layers of disparate accounts and experiences during the war and before it, is the seed of reconciliation. The ultimate goal of this exercise is to unearth this seed and hoist it above individual experiences and timely, reconciliation shall follow. In my presentation, I begin with an overview of international law and the

location of Sierra Leone within the jigsaw that is the international community.

BACKROUND TO INTERNATIONAL HUMAN RIGHTS LAW:

2. International community has learnt one vital lesson following the experiences of the Second World War-human rights violations of such shocking proportions occurring in one country must not be dismissed as that very country's "own affair, an element of its autonomy, a matter of its own jurisdiction." Representatives of the United Nations founding nations had the good sense to realize that all "succeeding generations," their origins irrespective, must be saved "from the scourges of war which has twice," in their life time "brought untold suffering to mankind." As the Twentieth Century came to a close, the United Nations promise to rid the world "from the scourges of war" was once again put to the test when Bosnia Herzegovina, Kosovo, Rwanda, East Timor, Somalia, Sudan, DRC and Sierra Leone, among others, were all seized of violence of senseless proportions leaving millions dead and the economies and national institutions of the warring nations tittering at the brink of destruction.

3. Despite the difficulties, and in its ever-urgent quest to formulate more effective ways to protect lives and ameliorate the impact of war on

beleaguered populations throughout the world, the United Nations is continuously building up a body of human rights law that can provide a uniform code with which all peoples, regardless of backgrounds, can identify and aspire to.

4. These principles are enshrined in two instruments: the United Nations Charter adopted by the founding nations in 1945 and the Universal Declaration of Human Rights, adopted by the General Assembly in 1948. As international community becomes increasingly aware of the need to protect clearly identifiable vulnerable groups behind the borders of any state, human rights law has in the same proportion burgeoned to encompass, *inter alia,* specific standards for women,'

A. 'WOMEN AND THE RULE OF LAW

The Beijing Declaration and Platform for Action adopted in China in 1995 after the fourth World Conference on women states that the specific experience of women and girls in armed conflict is linked to their status in societies. Paragraph 135 reads, " while entire communities suffer the

consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex."

Women in Sierra Leone do not enjoy equal status with men and the 10- year old war left a particularly devastating impact on them. It is worth noting that where cultures of violence and discrimination against women and girls exist prior to conflict, they will be exacerbated during conflict.

During the war 2 million of the estimated 4.5 million people were internally displaced and as refugees, over 91 percent of casualties were civilians, thousands children were physically and emotionally traumatized in addition to being maimed, raped, amputated and made child combatants. According to several human rights reports, there was
widespread and systematic use of rape and other forms of sexual violence as well as sexual slavery to which women and girls were subjected.

According to statistics and by extrapolating the number of war-related sexual violence incidents reported by participants in the Physicians for Human Rights (PHR) sample to the total female IDP population in Sierra Leone, it was estimated that approximately 50,000 to 64,000 Sierra Leonean IDP women might have suffered such human rights abuses. If non-war related sexual violence among non-IDP females is added to the IDP totals (assuming a 9 % prevalence rate), as many as 215,000 - 257,000 women and girls in Sierra Leone currently might have been affected by sexual violence. Civil Society acknowledges that rape in Sierra Leone had been a problem even before the war, but with the impact of the war, it had become more widespread.

Sexual violence against women and girls in situation of armed conflict or systematic persecution constitutes a clear breach of international law. Under international law, perpetrators of sexual violence have been held accountable for rape as a war crime against humanity or as an act of genocide. Both The International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal (ICTR) have sentenced perpetrators for crimes against humanity based on sexual violence. The Special Court of Sierra Leone is focusing on sex crimes as a fundamental war crime and crime against humanity. Gender Crimes have been investigated parallel to all other crimes as evidenced by the indictments issued so far.

At National level Women and Rule of Law needs to be seen in the context of the legal framework provided for by the Constitution of Sierra Leone. Section 27 (1) of the Constitution of Sierra Leone (Act No. 6) 1991 provides as follows: *Subject to the provision of subsection (4), (S), and (7) no law shall make any provision which is discriminatory either of itself or in its effect. However sub section 4 contains many provisos, exceptions and qualifications as to render the whole section meaningless. In Section 4 subsection 1 d and e, discrimination shall not apply to any law so far as that law makes provision with respect to adoption, marriage, divorce, and burial. Devolution* of *property on death or other interests of personal law; or for the application in the case of members of a particular race or tribe or customary law with respect to any matter to the exclusion ~of any law with respect to that matter which is applicable in the case of other persons. These provisos sow seeds of discrimination because it is in matters of marriage, divorce, devolution of property or death and personal law and customary law that women suffer most inequality.*

Women are entitled to the equal enjoyment and protection of all human rights in the political, economic, social, cultural, civil and all other,fields. These rights include inter cilia, the rights to life, equality, liberty and security of the person, equal protection under the law; freedom,f>^om discrimination; the highest attainable standards of mental and physical health, freedom from torture or other cruel, inhuman or degrading treatment or punishment.
Sierra Leone is a signatory to the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). CEDAW is an international convention that was adopted by the UN General Assembly in 1979 and came into, force in 1981. The Convention defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

As a State Party to the Convention, the Government** of **Sierra Leone has committed itself to incorporating the principle of equality of men and 'women in the legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women. For a start Section 4, sub section 1 d and e therefore needs to be revisited and reviewed to ensure that the Constitution of Sierra Leone is consistent with international human rights law.

At a recent Women's Law Reform Workshop a Supreme Court Judge observed, " There is scarcely any law in Sierra Leone that does not touch and concern women. However most of the laws in .so,far as they relate to women still leave them in the position where women were in the 18 th and 19 th centuries. " Justice Virgina Wright said archaic laws had rendered women second-class citizens and always taken advantage of because of the operation of General Law, Customary Law and Islamic** Law. **The latter relegated women to the periphery while the former gave women very little rights. It is important therefore that meaningful law reform takes place to give women their rightful place. This will entail incorporating some aspects of the CEDAW into domestic legislation. The Convention can also be used to enact new laws that can ensure empowerment of women and combat violence and cultural practices that deny women equality and dignity.

***The Rule of Law in as,far as women are concerned only has effective meaning if supported by accountability so that those who break the rule of law are held accountable for their breaches. Thus the criminal law needs to provide the citizens and particularly women with an effective shield against private violence. In Sierra Leone today cases** of **domestic violence are reported to be on the upswing. While the GoSL must be congratulated,/or setting up the Family Support Unit, which deals with such crimes, much more needs to be done to improve its effectiveness. Currently the FSU is faced with a lot** of **problems such as lack of office accommodation, transport and communication, which hamper its work. Some doctors especially in the Districts demand fees from survivors of sexual violence before police reports can be produced. This practice discourages women and girls from reporting such crimes. Furthermore the long and cumbersome judicial process coupled with numerous adjournments results in very,few of such cases being successfully prosecuted. In some countries like Brazil the,furor against the inability** of **the law or the criminal justice system to respond to widespread violence against women resulted in the creation of special police stations for women.** A **clear cut policy needs to be made on the issue of doctor's fees** for police reports.

The Human Rights Section in UNAMSIL has been training police officers in the FSUs on human rights and fundamental, freedoms including the rights of women and children. This training is extending to the prosecutors. Much more however needs to be done to strengthen the capacity of local civil society organizations so that they can promote the rights of women and facilitate greater awareness of legal rights among communities.

children, disabled persons, minorities and migrant workers. Furthermore, the General Assembly is constantly taking innovative decisions to drive home the legal principal that all human rights are inalienable, universal, and indivisible and that respect for human rights should in the end translate to development and entrenchment of democratic ideas.

5. Internationally accepted human rights norms are well defined and the mechanisms with which to promote and protect them are equally entrenched. The Universal Declaration

of Human Rights places emphasis on individual rights that are essential to safeguarding the dignity and integrity of the human person. Among these legal guarantees are the equal protection of the law, presumption of innocence till the accused is proven guilty in a free and fair public hearing by an "independent and impartial" tribunal. Immunity from arbitrary arrest, detention and exile have also been enshrined in the International Covenant on Civil and Political Rights (1966), as judicial rights, not mere hortatory exhortations and aspirations. This

law, read *in tandem* **with the Covenant on Economic, Social and Cultural Rights, the two Additional Protocols, and the Universal Declaration of Human Rights, make up the International Bill of Human Rights.**

6. Through these legal instruments, the United Nations provides technical assistance to countries emerging from war so they can meet their obligations under international law and rebuild their institutions of governance, principal among such institutions is, the justice system. The Charter makes it abundantly clear that the founding nations were determined to "establish conditions under which justice and respect for obligations arising from treaties and other sources of international law can be maintained." Against this backdrop, I will now examine the United Nations involvement in Sierra Leone.

LAYING FOUNDATION FOR THE RULE OF LAW:

7. Since 1997 to date, the Security Council has issued about 27 resolutions on the situation in Sierra Leone all with a view to establishing conditions under which justice and respect **for international law and rule of law can be upheld. To cite a few, the** Council, through resolution 1132 of 8 October 1997, imposed sanctions against the military junta preventing the sale of petroleum and arms to the incumbent regime. This was followed by resolution 1 171 of 5 June 1998 prohibiting the sale and supply of arms and related material to non-government forces.

8. Hope-inspiring as these measures were, they still had little effect in the face of the sustained violence by all sides to the conflict against the people of Sierra Leone. Gratuitous disrespect for the rule of law continued unabated. More proactive steps were required to curb the rising tide of lawlessness that threatened to dismember Sierra Leone as a member of the United Nations. On 13 July 1998, the United Nations Observer Mission in Sierra Lone (UNOMSIL) was established by the Security Council Resolution 1181. The majority of people of Sierra Leone greeted this news gleefully and latched their hope on it for one more day of survival. Soon, UNOMSIL's mandate proved inadequate

vis-a-vis the cataclysm that hit Freetown on 6 January 1999 and the widespread violence that hemmed in the towns and villages throughout the country.

THE LOME PEACE AGREEMENT AND THE SUPREMACY OF INTERNATIONAL RULE OF LAW

9. As we all know, with the signing of the Lome Peace Accord on 7 July 1999, a note of hope had punctuated the turbulent events of the first half of 1999. There, stakeholders agreed to show and maintain respect for human rights and rule of law. To achieve this objective, they agreed to establish a Human Rights Commission, and an independent Electoral Commission. A Truth and Reconciliation Commission to address the question of impunity and related human rights violations was also agreed upon.

l0. On 22 October 1999, through resolution 1270, the United Nations Mission in Sierra Lone (UNAMSIL) was established after several extensions of UNOMSIL's mandate. Systematically, UNAMSIL grew both in strength and stature in the eyes of the people of Sierra. Equipped with Chapter VII mandate, it was now prepared to react swiftly and robustly to any situation. This marked a turning point in the history of the conflict and empowered the government to begin thinking of constructive ways to bring the country back to normal. For the purposes of this presentation, I shall now concentrate on Article IX of the Lome Peace Agreement that granted absolute and free pardon and reprieve to Corporal Foday Sankoh and all combatants and collaborators in respect of anything done by "them in pursuit of their objectives up to the time of the signing of the Agreement."

ARTICLE IX.PARDONAND AMNESTY states:

1. In order to bring lasting peace to Sierra Leone, the Government of Sierra Leone shall take appropriate legal steps to grant Corporal Foday Sankoh absolute and free pardon.

2. After the signing of the present Agreement, the Government of Sierra Leone shall also grant absolute and free pardon and reprieve to all combatants and collaborators in respect of anything done by them in pursuit of their objectives, up to the time of the signing of the present Agreement.

3. To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL, ex-AFRC, ex-SLA or CDF in respect of anything done by them in pursuit of their objectives as members of those organisations, since March 1991, up to the time of the signing of the present Agreement. In addition, legislative and other measures necessary to guarantee immunity to former combatants, exiles and other persons, currently outside the country for reasons related to the armed conflict shall be adopted ensuring the full exercise of their civil and political rights, with a view to their reintegration within a framework of full legality.

1l. No case could be brought against any member of the CDF, RUF or ex-SLA regarding any act, however gross, that was done in pursuit of their political objectives.[2] With such self-absolving blanket amnesty in place, a moratorium had literally been imposed on the

application of domestic criminal law, international humanitarian law[3] and human rights law. Conversely, though unsuspectingly, impunity was accepted and condoned as an alternative to justice-a more effective way to achieve peace and rid the nation of the "scourges of war."

12. Lome Peace Accord was indeed a blueprint for peace in Sierra Leone. If for nothing else, the TRC has Sierra Leone's past would not be swept under the rug, without thorough examination and documentation. Yet, the warring parties had arguably overstepped their legal boundaries by including within the amnesty provisions, crimes against humanity, war crimes, torture, rape and other serious violations of international law. Moreover, while there is no denying Sierra Leoneans had suffered immeasurably during the war, it is also true that the entire human community was also shocked by the events

' The General Assembly in 1992 adopted a "Declaration on the Protection of All Persons from enforced Disappearances noting in article 18(1) that "Persons who have or are alleged to have committed offences referred to in article 4 paragraph 1, above, shall not benefit from special amnesty law or similar measures that might have the effect of exempting them from any criminal proceedings or action,"
~ See Geneva the four conventions

that transpired and was aware that the bloodshed of such enormity could no more be considered Sierra Leone's "own affair, an element of its autonomy, a matter of its own jurisdiction." It was our collective responsibility and we had to see it ended.

13. Mercifully, the Secretary General of the United Nations Mr. Koffi Annan had instructed his Special Representative in Sierra Leone to sign the agreement with the explicit proviso that article IX of the agreement shall not apply to crimes of genocide, crimes against humanity, war crimes and other grave breaches of international humanitarian law. Several developments in post-conflict Sierra Leone, have, on hindsight, been inspired by the SG's insistence that the culture of impunity must end and that international law must not be compromised to suit particular domestic needs.

14.The idea of the Special Court for Sierra Leone may arguably have its geneses in this particular pronouncement by the SG. Rejection of impunity quickly sent a strong message to the warring parties that the conflict might be difficult to resolve at the level in which it was created-that is-the confines of Sierra Leone legal system. It was time international law assumed ascendancy over the domestic law of Sierra Leone. Where domestic law provides inadequate remedy, international law sets in to fill in the gap. Hence the idea that the Statute of the Special Court must be a hybrid legal regime combining international law with applicable domestic law, an arrangement peculiar to Sierra Leone.

15. But one still wonders why national stakeholders at the Lome Peace Agreement, aware of the cliche that a short cut to achieving quick results is "a bad cut", agreed to accept impunity as that "short cut" to peace? Was it because they had genuinely placed their hope for peace and reconciliation on the TRC, or was it that they were aware of the ailing state of the judiciary and its tested inability to freely deliver on justice? Are the laws of Sierra Leone themselves predictable, transparent and practicable enough to command respect among ordinary citizens?

THE SPECIAL COURT FOR SIERRA LEONE:

16. In a letter dated 8 June 2000 addressed to the SG, Mr. Kofi Annan, His Excellency Alhaji Dr. Ahmad Tejan Kabbah expressed his concerns about the state of the judiciary. The President, through the Secretary General, requested the assistance of the Security Council in establishing "a strong and credible court that will meet the objectives of bringing justice and ensuring lasting peace." He added that given the "extent of the crimes committed, Sierra Leone does not have the resources or the expertise to conduct the trials for such crime" as the infrastructure of the legal and judicial system is destroyed.

17. We are all aware of the developments that followed thereafter. The United Nations endorsed the idea that there indeed was a compelling need to establish the Special Court for Sierra Leone to judge those who bear the greatest responsibility for crimes committed during the war. The Statute of the Special Court was then drafted in a way that ensured "laws are public knowledge, are clear in meaning and apply equally to everyone" suspected of bearing such responsibility. This way, indicted members of the RUF, the CDF and the ex-SLA could be assured equal treatment.

18. Whatever the merits or demerits of retributive justice such as the special court offer, it is not the one and only justice capable of bringing peace to Sierra Leone. A retired member of the Nigerian Supreme Court, Justice Chukwudifu Oputa, warns that while justice for victims of human rights abuses is essential for reconciliation, "it ought also to be justice for the perpetrators of those abuses. But most importantly, it will be justice for the nation at large---an eye for an eye may be retributive, and will end up leaving all blind by sparkling off a whirlwind of revenge." Speaking about the limitations of punitive justice in Rwanda, one fellow-Commissioners among you, Professor William Schabas, observes:

> *"It should be kept in mind that no judicial system anywhere in the world, has been designed to cope with the requirements of prosecuting genocide. Criminal justice systems exist to deal with crimes on an individual level. They are unsuited for crimes committed by tens of thousands, and directed against hundreds of thousands ...Even a prosperous country, with a sophisticated*

judicial system, would be required to seek special and innovative solutions to criminal law prosecutions on such scale. "

Neither can amnesty single handedly heal the festering, deep wounds sustained by many during the war. A "toolbox of different institutions," independent yet mutually reinforcing, might be the way forward. The toolbox may comprise of care, rehabilitation and retribution considering that the more egregious the atrocities, the greater the need for innovative insights.

19.The two transitional justice mechanisms operating concurrently in Sierra Leone today: the TRC and the Special Court may in the end incrementally chart a successful course to the rule of law and lasting pace. Yet posterity will one day pose a question: What was the locus of our judiciary in all this? How did it contribute, if only a token, to making us come to terms with our sordid past? It is not my place to answer these questions. However, it is a well-known fact, though not usually coached in these terms, that the justice sector was as much a war casualty as the hypothetical Ms. Kadiatu who was raped, baby Conteh who was amputated and Ali who was enslaved. Rape of an institution, its amputation and enslavement to the whims of individuals, are no less devastating to the country and to the entire body of nations as is a limb to the victim and his family. The judiciary then is as much in need of rehabilitation today as do all victims and perpetrators of war. UNAMSIL and several other international organizations have assisted the judiciary regain some of its diminished vitality.

UNAMSIL'S ROLE IN STRENTHENING THE JUDICIARY

20. As we are aware, the judiciary was confined to Freetown during the war. It is only recently that the numb arm of justice in the provinces has started to show signs of life again. As is today, the magistrate courts in Tokolili, Koinadugu, Bombali, Kambia and Bo, have been rehabilitated either by UNAMSIL, UNDP, DFID and/or other donor organization. Magistrate courts in Port Loko, Moyamba Pujehun, Kenema, Kailahun and Kono are either under construction or are being renovated. There are 30 magistrate court throughout the country, but Magistrate Court in the provinces are serviced by only 4 magistrates on rotational basis. To expedite the administration of justice, Justices of the Peace have been trained and deployed throughout the country. Thanks to the contributions of the UNDP.

Similar efforts are underway to rehabilitate prisons throughout the country. Through government funding and/or the funding of other donor organization, Tonkolili, Bonthe, Pujehun, Bo and Kono prisons have been rehabilitated. Soon the penitentiary system will come back to normal.

THE ROLE OF THE JUDICIARY IN THE CONFLICT:

21.These logistical supports are essential to the rehabilitation of the judiciary, but are by no means a panacea to the deep-rooted concerns about the role of the judiciary in the conflict. When the civil war started in 1991, one reason advanced by the RUF for trying to overthrow the Government of President Momoh was the lack of justice and equality before the law.

Thus, at the inception of the conflict, the judiciary was implicated as a party to, not an arbitrator in the conflict. The interminable acquiescence of the Judiciary to the pressures of the executive arm of the succeeding governments is usually cast as one of the main causes of its low esteem. Battered by corruption and other serious irregularities, the public developed an unflattering perception of the judges as manipulable devices in the hands of the state. This seriously undermined their claim to independence and integrity in the eye of the populous.

22. With the sustained effort by various international organizations to empower the judiciary, there are now signs the latter is beginning to inch its way away from past practices, but it has, as yet, not overcome them. That case in point are the twin trial of the RUF and the West Side Boys accused of murder, conspiracy to murder and shooting with intent to kill. Good number of them remains behind bars to date since they were apprehended and detained under the Presidential Public Emergency (Detention) Order in May 2000. While their arrest and detention is purely a matter of domestic law, the conditions of detention, are our common concern. As has been indicated in several Secretary General's reports, the 9th, l0th and the 11th report for example, the accused have never been permitted to consult with their attorneys, are denied family visits and are periodically ferried to the high court only to stand before the judge without legal representation. Taking cognizance of the mandatory provisions of the Constitution of Sierra Leone, the International Covenant on Civil and Political Rights and the Special Instruments on Human Rights and the Administration of Justice, it is clear that justice is denied these accused persons. Although the individuals concerned were detained under Emergency regulations, their fundamental rights cannot give way, or take a backseat as the emergency Regulations take a front seat. This might be the legal regime of the past, but times have changed, and have done so signifcantly.[4] I cite principal 5,6 and 7 to elucidate the point. Respectively, principles, 5, 6, and 7 of the Special Instruments on Human Rights and the Administration of Justice state:

> *Governments shall ensure that all persons are immediately informed by the competent authority of their right to be assisted by a lawyer of their own choice upon arrest or detention or when charge with a criminal offence.*

> *Any such persons who do not have a lawyer shall, in all cases in which the interests of justice so require, be entitled to have a lawyer of experience and competence commensurate with the nature of*

the offence assigned to them in order to provide effective legal assistance, without payment by them if they lack sufficient means to pay for such services.

Governments shall further ensure that all persons arrested or detained, with or without criminal charge, shall have prompt access to a lawyer, and in any case not later than forty-eight hours from the time of arrest or detention.

23. The right to the defense in criminal proceedings is, therefore, a fundamental human right, which as a matter of law, the state cannot deny any accused. If the accused is indigent and cannot defend himself in a court of law, such person has the right to have legal assistance assigned to him in any case where the interests of justice so require. The State has the duty to immediately inform a11 persons concerned of these rights.

24. Besides the matter of the RUF and the West Side Boys currently before the Hugh Court, the on-going treason trial is also a grave cause for concern. Fortunately, unlike the case of the State against the RUF and West Side boys, a number of lawyers have volunteered their services *pro-bono.* In Freetown and in the provinces as well, the question of pre-trail detention is rising to alarming proportions and must be addressed very soon if the frequency of breakouts, and unhealthy living conditions in the prisons due to overcrowding, is to be minimized. If such problem are address in time, their deleterious effects could be avoided.

Conclusion

I conclude with a quote from the UNDP Human Development Report 2000 which says: Without the rule of law, and fair administration of justice, human rights are no more than paper." In February 2001, Sierra Leone Bar Association held a conference on the rule of law and the administration. Although the conference was held at a time when the country was still at war, the conferees had the poise and equanimity to point out the need for legal reform. It was recommended that both the legal profession and the Government should insure justice is available to all citizens notwithstanding their means or lack of it. To date, this promise remains a challenge. But if legal reform is to begin somewhere, making the justice system accessible to the vulnerable is a sure way to end impunity. If the system is just to the poor, it will, a fortiori, be just to the privileged.

Role of the Media

By Search for Common Ground

Introduction

Wherever and whenever violent conflict looms, the media--television, radio, newspapers and websites - have a crucial role to play. They can inflame the situation; or they can use their considerable power to defuse tension. In other words, they can be part of the problem : or they can be part of the solution. In practice, they are usually both.

In every conflict, media activities can be placed along a broad spectrum. At one extreme, there is hate media, which can directly incite a population toward genocide or ethnic cleansing, as Radio Mille Collines did in Rwanda in 1994. At the other end of the spectrum, the press can play an active, positive role in peace-building.

Information is used as a weapon of war, which we saw clearly in the Sierra Leone case. In conflict situations or need for information had never been higher however neither the information infrastructure nor the policy environment was in place. Government had no means to talk to her people across the country, telephone lines were non existent, only a few provincial police stations had HF radios and the population existed on rumours and hearsay. Some government officials had to use satellite phones of NGOs to
speak with their own authorities until the American government donated some to GOSL. The RUF , the other hand, had state of the art communication system so if anything happened in the areas under their control the high command knew about it. Sam Bockarie had a satellite phone, which he traveled with everywhere, and eventually Foday Sankoh too got access to one. RUF even established a radio station called Freedom FM in Kailahun district. However neither government nor RUF had a media policy and neither handled the media part of the war with any kind of finesse.

A list of the number of journalists who lost their life or suffered embarrassment, harassment and even imprisonment due to the crises is an indicator:

I. A Standard Times .journalist lost an eye during the January 6 invasion when he was'

beaten by RUF

2. During the January 6 invasion a Nigerian Journalist working with the Concord Times was

abducted and had never been seen.

3. Saoman Conteh of the New Tablet was killed by Sankoh's men at his Spur road resident

4.During a patrol with military men, Eddie Smith working for New Storm newspaper fell in an ambush and was killed

5.One Editor of another newspaper was killed at the State House during the period of extra judicial killings by the Kamajors. He was accused of being a rebel collaborator.

6.During January 6 invasion, upon their return Christopher Coker a freelance journalist was abducted. He escaped after weeks of maltreatment and

7.4 SLBS journalist were jailed in Pademba Road prison, one SLBS journalist was killed.

Imagine the confusion in which the public and civil society operated'? The information flow during the ten years of a gruesome civil strife is something to be ashamed of as it highlighted the ignorance and recklessness of the government of Sierra Leone since independence. Conflict is about change, and violent conflict is about painful change. The media environment in Sierra Leone is no exception to this. The changes in the media landscape since 1991 when the war started up to today are phenomenal to say the least. The present government is to be commended for this.

In 1991 when Corporal Alfred Saybana Sankoh and his RUF declared war on the -All Peoples Congress Party government led by Major General JS Momoh , the government decided to sell the idea of `an external invasion from Liberia. So the media, both print and electronics was summoned and instructed to blame the invasion on Taylor so that the Guineans and Nigerians whom we had bilateral agreements with could intervene. Until it was clear through machination of the press that the conflict was external both countries were not going to intervene.

In 1997 after the national elections when the junior officers overthrew the government, the conflict between the independent media and the then `governrnent' media went to battle head to head. The independent media set up an underground radio in safe territory called Radio Democracy 98.1 FM and the `government' media blasted the population Full time with their ow n propaganda. It was dangerous to be caught listening to the clandestine radio however it was the only source of national news with some credibility. However it put people in a dilemma, lacking viable and factual information with which to make informed decisions. The complex and political nature of the conflict in Sierra Leone by then, had allocated media members to different factions. Thus the citizenry had to rely on international media like the BBC, VOA and RFI for credible and unbiased information. However even those reporter.; were considered partisan and most of their sources were mainly urban based couldn't give people adequate information on daily events.

The late BBC stringer in the south of Sierra Leone found favour in exaggerating the losses of the RUF to the extent that listeners became suspicious and easily linked him with a faction. What we see here is that this stringer has inadvertently allowed himself to disseminate just one part of' the story.

Mariama Sesay, a resident in the east end of Freetown was gunned down by a group of gun-toting members of the AFRC (Armed Forces Revolutionary Council) because she was listening to the clandestine radio-- tuning to the then Democracy radio 98.1 FM. This medium was considered inimical to the operations of the junta regime.

Upon restoration of the democratically elected government in 1998, antagonism between the media and the government intensified. The effect on the people was that no credible or balanced information was forthcoming. War reports needed to be sanctioned by the government. A clear-cut case was General Maxwell Mitikishe khobe, the Late Nigerian born Chief of Staff of Sierra Leone. In most press briefings it was not uncommon for him to guide and caution pressmen as to what to report regarding the security situation in the country.

The backlash, of course, of this information control from the powers that be culrninated to the surprise attack and besieging of Freetown in January 1999. Before the final attack a true report by a local journalist was dismissed as a figment of his imagination and he was labeled a collaborator. He was subjected to public ridicule and security harassment, notwithstanding the government media's sluggishness to tell the population about the security situation, more so its gains and losses both in the diplomatic and war fronts. Polarisation within the media (for and against – no middle ground) did not yield any solid gains in the war other than an increase in suspicion, fear and uncertainty on the part of the public and civil society.

A ray of hope materialized in April 1999 with a consultative meeting that brought people together from all walks of life. It gave government the mandate to talk peace with Revolutionary United Front rebels. Albeit the people's expressed views were carpeted by government, which went ahead and signed a Peace treaty with the Revolutionary United Front.

But strengthening of civil society should go hand in hand with an attendant increase in public information and its dissemination. The consultative process strengthened civil society and in that regard public information plays a huge role. KISS 1=M 104 in Bo was the only independent radio Source in the country side and worked tirelessly with minimal resources and no support to report independently on the war.

When Search for Common Ground began working with its multi media studio,
Talking Drum Studio ('I'DS) , in June 2000. the scenario was:

a polarized media aligned with various military factions existed.

little government or independent public information structures outside of Freetown.

RUF well versed in communication technology
5 radio stations covering less that 50%of the
population
a radio style favouring elitist male discourse
and a population who realized the need and benefits of information existed.

SFCG, an international NGO working in conflict transformation uses the media as a tool for peace building. SFCG is committed to using the power of media to help make the world a more peaceful place. We encourage objective reporting at the same time that we promote peace building, and we see the two as complementary. We believe our work embodies responsible journalism. We are proud of our role to defues and prevent violence.

Traditional journalism usually stresses conflict -- and often exploits it for its entertainment value. Editors seem to work from the premise that conflict is interesting and agreement is dull. Consequently, discordant behaviour tends to be rewarded with air time and newspaper space, while efforts to build consensus and solve problems are penalized --- by being either ignored or discounted. A conflict-centred approach may attract viewers or sell papers, but it definitely has a negative impact on larger issues of war and peace. Moreover, it does not reflect what most people have learned in their individual lives: namely, that successful relationships -- in families, communities, and businesses -- are usually based on finding ways of working together, to the mutual benefit of everyone involved. Indeed, if the human species is going to handle its

ever-growing list of problems, ways must be found to reduce polarization and to be inclusive rather than exclusive.

The media can make a substantial contribution to this process. There clearly is a need for problem-solving, peace-building approach to journalism. The Following components would seem to contribute to that approach:

- **Ask different questions, so that different answers emerge. Th**e core question asked by most reporters tends to be. “Where do you disagree'?" In fact, form a peace-building perspective, the question might rather be, “Where do you agree'?" From a purely journalistic standpoint, however, both questions seem equally valid. Reporters who ask about possible areas of agreement are, in essence, helping reframe conflict.

- **"Understand the differences: act on the commonalities." U**nquestionably, journalism probes deeply into the divisions that separate enemy groups and nations. At the same time, peace is not likely to emerge until parties in conflict find ways to act on the basis of shared interests and concerns. A TV series that delves into the major disagreements between parties in conflict, but also show areas of agreement is more likely to advance the cause of peace than a series that only focuses on the differences**.**
- **Outside initiatives can help things turn around.** In most conflicts, opposing ethnic and national groups have their own media, which are highly segregated. As a result, the two sides live in information ghettos. While well-meaning media executives, editors and journalists may exist with a community, they usually lack the resources and/or the inclination to understand other perspectives or search for solutions. Well- targeted initiatives, coming from the international community, can help close the divide and build trust between opposing groups.
- **The attitudes of the reporters and producers are very important, and those attitudes can change.** The perspective of media professionals – where they come from, both psychologically and intellectually – has a direct impact on the nature of the programming they produce. When they realize that positive alternatives exist and that an adversarial approach is not inevitable, they are more likely to write and produce material that contributes to peace-building. Training programmes for journalists can have substantial impact, and this is one reason why all the organisations profiled in this book carry out training projects.

- **All media and most formats can be used to produce programming that contributes to peace-building.** All forms of print and electronic media are potential tools for peace-building. Moreover, virtually any format – including chat shows, roundtables, documentaries, soap opera, children's drama, and sports -- can be adapted to convey ideas that support tolerance and peaceful resolution of conflict.

- **Programming should be entertaining, informative, and persuasive.** Positive journalism need not be boring. Indeed, it should challenge and engage the audience. Good writing is vital. As much as possible, compelling stories that model the desired behaviour should he brought to life. Soap opera of the sort produced by the BBC in Afghanistan, Panos in West Africa, and Common Ground Productions in seven countries is particularly useful for communicating messages with social content.

• - **Programming should he rooted in the conflict.** What works in one country does not necessarily work in another, and expertise often does not transfer from place to place. In every instance, there needs to be profound cross-cultural adaptation - coupled with humility. While it is probably true that every culture places a high value on good story – outsiders can vring fresh approaches and insights, they should work in close cooperation with insiders who have deep roots in the culture.

Understand the media landscape. There needs to be a thorough understanding of the local media landscape and recognition of the advantages and disadvantages involved in working with specific partners. For example, there are large variations in the ability of particular media and media outlets to communicate ideas effectively to local population. Also, co-production with government broadcasters – as opposed to independent ones – can present problems of credibility and censorship.

- **Research arid evaluation enhance the process. M**edia programming can be made more effective by comprehensive research into the nature of the conflict, the tastes and habits of the viewing audience, and the intended outcomes that the programming aims to achieve. Research should combine state-of-the-art, social science methodologies with local cultural norms and attitudes.

- **Keep hope alive.** The media can play a crucial role in informing the public that violent conflict is not inevitable and that peaceful solutions really are achievable. It is easy to despair and to forget that virtually all peace processes have huge ups and downs. As
former US Senator George Mitchell, the lead mediator for Northern Ireland, has said, "There is no conflict that cannot be resolved. Violent conflict is created and sustained by human beings, and it can be ended by human beings."'

In operationalising the above points, "Talking Drum Studio, the multi media project of Search for Common Ground has become a household name. With the support of the American and British governments, the European Commission, the Swiss Development Corporation as well as the Dutch Foreign Ministry and the Swedish and Canadian Government, Search for Common Ground, began getting voices of ordinary Sierra Leoneans on radio. That included those living with the RUF – they too had a valid and valuable contribution to make. The RUF had been monitoring all the radio station programmes and many of them knew TDS from Liberia. They heard first Common Ground features and a huge debate erupted in the movement about whether this was a government programme or not. Discussion and analysis of our programmes by the RUF continued. At that time the then rebel-controlled kailahun district , TDS was confronted and accused of being a government radio journalists. In fact, the commanders and the other outfits of the RUF frowned on any interview with any journalists. Fortunately, we took some of our cassettes and shared our schedule with RUF. We collected their own voices and put them on our programmes not cutting their ideas or inflicting our own analysis. With techniques concentrating on the common interest shared by the parties rather than their differences, the RUF were then willing to share their concerns and issues with us. TDS was able to build confidence through strong manifestation of impartiality. That confidence is still vested in TDS.

The year 2000, another peace deal witnessed rebel inclusion in government machinery. With Foday sankoh as Chairman of a Commission for the mineral resources of Sierra Leone, the RUF were now out in the open and available to all media stakeholders. That same year the media reported Sankoh's plan to topple and derail the peace process, which was precipitated by the arrest of 500 Peace Keepers in eastern Sierra Leone/Kailahun.

As a result, civil society mobilized the population to register their protest against Sankoh and the RUF. Everyone wanted peace. 26 civilians were gunned down during the protest in front of Foday Sankoh's residence. In fact, a colleague or ours (Saoman Conteh) did not escape the ensuing carnage as he was gtunned down by elements of the Revolutionary United Front when he attempted to cover and report on the incidents of that fateful day.

So during the course of the war the suffering galvanized civil society development that the population endured. And civil society needs information and the flow of information to enable to effectively mobilize and advocate. However this wan not in place in Sierra Leone. As stated earlier regulating information flow to a starving public and civil society took a different turn with the proactive interventions from many circles. The British government supported a media development project, which put in place 4 provincial radio stations, which could link to the mother station in Freetown to give news to her population. UNAMSIL, the UN peacekeeping force also opened an FM and short-wave radio station that gave information to the country. The media landscape began to change and open up. With a largely illiterate population radio is by far the most powerful tool for information dissemination. Newspapers, over 12 don't move much farther than the environs of Freetown and many people cannot afford to buy them. From June 2000 when TDS began operations 5 radio stations existed and now in 2003 15 radio stations are operating.

Take the case of the 2002 presidential and parliamentary elections: due to the regional nature of politics in Sierra Leone, elections are divisive rather than consolidating in nature. The 2002 elections, conceived as the final phase of the peace process, were critical as many areas had been under Ruf control for many years such as Kailahun (10 years) and if they were not conducted trasnparently it had the power to derail the entire peace process. In a society where the state is discredited, as its information is considered partisan, there was the need for an independent media network to monitor the elections. SFCG supported the emergence of the Independent Radio Network (IRN) comprising of Talking Drum Studio, and four independent radio stations, namely, Kiss 104 FM,Radio Democracy 98.1 and Believers Broadcasting Network 93.0 FM. The IRN was full time involved in voter education throughout the country. Talking Drum Studio, through outreach exercises, educated and trained different youth categories on how to monitor the registration process. Themes like “No to election violence”. “ Need to register and vote” were strongly debated in the various radio stations.

On May 14th2002, the Election Day, the IRN deployed reporters and correspondents to all districts of Sierra Leone to monitor and report on the progress and outcome of the elections. An editorial desk comprised of three station managers was established at TDS and all the stations reported through 98.1FM from the TDS office. Daily incidents at each polling booth were regularly reported live on the wires. The active and proactive means of communication created the opportunity for the citizenry and the public at large to know at every point in time, how the electioneering process was going on in all parts of the country. This unbiased display of reportage did help to avert immediate and subsequent suspicions in the conduct of the election. This sustained information process created the opportunity for the politicians as well as the electorate to make informed decisions and assumptions as to the outcome of the election. By the time the National Electoral Commission came out with the final election result many who had been following through the airwaves already had sufficient information about the results. So there were no surprises and the opportunity to manipulate outcomes and therefore protests were minimized.

As an independent producer TDS has no radio broadcast capability and depends on its partners, the FM stations to broadcast. This serves to minimize the risk to the stations when

controversial topics are covered by TDS and allows TDS more scope in national coverage and has earned the organization great independence. TDS on its programmes has little commentary except to encourage people towards finding peaceful solutions or resolutions. However the commentary is embedded in the design; the issues we chose to follow, the voices we put on the programmes. Certain guidelines have been established within TDS to ensure our fairness and balance and the wise management of sensitive information.

Some of the ways this has been achieved is through fairness in which all parties to a conflict are given the opportunity to register their own side of the story.

Of the material used, voices are sought from around the country. About half of the vioces should be from Freetown. And two thirds from up country. Also half should be female and the half male. Children and youth are especially encouraged in our programmes.

Also the staff is representative of all regions and political persuasions of the country. This gives TDS access to information in the districts as each staff brings networks and contacts of their own.

.- Voices - we use Krio that is the lingua franca of the nation. We let people speak how they want to speak - there is no correct or formal way to express yourself and this has given people access beyond most radio, which has been for the most part elitist, English and urban male discourse.

i- -In terms of regulating sensitive information. TDS has employed its own traditional ways, of packaging and presenting programmes far removed from the regular live broadcasts we hear over the radios. For example, the sensitive issue of sexual exploitation by Aid workers in refugee camps surfaced at one time when TDS staff visited. A female inmate' (name withheld) narrated and made claims that Aid workers in return for food aid were sexually exploiting them. The alleged victim only make a blanket allegation but the issue being so sensitive demanded thorough investigation, the result of which led to the launching of an official code of conduct for all Aid workers within refugee camps.

From the above experiences it is easy to see that Sierra Leone, after ten years of conflict still lacks a defined medial policy. An understanding between government and the Sierra Leone Association of Journalists (SLAJ) has led to the creation of the Independent Media Commission (IMC). The objective of the IMC is to regulate the media profession while upholding tenets of the profession. Instead, the IMC, financially handicapped to operate has ended up as one of those 'white elephant' projects. For example, even though SLAJ has on several occasions asked for the repeal of the obnoxious and outdated criminal libel law the libel law trapped a journalist and he spent Christmas in jail.

The role of the media in consolidating peace in Sierra Leone is paramount. In trying to reverse the 30 years of misrule and bad government, and in pursuit of the emerging democratice framework Sierra Leoneans are expected overnight to change their attitude and engagement in a new social contract with the state. However how committed is government to the new social contract which embraces all Sierra Leoneans of every ethnic group and sex? Consultation and representation are still key issues as are justice and governance. Understanding their power to engage their government requires a responsible media that can help to inform the population as to their new roles and responsibilities. The International community has understood this by supporting a variety of projects Involving the media and most prominently Talking Drum Studio.

THE SOCIETY FOR RADIO DEMOCRACY FM 98.1

ADMINISTRATIVE/COMMERCIAL
7, UPPER WATERLOO STREET
FREETOWN
TEL:229464
email:reaemfm@sierratel.sl

BROADCASTING STUDIO
SIGNAL HILL
FREETOWN
TEL: 230036/230456
FAX - 230456

CONFIDENTIAL

RD/Misc Vol. V

6th March, 2003

Bishop J. C. Humper
Chairman

Truth and Reconciliation Commission
Block A
Brookfields Hotel Jomo Kenyateh Road
New England Freetown

Dear Sir,

RE: **REQUEST FOR SUBMISSION TO THE COMMISSION**

I refer to previous correspondence terminating with your letter dated 25`h February, 2003, on the above subject, and forward herewith a submission by the Society for Radio Democracy FM 98.1 which it is hoped will be of assistance to your commission.
Yours faithfully,

P. I. Lambert
General Manager

cc: Miss Hannah Foullah
Station Manager

Mr. Nicholas Brown-Marke
Chairman
Board of Directors
32, Bathurst Street
Freetown

THE SOCIETY FOR RADIO DEMOCRACY FM 98.1

ADMINISTRATIVE/COMMERCIAL OFFICE:

7, UPPER WATERLOO STREET

FREETOWN

TEL: 229465

e-mail: rademfm(aOsierratel.sl

ROADCASTING STUDIO

SIGNAL HILL

WILBERFORCE

FREETOWN

TEL: 230036/230456

FAX: 230456

HISTORY OF THE SOCIETY FOR RADIO DEMOCRACY FM 98.1 (COMMONLY CALLED RADIO DEMOCRACY FM 98.1D.)

GENESIS

Radio Democracy came into being in the aftermath of a coup d'etat staged by some elements of the Sierra Leone Armed Forces on 25th May, 1997. The Military regime which emerged was known as the Armed Forces Revolutionary Council (AFRC) which subjected the people of Sierra Leone to an unprecedented reign of terror for nearly nine months.

2. To entrench itself in power the AFRC, from the outset, mounted a massive and relentless propaganda campaign specifically designed and intended to denigrate and ridicule the constitutionally-elected government it had ousted by utilizing the resources of the state-owned Sierra Leone Broadcasting Radio and Television Station (SLBS/TV) which it had commandeered.

3. Another purpose of the AFRC's propaganda was to demoralize, undermine and break the resistance of the citizenry who had demonstrated their abhorrence of the AFRC and all it stood for by going on strike throughout the life span of the regime.

4. Radio Democracy was therefore born out of the dire need not only to counter, negate and rebut the relentless spurious propaganda churned out by the AFRC, but also to design and broadcast programmes to bolster the resilience of the people and to sustain their confidence in the constitutionally-elected government which was then in exile in the neighboring Republic of Guinea.

5. Radio Democracy started broadcasting from a secure location at Lungi in the Mahera Chiefdom, Port Loko District on 7th July, 1997. To a large extent, its skillfully designed programmes, in conjunction with the non-violent resistance of the citizenry, contributed in no small measure to bringing down the AFRC in March 1998 when the democratically-elected government was reinstated.

PRESENT LOCATION:

Following the restoration of democratic rule, Radio Democracy commenced broadcasting in Freetown in April 1998 to ensure continuity of its programmes.
Its broadcasting studio is located at Signal Hill, Wilberforce, Freetown, while its Administrative and Commercial Office is located at 7, Upper Waterloo Street, Freetown.

CURRENT STATUS:

7. Radio Democracy is a company limited by guarantee without a share capital and was registered under CAP 249 of the Laws of Sierra Leone 1960 on II th February, 2000.

Therefore, unlike a public limited liability company, it cannot raise capital by selling shares because it is prevented by Law to do so. The registered name of the company is The Society for Radio Democracy FM 98.1. Its Memorandum and Articles of Association enjoins the company, amongst other things, to champion the cause of Sierra Leoneans in the advancement of education, democracy, good governance and human rights.

PROGRAMMES:

8. In order to achieve its objectives, Radio Democracy has focused on news programmes, and programmes with high civic education value. Due to its awareness of the low level of education and illiteracy rate in Sierra Leone, Radio Democracy has adopted a policy of broadcasting all its programmes in Krio, the Lingua Franca in Sierra Leone. It broadcasts for eighteen hours daily and some of its key programmes are:

- 0 Salone Nyus (Sierra Leone News) - This is a daily news and current affairs programme

- Le We Tok (Let us Talk) -

  This is a one hour discussion and phone-in programme enabling studio guests to interact with members of the public on a wide variety of topics ranging from good governance, law reform, health to other topical issues

  Way Tin De Be (Current Events) - This is a thirty minute programme of news and

comments on current events broadcast from Monday through Friday.

- Wel Body Bizness (Health Matters) - This is a one-hour programme which deals **with matters pertaining to health and sanitation, HIV/AIDS, Lassa Fever, Malaria, Hygiene.**

- **Book Talk (Educational Matters) This is a one-hour programme which deals with matters pertaining to education, government policy on education, government's inputs, literacy, teachers salaries, responsibilities of parents and guardians, recreational facilities for pupils, entry requirements to universities and other tertiary institutions etc.**

9. **To ensure its editorial independence, Radio Democracy's Articles of Association specifically precludes any government official or any official of a political party from being members of the company.**

SOURCES OF INCOME

10. **Radio Democracy's Articles of Association stipulates that the company may:**

solicit funds from local and international non-govermental organizations (NGOs) and friendly foreign governments

- **generate revenue through grants and donations**

generate revenue by engaging in commercial activities relating to broadcasting such as advertising.

11. **Apart from the British Government which, through its Department for International Development (DFID), donated the transmitters, reel to reel tape recorders, professional walkmen, a utility vehicle, an Outside Broadcast Van utilized by the company, and a large quantity of consumables such as audio cassettes, reel tapes and assorted items of stationery which have long been exhausted, Radio Democracy has** had to **rely entirely on revenue it derives from advertising to meet its fixed and running costs. These include payment of rent, salaries, electricity and telephone bills, water and city rates, maintenance and procurement of automotive and lubricating oils for its utility vehicle, Outside Broadcast Van and standby generator, maintenance and replacement of unserviceable broadcast equipment, procurement of** all items of office stationery, audio cassettes, reel tapes, batteries and splicing tapes, maintenance and replacement of unserviceable air conditioners, procurement, maintenance and replacement of unserviceable computers and accessories.

12. To be specific, Radio Democracy derives income from the following sources:

(1) Broadcast of public notices
(ii) Broadcast of obituaries
(iii) Advertisements
(iv) Sale of dedication forms

(v) Sponsored programmes

ORGANIZATIONAL STRUCTURE:

The affairs of the Radio Democracy are managed by a Board of Directors comprising five Non-Executive Directors and two Executive Directors.

The Directors are empowered to do all such things as they consider necessary for the attainment of the objects of the company as set out in the Memorandum and Articles of Association except that the non-executive directors shall not be involved in the day-to-day operations of the company.

The day-to-day operations of the company are the responsibility of the General Manager who is its administrative head, and the Station Manager who is its professional head.

Radio Democracy has in its employ thirty-nine (39) employees comprising twentytwo (22) full time staff, and seventeen (17) freelancers.

"THE ROLE OF THE MEDIA"

STATEMENT BY HON. PROFESSOR SEPTIMUS M. KAIKAI, MINISTER OF INFORMATION AND BROADCASTING AT THE' TRUTH AND RECONCILIATION COMMISSION HEARING ON WEDNESDAY, 30T" JULY, 2003 AT THE YWCA NEW HALL, BROOKFIEDS, FREETOWN.

Mr. Chairman
Commissioners

Distinguished Ladies and Gentlemen

I am delighted to have been asked to make a statement in a thematic manner to this Truth and Reconciliation Commission. It is my hope that the issues that I have been asked to address will help in some small way to enhance the work of the Commission. This commission means a lot to us in this country.

My presentation will focus on the mandate of the Ministry of Information and Broadcasting and the four departments that constitute it and the developments that have taken place since this government took over.

I want to place on record the fact that any developments that took place prior to my assumption of office in 2002 should be credited to my predecessors.

THE MANDATE OF THE M.IB.

The achievement of good governance and a truly democratic state is contingent upon the existence of a well-informed citizenry. The Ministry of Information and Broadcasting of which I am the political head, is the arm of government that is expected to facilitate the enhancement of such citizenry. It is therefore charged with the following responsibilities:

i. Internal and external information services

ii. Provision of press and information services for government ministries and departments.

iii. Preparation of printed publicity and information material for use locally and abroad

iv. Planning and Management of government press, television and cinema campaigns

v. National radio and television services.

vi. General printing and publicity for government

vii. And until recently, procurement and supply of stationery and other office requirements for government ministries and departments.

To enable it carry out the above functions, the Ministry is made up of the following departments:

1. The Government Information Services (G.I.S.)

2. The Sierra Leone News Agency (SLENA)

3. The Sierra Leone Broadcasting Service (SLBS Radio and Television)
4. The Government Printing Department

THE GOVERNMENT INFORMATION SERVICES (GIS)

The Government Information Services (GIS), as its name implies is government owned and administered. There is no controversy about its legal status, or its official function as the principal channel for disseminating government policy to the public at large. Previously called the Public Relations Department, headed by a Public Relations Officer (PRO), it is supposed to be the equivalent of the public relations/public affairs arm of private corporations. The official functions of the Service are:

(i) To interpret and explain Government policies and programmes to the people of Sierra Leone and to the outside world.

(ii) To assist Government to keep in close touch with public reaction to its policies and programmes.

(iii) To help in shaping a well-informed public opinion.

(iv) **To mobilize, encourage and assist Sierra Leoneans to take increasing interest in, and responsibility for the social, economic, political and cultural development of their country.**

(v) To give Sierra Leone maximum publicity abroad so as to create a better and informed understanding not only for her problems, but also of her needs, opportunities, achievements, as well as her hopes and aspirations.

(vi) To assist in the fight against ignorance, poverty and disease by disseminating information to members of the public, and mass campaigns.

(vii) To assist in creating an **atmosphere conducive to development, investment and external trade, in furtherance to the maintenance of friendly relations.**

(viii) To provide official liaison between Government and the nation as well as the international press and

(ix) To provide effective public relations on behalf of Government, and to illuminate the image of Sierra Leone in the eyes of the world."

GIS is expected to perform its functions primarily through publications, public address systems, cinematography, photography, news gathering and dissemination, and a research and archival facility. However, the performance of the Service has deteriorated considerably over the years. Its constraints and deficiencies have been fully documented in various departmental memoranda. They range from lack of dysfunctional office and communication equipment, mobility and training programmes.

However, in a bid to ensure effective Government Information dissemination, the Government Information Services has proposed to set up a Unit to be known as the Press and Public Affairs Unit.

FUNCTIONS

This Unit will perform the following functions:

l. Provide timely and accurate information about government policy and programmes to the local and the international public.

2. Provide feedback to Government on public reactions to its policies and programmes. Also conduct opinion pools on important national issues on behalf of government.

3. Rebut false or inaccurate reports carried in the local and international media, which might have adverse effects on the nation.

4. Produce and disseminate Government Statements and Public Notices as and when needed.

5. Liaise with all Government Departments and public institutions in order to keep the public informed about their activities.

6. Serve as a link between government and the local and international press through setting up of appointments and arranging interviews with government officials and sourcing information for the press.

7. Serve as a bridge between government and the governed particularly rural communities, by designing and possibly producing special radio and television programmes for broadcast.
8. Organise Press Conferences for Ministries and other government institutions. .

SLENA

The Sierra Leone News Agency, SLENA, was established in the wake of the 1980 OAU Conference to serve as a Clearing House for all news items and other issues pertaining to the conference that were of interest to foreign media personnel covering the conference. UNESCO and the Pan African News Agency were instrumental in funding most of the agencies activities as well as logistical support. The Sierra Leone Government on its part provided office facilities and the staff to run the Agency.

Like other News Agencies, SLENA was to be autonomous for neutrality and credibility of its news. In addition to funds from UNESCO and PANA, government was to give the agency grants in aid on an annual basis until it was strong enough to function independently.

As time went on, UNESCO and PANA threatened to withhold funding until the Agency became independent of government. As the government's financial position became precarious, it finally agreed in 2000 to let go of SLENA and a bill was prepared and presented to Parliament in 2001 to ensure that the Agency was completely independent of Government, UNESCO sent an expert to assist in the preparation of the Bill.

The fear that they may not be able to stand or. their own even with funding from UNESCO and PANA, since such funds are rigorously monitored, SLENA management asked for the Bill to be suspended at least for now.

SIERRA NEWS

Since the News Bulletin produced by SLENA was not in high demand and therefore not marketable, management decided to go into Newspaper business and asked for assistance from the Ministry by way of providing the necessary funds. The Ministry set aside a sizeable amount of money for production for up to about six months. Returns from sales during that period were to be put in a special SLENA Account run by the Agency with the Managing Director, the Permanent Secretary and the Accountant of the Ministry of Information serving as signatories. Any two can sign to withdraw money.

The paper was to be self-financed after the period of the Ministry's intervention.

GRANTS IN-AID

According to the foregoing discussions I held with the Budget Bureau, budgetary allocations to the Government Information Services are not meant to be split between SLENA and the GIS. SLENA is supposed to get grants from the Ministry of Information, through the GIS, which has other branches like the Audio Visual Division comprising Photographic and the Public Address Equipment PAE Unit.

This is the government agency charged with the responsibility of collecting and disseminating news and information about Sierra Leone both locally and internationally. Unfortunately, however, like all other departments of the ministry, it had been allowed to degenerate to the point where by 1998, it had virtually ceased functioning due to lack of equipment and poorly motivated staff. There were therefore plans to revitalize the agency through provision of equipment and training. The UNDP had committed itself to provision of equipment for the establishment of a Local Area Network for the Agency that would enable it to link its correspondents throughout the country via computer. The British Department for International Development (DFID) was to provide training for the staff through the Media Development Project.

SLBS

At the end of 1998, there were plans to reform/restructure the SLBS in order to make it more efficient and capable of meeting the needs of the country. It was also recognized that the SLBS had major constraints in the area of equipment and spares. These constraints made it difficult for the institution to achieve an acceptable technical quality in its output. As a result of these constraints, at the end of 1998, the SLBS had become the Freetown Broadcasting Service, since its coverage was limited to the Western Area. Short Wave transmission had ceased functioning and FM transmission was by a small 250 watts transmitter. Thus, there were plans to procure significant equipment and spares in order to upgrade the technical quality of the station and extend its coverage. There are now FM Stations in Bo, Kenema, Kono, Kailahun and Makeni.

GOVERNMENT PRINTING DEPARTMENT

This department is responsible for printing all government documents, particularly legislation and accountable documents. It is also responsible for the supply of stationery and office supplies to government departments. In addition, the department manages the Government Bookshop which is the only outlet for the sale of government publications, particularly gazettes, legislation and reports. The bookshop had over the years degenerated into a depressing dump. The work of the department has been hamstrung by obsolete equipment and lack of spares. Lack of funds has also made it impossible for the department to fulfil its obligations for the provision of stationery and office supplies to government departments. There are also plans to rehabilitate the Government Bookshop.

The smooth running of the Ministry during the war years was generally hampered by a chronic lack of funds and the necessary logistics. Most of our equipment were destroyed, call it vandalized during the war. The little funds that were available were channeled to the war efforts. Equally devastating to the Ministry's mandate was the IMF's Structural Adjustment Programme, which laid emphasis or gave priority only to government departments that generated revenue. Funds were generally provided for such departments, as a result, the Ministry was neglected to the extent t hat most of our trained professionals 1eft for greener pastures at the British Broadcasting Corporation, B.B.C., The Voice of America, V.O.A. and others.

In-fact, at the outbreak of the war, our mass media facilities had so deteriorated that both the SLBS radio and television were off the air for almost two years thereby making it impossible for the Ministry to reach the citizenry. As a result, people in rebel held territories tended to believe whatever the rebels told them, as there was no counter information. This unfortunate development, we learnt later, made it easy for people in

many areas not only to believe rebel stories that there was no government in Freetown but actually made some people to join rebel forces as the only alternative government.

With the advent of the National Provisional-Ruling Council], (NPRC) a military junta in April 1992, which saw the resuscitation of the radio, TV and the Daily Mail, things started moving albeit not in the direction the professionals would have wished it to move. Although these government owned media institutions were once again functional, the material they put out were far from being accurate and objective. Stories emphasizing the bravery of government soldiers, the Tom Nyumahs, the Kambos, etc. filled the pages of the Daily Mail and occupied the airwaves of both the radio and television. The excesses of soldiers in their relationship with civilians were not reported nor were rebel advances.

This situation led to a complete lack of confidence in the Ministry's channels of communication mentioned above. Thus, although the Ministry's capacity to reach the citizenry with accurate and unbiased information had, to a great extent been enhanced, it was unable to play that role, as a result of the scenario painted above.

The consequences of the foregone were the statusquo that I found the Ministry in when I took over as the humble servant of the people and political head of the institution, a situation already described and therefore would not be reiterated in detail if only to avoid repetition. Perhaps what I would do is to highlight efforts we have made to put in place structures or processes aimed at providing some remedies and the levels of access that exist to the remedies. However, for emphasis sake please permit me to mention in passing constraints that were evident when I took over the political leadership of the Information Ministry which were but not limited to:

- **Limited Human Resource Capacity**
- **Financial Constraints**
- **General Lack of Professional commitment**
- **Logistical inadequacy**
- **General Lack of entrepreneurial spirit and creativity**
- **Evidence of some management lapses**
- **Some misuse of human resources and logistics**
- **General lack of accountability and transparency**

Upon taking over the Ministry a little over a year ago, I quickly put in place what I called short-term goals and objectives with a time tag spanning from July to December 2002. I am proud to r**eport that in-spite of general constraints** in the national economy, we

were able to achieve all the short term goals both for the SLBS/TV (17 in number) and the GIS (9 in number) of the long term goals for the SLBS/TV (4 in number) two, namely:

- Design a schedule for the extension of television services to Bo and Kenema, and
- Establish a comprehensive schedule for the training and continuing education of all professional and technical staff by January 2003 have already been achieved.

In the G.I.S. three of the long term goals (4 in number), have been achieved, namely:

- Recruitment of additional competent staff (stated to be completed by June 2003)
- Acquisition of more logistics (stated to be completed by November 30, 2003) have been completed while
- Preparation of a proposal for either the rehabilitation of the present building (1973) or the construction of a new one slated for completion by April 15, 2003 is completed.

We have set ourselves short and long term goals and objectives in expectation of the following impact/outcomes:

- Establishment of a new management system (Management by objectives) that is responsive, transparent and accountable.
- Quantitatively and qualitatively enhance the services provided by all the Divisions in the Ministry.
- Transformation of SLBS/TV into an efficient and effective institution capable of delivering Government Information policies to the Sierra Leonean populace.
  - Ensuring that almost every citizen has access to timely, accurate and objective information through refined radio networking.
  - Establishing feedback mechanisms and maintaining that two and three way flow of communication to and from the people.
  - Enhance the capacity of the Ministry for effective reporting, supervision and coordination of the operational activities of radio system nationwide.

..Government website would have been set up for the provision of constant flow of information on government activities and programmes.

..Completion of the rehabilitation of the Information center at the GIS headquarters.

..Recruited the appropriate personnel for the various Divisions.

.. Rehabilitated the photographic and PAE/AV units to make them effective, efficient, competitive and revenue generating.

..The Government Printing Department's revenue generating capacity would have been strengthened.

Developments since this Government took over

Policy Framework -This is perhaps the area where the ministry has had its greatest achievement in the period under review. In 1999, as a result of the study undertaken with UNDP assistance, an Information and Communication Policy was produced and adopted by government. This policy enunciates a triangular partnership for development between the government, the media and the people. Among other things, its sets out the principles on which State policy in this sector is now based. These principles are as follows:

- **Information** and **Communication** are not merely **catalysts, but instruments for achieving the goals and objectives of economic, social and cultural development.**
- **Information and Communication are an integral part of national development planning.**
- **The people, the government and the media are partners in the national development process.**
- **All citizens, especially the masses in the rural areas, have a right** to enjoy **the benefits derive from modern communication.**

- It is the responsibility of Government to ensure that every citizen has ready access to reliable telecommunication and postal facilities.

- In the triangular partnership for development, it is the responsibility of government and the media to enhance the participation *of* the people in the governance of the state, by establishing feedback mechanisms, and maintaining two and three-ways flows of communication to and from the people, especially those in the rural areas.

-It is the responsibility of the agents of the media to uphold at all times, the fundamental objectives of the Constitution; to highlight the responsibility and accountability o f Government to the people; and to respect the individual rights of the people, including those holding public offices.

-It is the responsibility *of* Government to protect the rights *of* the agents of the media to own and operate their respective means of communication.

-It is the duty of the people to respect the rights and interests of the media, and help enhance the ability *of* Government and the media to provide them access to the benefits of information and modern means of communication.

In the exercise of their respective rights and responsibiLities, the ultimate goals of government and the media are tile public good and the national interest.

Media Commission - A major element of the Information and Communication Policy is the establishment of an Independent Media Commission that is charged with the responsibility of overseeing the operations of the media, including registration. I am pleased to report that in the first half of this year, Parliament passed the Independent Media Commission Act 2000 into law. The members of the Commission have since been appointed and took their Oaths of office on November 31 this year.

Action is currently in progress to equip temporary office accommodation for the Commission and it is expected that the Commission will be fully functional in a few weeks time. It is expected that with the coming into existence of this Commission, many of the problems plaguing the media in Sierra Leone will be addressed.

Broadcasting - There have been many developments in the area of broadcasting. In the first place, as a result of DFID's inability to start the Media Development Project in earnest and as a result of the visit of Mrs, Claire Short, the then British Minister for Overseas Development, to Sierra Leone in 1999, it was decided that the establishment of the regional radio stations should be de-linked from the project and implemented on a fast track. We also succeeded in convincing the British government to provide assistance for the rehabilitation of short wave broadcasting. In addition, we succeeded in convincing both the European Union and the UNDP to provide assistance for the rehabilitation of

short wave broadcasting. In addition, we succeeded in convincing both the European Union and the UNDP to provide assistance for television. Furthermore, as a result of a visit to China by a delegation led by my Predecessors, Dr. Julius Spencer, the Chinese government has provided some television production equipment for S LBS. Some work has also been done with locally generated funds, I am therefore pleased to report that the following has so far been achieved:

- F.M. Radio stations are now operational in Bo and Kenema, broadcasting on 96.5 and 93.5 MHZ respectively. Equipment has also been procured for FM stations in Makeni and Kono which will be installed as soon as security situation permits.

- A new 2KW solid state FM transmitter (99.9 MHZ) has been procured and installed at Leicester Peak. A new antenna has also been installed. With this new transmitter and antenna, it is now possible for Bo and Kenema to relay programmes live from Freetown, and from either Bo or Kenema to be relayed live in Freetown.

- The Existing FM studio at New England has been refurbished and a new studio built with a new microwave link system installed between New England, Leicester Peak and Goderich.
- Spares for the existing 10 KW short wave transmitter have been installed at Goderich with facilities for broadcasting on both 90M and 49M bands and a new feeder line installed. In addition, a new 10 KW solid-state short wave transmitter has been procured and installed. Both transmitters are now operational and the SLBS had resumed daily broadcasts via short wave. However, due to erratic weather conditions, the service has been temporarily suspended until the antenna, recently struck by lightening, is replaced.
- The transmitter buildings at Leicester Peak and Goderich have been partly refurbished. It is expected that the refurbishing will be completed before the end of the first quarter 2001.
- A new 2 KW UHF solid state TV transmitter has been installed at Leicester Peak. This has significantly improved the quality of the signal being broadcast at the same time as slightly improving coverage. Government has already allocated funds for television coverage to be extended to the Provincial headquarter towns in a phased manner. It is hope that by the end of the first quarter of 2001, Bo and Kenema would have been covered.
- A few offices have been prepared at the top floor of the TV building to accommodate production and commercial staff.
- The existing TV studio has been refurbished and a new TV studio set up. New digital production equipment provided by UNDP and the Chinese government have been installed. As a result, the SLBS, for the first time in many years, now has state of the art professional equipment with which to produce programmes.

During the period under review, the GIS continued to be hamstrung by insufficient funds. However, in keeping with the goals and objectives of the Information and Communication Policy, action was instituted to strengthen the GIS as a public arm of government. The practice of producing news for the SLBS has been discontinued and news staff in the ministry reassigned to the SLENA. The focus of the GIS has now shifted to the public enlightenment and sensitization. In this regard, the GIS, in collaboration with UNICEF is working on a Radio Listening Group project in parts of the northern province and the Western Area and has been involved in a number of training workshops for broadcasters in the production of community radio programmes. The GIS has also in collaboration with the British High Commission, established an audio listening group project in the eastern and southern provinces using wind up cassette players. This project involves periodic distribution o f recorded material of mainly development and peace messages to these listening groups. The material is intended to stimulate discussions On the issues dealt with in order to provide clearer insights for the participants.

In t he area of sensitization, some additional portable audio equipment has been procured for the PAE unit. This equipment has so far been used for sensitization

activities in Freetown, Bo and Kenema on the DDR programme and the peace process. Government has also recently provided funds for the procurement of two mobile audio visual units with video projection capacity. These vehicles will be used to begin the process of taking information and sensitization campaigns to remote parts of the country as used to happen many years ago.

In order to effectively perform the functions of spokesman for government, I have, with technical assistance from the British Defence Forces Information Operation Unit, devised a strategy for effective coordination and dissemination of information on government activities. This strategy involves, among other things, coordination and information sharing meetings with all ministries, including Defence Headquarters and the Police and the hosting a weekly joint press conference with the Presidential Spokesman. In addition my ministry has maintained contact with major international broadcasters and has facilitated access to Sierra Leone by many news crews and programme producers in both print and electronics media.

Due to lack of funds, we have been unable to mount any sort of international media campaign on behalf of the country. We have therefore had to adopt a strategy of providing easy access for the international media in order to ensure that the story of Sierra Leone gets to the international community. This has however meant that the story has been told from the perspective of the western media which has tended to sensationalise the events and largely focus on the negative. There have obviously been positive as well as negative effects of this on the country. Indeed, the attention of world has been focused on Sierra Leone, through the images of amputations, for a sustained period. If funds are available next year, my ministry will begin the process of sanitizing the country's image through a sustained international media campaign.

The major development in the Government Printing Department during the period under review has been the complete rehabilitation and refurbishing of the Government Bookshop at Wallace Johnson Street. The building that used to be a dump is not only now a bookshop but also a reading room where members of the public can spend time reading. Apart from this, the other major achievement of the department is the fact that despite old and almost obsolete equipment, it succeeded in publishing all legislation and statutory instruments submitted for publication. This was achieved through the extra effort and endurance on the part of the staff. In the words of the Government Printer, "The majority of the machines which the department now has are elementary, old, obsolete and defective and as such, over-time working has to compensate for low productivity. As a matter of fact, working throughout the night to produce legislation against tight delivery dates has become the norm rather than the exception."

The Government Printing Department has been incapable of supplying government departments with stationery and office equipment and other supplies. This has been due to the fact that the department has not been receiving sufficient funds from government to enable it to embark on bulk purchasing. As a result, ministries and government departments now buy stationery and office supplies from local business houses. This continues to cause government to purchase these items at relatively high prices. The quality is also highly suspect in many cases. Fortunately, however, action is now being taken by the Ministry o f Finance for funds to be allocated to the Government Printing Department for it to begin bulk purchasing of stationery on behalf of government. This is expected to begin in the first quarter of 2001.

As far as the role of the media in Sierra Leonean conflict proper is concerned it is difficult to say for the simple fact that apart from two papers, "Expotimes," and
"The Torch," which consistently sympathized with rebel position, others in the

Print Media managed to play a balancing role although some, probably due to **misguided enthusiasm, occasionally gave away the position of government troops/ECOMOG forces to the rebels while reporting government advances.** On **the whole, the media did not do too badly given the constraints they faced having found themselves between the devil and the deep blue sea.**

Having said that, I think it must be emphasised that accurate, balanced and accessible media coverage of looming conflicts and humanitarian crises is necessary for any national and international understanding of the situation. However, cursory coverage or blanketed reporting of many frontline issues such as the war in Sierra Leone questions the role of the media in the treatment of humanitarian emergencies**.**

A combination of international editorial indifference and the physical dangers of visiting Sierra Leone at the height of the war meant there was virtually no in-depth international media coverage of the unending murder and terror producing hundreds *of* deaths a day. From 1991 through 1999, the prolonged bloodshed in Sierra Leone illustrated the impotence of media in not only reporting conflict but also influencing early intervention.

Media coverage raises public awareness of an issue, at the same time bringing the concern to the attention of policy makers and international governing bodies. Images of dead bodies and deserted streets, the genuine uncertainty over what was happening are bound to coerce a reaction. Linked to this, is the tendency of the national and international media to miss the subtleties of an issue and report superficially such as in the case of Yugoslavia during the Great Lakes crisis. The events in Sierra Leone were reported as the conflagration of age-old ethnic hatreds rather than a current power struggle, unaffectedly urging a different reaction from the international community than it would have, if the real situation were conveyed.

There was also a tendency among some members of the media to portray a bleak image of helplessness and play up the matter. Thus headlines like "Sankoh hires Mercenaries" in Uni-week of 23 April, 1997, "Rebels regroup for Freetown" in Unity Now of 17th June 1996, "Junta Power, RUF strongman to occupy Kabbah's house" in Standard Times of 3rd September 1997, among many others, constituted some aspects of the media landscape of the time. Not surprisingly, Expo-times of October 1, 1997 reported that the Late General Abacha had been paid $20 million by the Iranians to overthrow the AFRC government. That story was deliberately manufactured to annoy Gen. Abacha who was a pillar of support to the government in exile.

As an intermediary, it is crucial for the media to highlight the capacities *of* people and their ability to cope with crisis, thus acting as a platform for informed international support and not just sympathy. Also, traditionally, there is a causal link between media coverage and the extent of resources allocated. Increased media coverage helps attaining a sustainable momentum and mediation-support mechanism for non-governmental organisations. "Field Presence" for humanitarian crisis legitimises the work of relief agencies world over. In fact increased media coverage increases aid supplies toward a particular conflict zone. That was almost lacking in Sierra Leone.

The Press/Media was misused some say abused more during the nine months of the rebel/soldier coalition of the Armed Forces Revolutionary Council (AFRC) rule in 1997. Government owned channels listed earlier, the SLBS radio and television, were used only for propaganda purposes. Panel discussions were reduced to the use of obscene languages on both radio and television against members of the government in exile and their supporters who stayed behind. Deliberate lies were told to boost or solicit support for the junta that was demonstrably not wanted by the people.

As a result of the above, people came to hate these channels as institutions that sought to entrench soldier/rebel coalition rule and most people stopped listening to them. Heinous crimes such as the deliberate launching of mortar bombs at densely populated areas such as Guard Street Market to blame it on ECOMOG, the ECOWAS Monitoring Group and the government in exile were common occurrences.

The independent Press/Media Organisations particularly those in the print media, apart from the three that sympathised with the rebel coalition, (named earlier) provided the only source of information about what was happening in the country. But this was not without a heavy price. Many journalists were killed by the junta including secretaries of press houses. An employee of the Democrat, a pregnant woman for example, was tortured to death by members of the junta because of that paper's opposition to junta rule. Many journalists including those working for government who refused to toe the rebel line were arrested and incarcerated at the Military Headquarters, Cockerill. Some journalists died as a result of injuries sustained while in detention, others simply disappeared without any trace to date.

In Summary, Mr. Chairman, I wish to state that the approach we have taken to solving the many problems that have plagued the various departments in my ministry has been one of addressing the problems from the roots. We have moved away from the cosmetic/superficial approach of the past. We believe that if the action that has been commenced in the period under review is carried to fruition, we will have a much stronger ministry.

INTER-RELIGIOUS COUNCIL OF SIERRA LEONE (IRCSL)

Presentation to the Truth and Reconciliation Commission Public Hearings on the theme "Promoting Reconciliation and National Reintegration (including Reparations" - Friday 1st August 2003 By Rt. Rev. Dr. Joseph C. Humper - President (IRCSL)

Presiding Chairman, Commissioners, audience and fellow citizens. I am delighted to make this presentation as President of the Inter-Religious Council of Sierra (IRCSL). The subject matter or theme is: PROMOTING RECONCILIATION AND NATIONAL REINTEGRATiON (including reparation)". To this subject I will address myself.

The Inter-Religious Council of Sierra Leone **(IRCSL)** comprises the two major religions in Sierra Leone - Islam and Christianity.

On the 9th of May 2003, the Inter-Religious Council of Sierra Leone (IRCSL) and the Council of Churches in Sierra Leone (CCSL) made a joint presentation to the Truth and Reconciliation Commission (TRC). That presentation highlighted the work of the IRCSL and CCSL before, during and after the war, gave an assessment of the situation vis-avis the consolidation of peace in the country. It also made reference to Government's activities - giving credit to government for its programme in rehabilitation and strides towards reforms in governance. It also highlighted shortcomings. The IRCSL calls on all concerned to address these shortcomings. On its part, the IRCSL is ever ready to work with Government and other stakeholders in consolidating the peace.

In the opinion of IRCSL, the bottom line for a mechanism such as the TRC is the creation of a just and fair Sierra Leone where everyone feels a part of, cared for and makes his/her contribution to national development.

Our country emerging out of eleven years of war, with all the hurt and wounds, needs truth for national healing, reintegration and reconciliation. The IRCSL therefore wishes to add its voice in the promotion of the above.

The rebel war is said to be the outcome of bad governance, corruption, marginalisation of certain groups and persons, political manipulations, nepotism and greed among other odds. In the process of reacting to such an ugly and unacceptable situation, by means of a rebel war, there has been pain suffering, hurt of mind and body, further divisions, loss etc. Sierra Leone wishes to come out of both eras to a situation of wholesomeness, patriotism, justice and development. Therefore, to promote reconciliation and national reintegration (including reparations), the IRCSL wishes to make the following observations and recommendations.

a. Acceptance of Guilt and Responsibility

Clearly, there are direct perpetrators as well as victims of the war. There are also direct collaborators. There are others who committed "sins of omission"; (not having done what they should at the time and manner). In all of this, everyone has suffered directly of indirectly. Merely blaming the past or present groups or persons seemingly justifies complacency and inaction and only delays the process of reconciliation and reintegration. It is time for some or all to accept responsibility, others the blame for our war. Equally so, we share the loss and now it is time for all to resolve to reconcile and rebuild our country.

b. Settlement and Resettlement

Every Sierra Leonean should be able to choose his/her place of settlement or resettlement without undue hindrance from other members of the community. The cases where certain groups were forced out of towns and villages (for certain reasons) and others refused residence in other parts were very unfortunate. The IRCSL appeals to all Sierra Leoneans to respect this as part of our national constitution and to allow co-existence and living together harmoniously. It is the hope that no Sierra Leonean wishes to see another Sierra Leonean go back to the bush for lack of a community to live in.

c. Political Parties and Governance

Often, the Head of State is blamed for all wrongs of the Government during his/her tenure of office. Sometimes, the majority party is blamed. It is however the responsibility of the majority party and opposition to ensure good governance. It is expected that after free and fair elections, petty politics along party lines ceases and that all those elected into parliament should focus on the nation and its development. Unfortunately, there seems to be an extension of partisan politics in parliament at the detriment of the country and people. The majority and minority parties should respect each other and work together for the common good. The opposition should not unduly perceive the majority party as a monster trying to do the wrong thing to its advantage and benefit. At the same time, the majority party should not see the opposition as the enemy. The two should be issue oriented in the nations interest and should provide checks and balances in the governance of the state.

The IRCSL notes with gratitude that there is no known inter-political party conflict. It notes however that there have been intra-political party conflicts and these have affected the four major parties in the country in order - UNPP, PDP, SLPP and APC. These political parties too need reconciliation and reintegration.

d. State Security Apparatus

The state has as its security apparatus, the army and police. The Government recognised the civil defence forces. There were times during the war that these were polarised. The IRCSL recommends maintenance of these groups but with clear terms of reference and lines of authority with regards to national security. The new army and the new police force are trying to launder their image. They should keep this up and indeed provide security for the state and people.

The IRCSL recognises the support given by the CDF during the war. A mechanism on how the CDF nationwide fits into the national security apparatus needs to be worked out for effective coordination, clear responsibility and authority.

e. Ex-Heads of State

'The IRCSL, recommends that a mechanism on how to "look after" democratically elected Heads of State or nationally and internationally recognised Heads of State after their term of office be worked out and applied.

f. Traditional Rulers

The choice of the Paramount Chiefs representing their District in parliament is normally through elections. This contest often results in tension, competition and sometimes animosity during and even after the elections. The animosity can continue between the contesting Paramount Chiefs, their supporters etc to the extent that the Paramount Chief elected into parliament may not even be representing the other Paramount chiefs and chiefdom(s), thus defeating the whole essence of his/her representation. There is also no forum for consultation and sharing. Besides, such elections can breed localised conflicts within the Districts. The IRCSL opines that the representation of Paramount Chiefs if) parliament could be done on rotation rather than election. Each District should discuss and agree on its schedule under the guidance and support of the Government.

The authority of Traditional Rulers should be restored and they too should embrace all their subjects regardless of their political affiliations.

g) National Development

The Government is commended for the visible progress in rehabilitation and development. Government stands to score more with an approach that ensures equitable distribution of national resources taking into account areas already with almost a saturation of services as against areas that have been neglected for long and even now. This can win the hearts of the people. It is hoped that the District Councils (to be) will he used as channels for this.

h) Ex-combatants VS Unemployed Youths

Ex-combatants have gone through the DDR programme. Many have learnt skills but have not found jobs. Others chose to remain idle and in the streets. There is also a large group of young people - some highly educated (up to first degree level) without employment. The International Community and Government are called upon to introduce schemes that create employment for such young people. For example, there can be state farms and public works contracts. Certain jobs can also be contracted to firms with the condition that they employ a certain number of youths.

i) Reparations for War Affected

As prefaced earlier in this presentation, every Sierra Leonean has been affected by the war directly or indirectly. However, there are those that have been affected most. These include those who lost dear ones, those whose houses were burnt down, businesses looted etc. There are yet those who were orphaned, seriously wounded or amputated and are still alive. The IRCSL recommends that reparations be made to some of these groups (as the means allow).

The Inter-Religious Council is aware of the implications of the above recommendations in terms of finances and their implementation. IRCSL however believes that the people and the Government working together with the support of the international community can make it. In this regard the IRCSL calls on:

(i) the International Community to have a long term commitment to Sierra Leone and not to abandon it midstream

(ii) the Government to:

- provide the necessary leadership in the country's peace consolidation, reconciliation and reintegration drive
- avoid their past mistakes and those of past regimes
- adopt an open door policy not inimical or averse to criticism
- Promote and ensure performance and accountability

(iii) the People of Sierra Leone to:

- be constructive in their criticism
- reasonable in their expectations
- be law abiding
- make their contribution to make and not to destroy (eg garbage in the city - people virtually deposit garbage in streets instead of dispose it)
- defend and protect their rights in the proper way
- be patriotic, forgiving and reconciling
- resist ALL forms of temptations towards WAR and unrest in Sierra Leone.

As the reconciliation process is on-going, the IRCSL sees the need for the strengthening of existing resources and structures (traditional rulers, Religious leaders etc) and the establishment of coalitions involving for example Traditional rulers, religious leaders, women's groups, Government officials etc) at national, regional and District levels to champion the course of reconciliation. The Inter-Religious Council pledges its fullest commitment towards this.

It will be in the interest of the Government and the people to establish a "Centre for Peace and Reconciliation". This will be a symbolic Institution in relation to our war and the new era of peace and reconciliation.

SUBMISSION ON RECONCILIATION BY CIVILLIAN

WAR WOUNDED WELFARE ASSOCIATION

GRAFTON - FREETOWN SIERRA LEONE

4r'" August 2003

Before the war in Sierra Leone, there has never being any group of people stigmatized as amputee or war wounded. Even though there were few people who were amputated due to congenital courses or accidents.

It needs to be explained how the name amputee and war wounded came about since they are all civilian war victims. As a matter of fact there was no name like amputee or war wounded when we were all at hospital but 'War victims".

It is important here to give you a brief background of how the stigmatized of these groups of patients was coined.

When the massacre of the civilian population took place between the 1991 - 2000 period thousands were killed mitigated and abused. The worst atrocities were committed after the 25th May 1997 coup when the juntas and the R.U.F. were removed from the sit of power in 1998. With the successful liberation of Freetown by the ECOM0G forces, the Junta and their R.U.F allies moved into the provincial towns of Makeni, Bo, Kabala and Kono etc. Civilians in these areas were force to flee their homes for their lives. Towns and villages were burnt down while some unfortunate ones killed and wounded badly.

With the restoration of the democratically elected government of president Ahmad Tejan Kabba in Freetown, ECOMOG the regional force, embarked on the liberation of more towns in the provinces. They successfully liberated most of the district headquarter towns like Makeni, Bo, Kabala and Kono. The juntas together with the RUF then regrouped in the bushes killing burning alive of civilian or abducting any abled body civilian they met. As a way of terrorizing their victims, they embarked on mass amputation of limbs and legs.

The first batch of militated civilians arrived at Freetown Connaught Hospital on the 28t'" April 1998. **They were 58 (fifty eight) in number and comprise men, women & children. This number increased and continue to increase as the rebels** fought to regain control of "their" lost territories. It is worth pointing out that civilians in all of the provincial towns and villages were victimized by the then angry rebels and Juntas. Their thirst for power was too great.

After treatment at the hospital, the patients/victims were discharged and sent to the Waterloo displaced camp, which was then managed by the Adventist development Relief Agency (ADRA). While we were in hospital, I observed that most of our colleagues patients were amputated because their wounds were infested and also because of lack of immediate medical treatment. Most of them reached Freetown at the time their wounds and sores have already rotted away. Most victims had to travel long distances before reaching ECOMOG positions. Those who reached them earlier were given First Aid Treatment before being sent to Freetown**.** Those who could not make it died on the way.

Coming back to how the names "amputee" and "war-wounded", the ADRA Social workers who registered us at the camp, did so by categorizing us into two groups, namely "amputees" or "war wounded".

All those who lost parts of their bodies fell in the amputee group even if it was your finger or toe that was removed.

The war wounded group comprise of sexually abuse ones, those with gun-shot wounds and other serious lacerations. So **the term "Civilian war victims" faded away amongst us but not to the international community who still refer to us all as war victims. We were all given equal treatment before and at the times Waterloo was attacked on the 23**rd December 1998. We were later moved to old wharf at Wellington Freetown two weeks later, Freetown was attacked on the 6th January 1999. More military occurred during this period. All the victims now under the names "amputee" and "war wounded" were relocated at the Aberdeen road camp. A big sign board bearing our name was placed in front of the camp by M.S.F. France.

However this new camp could not accommodate all the patients/victims as the total number was now well over 400 family heads so the government and other agencies working with us avoided congestion and decided to send some victims to Grafton where more land was acquired.

When our transfer to Grafton was made clear to us, some form of segregation started between the amputees and the war wounded. Actually the amputees didn't like us any longer. Most amputees felt that they should not have equal share of donated items with the war wounded. Some amputees went further to say that they suffered more than us and therefore should have more facility than us. Etc. This and other factors made things worst in the camp. Finally it was agreed that the war wounded should be sent to Grafton.

We left the Aberdeen road camp for Grafton on the 17th November 2000. Little did we know that we were going to face the risk of EXCLUSION .

Since we left Aberdeen road camp, no attention has being given to our plights. Visitors from the international community and other agencies hardly go to the Grafton War wounded camp. Donations from groups or individuals were no longer sent to us. All their attentions are focused on the amputees only. Our only source of feeding was coming from the World Food Programme W.F.P. which is hardly sufficient. We were hardly invited on issues concerning amputees and war wounded even though they are meant for us all.

The fear of exclusion has raised a lot of question among us. The first was about the sign board which still carry the title (Amputee and war-wounded). Another was based on the scars. There are some women among us that were badly mishandled by the rebels that they inserted sticks into their virgina and consequently made them sexually unfit.

There are also some men among us whose penis were tied with ropes in a way that they too are sexually unfit. Added to this there are people with hands but cannot lift up a glass cup of water. With all these people, you can clearly know that the scars are not visible. For short I can say that to lose parts of your body is equally painful as having parts of your body that is no longer functionable.

This is what exist between amputees and war-wounded, However we tried in every possible way to bring this issue/problem to the knowledge of the authorities of GOSL through NaCSA but we still continue to suffer from the same effect. For the past three years we have been suffering. In fact this is explained by the psychological suffering endured on us as well as the social consequences on us. It is practically impossible for most war-wounded victims or persons to revert to their places and take up the roles they once occupied in the family as well as in the community before our disabilities. This is especially true in Sierra Leone where a good number of us were doing physical work to earn our living. Our present condition has made all of these impossible.

However these phenomenon of exclusion did not happen by chance but could be considered as a misfortune, which can be avoided by some means.

Based on all these and in an attempt to free us from these bondages, we sat together and thought of forming an association, since it was now clear in our minds that even though we were also vulnerable, yet we were victims of EXCLUSION. Therefore we formed our association - war wounded welfare association. WAWELA was formed three years ago. It has a membership of two hundred and seventy (270).
Opening of an account

However, certain conditions were fulfilled before we were allowed to open an account for the Association.
The first one was to present two minutes in which we discussed both general and Executive meetings about the opening of Bank account for the Association.

The Second condition was a formal registration document from G.O.S. through the Ministry of social Welfare gender and Children's affairs.

The last process was the appointment of the National executive - in this light. We had no option but try hard and go through all these process above.

The saving account Number is 2034884 at the Sierra Leone Commercial Bank Siaka Steven Street Freetown Sierra Leone

Our aim is to wipe out the risk of exclusion and fight for the welfare of its members and their families. Membership opens to all civilian war wounded in Sierra Leone. Our activities presently are backyard gardening skills training and small-scale business/trading.

Today, even though we are in constant fear of exclusion, we must say we are thankful to the Norwegian refugee council N.R.C. CAUSE CANADA and other humanitarian organizations who have helped us in different ways like Handicap International and Mercy Ships. The N.R.C. has provided shelter for about ..... warwounded persons while CAUSE CANADA has helped in the skills training areas.

We also thank HANDICAP INTRNATIONAL, MSF (France) and Mercy Ship5Newstep for their own efforts towards us.

What we need presently are as follows:

(1) Free medical facility for all civilian war wounded victims in Sierra Leone.

(2) Educational assistance for our children.
(3) Feeding support for all victims.

(4) To be involved in decision-making process including job facilities for both educated and non-educated victims.
(5) Shelter assistance for the remaining victims in the camp.
(6) Transport assistance or facility for all victims since some are permanently in wheel chairs or using clutches.
(7) Agricultural Assistance since this is our only hope of survival.
(8) Benefit from the provision made at the Abuja - Peace Accord.
(9) Pension benefits.
(10)Provision of land for the association's office at the war wounded camp - Grafton.

RECOMMENDATIONS

Generally speaking, we believe that all our suffering today emanated as a result of bad governance, corruption and mismanagement. Added to this is greed and tribal sentiments.

In this regards we would like to recommend that the country up hold good democratic principles, eradicate corruption and mismanagement in all public and private sectors. We should have an efficient rule of Law.

We as victims of the war are also worried about retired politicians, especially heads of state. They should be allowed to retire in peace which is not the case in Sierra Leone. Instead they are force to flee to neighbouring countries for their lives. A retired leader or minister should sit in his own country and should be seen as a respected retired statesman e.g. Nigeria's Yakubu Gowan, Shagari etc.

We know that the country is endowed with numerous mineral resources, our suggestion will be that the government organize and harness these resources for the benefit of all Sierra Leoneans than a handful of Sierra Leoneans enjoying the country's wealth as it is to be in the previous governments.

All so-called crook politicians and businessmen should be carefully watched so that their actions would not drive away potential investors from the country as it use to be in the past.

Lastly, they should be repatriation for all civilian war wounded victims (Amputee and war wounded) together with their shelter benefits.

In conclusion it was diamonds that were use to fuel the war, which has brought this carnage on us that subsequently left us homeless and reduce us to a state of nothingness.

Therefore we are recommending that the country's mining policies should be clearly defined, transparent and accountable. I thank the government of Sierra Leone and you all for your time and patience in transforming this country to a peaceful and stable one.

Written and submitted by the
National Chairman Victor Gbegbah
With the help of the National Executive
Secretary Brima Kamara
Grafton War Wounded - Freetown



NORWEGIAN REFUGEE COUNCIL

FLYKTNINGERADET

31ST July 2003

2 Man'O' War

Bay Road

ABERDEEN
FREETOWN
SIERRA

LEONE

TEL273126/273148

FAX 232-22-

273057

EMAIL

The Head of Prosecution

Truth and Reconciliation Commission

Jomo Kenyatta Road
Freetown

RE: STATUS REPORT ON THE NRC AMPUTEE / WAR-WOUNDED HOUSING PROJECT

Please find enclosed a status report as per end of July 2003 containing detailed information of the NRC's Amputee and War-wounded Housing Project as per your request.
We regret to inform you this office did not receive any earlier correspondence from you with regards to the meeting on Monday 4th August 2004.

We want to thank the commission for the tremendous job it is doing and do hope you will find our information useful.
Yours faithfully

Mette Nordstrand
COUNTRY DIRECTOR

NORWEGIAN REFUGEE COUNCIL
FLYKTNINGERADET
2 MAN'O' WAR BAY ROAD
ABERDEEN
FREETOWN
SIERRA LEONE
TEL: 273126/273148
FAX:232-22-
273057 F_Md1I

GENERAL RECOMMENDATION AS TO HOW TO ADDRESS THE PLIGHT OF AMPUTEES/WAR-VICTIMS

1. According to article 29 of the Lome Peace Accord, with heading:

SPECIAL FUND FOR WAR VICTIMS - The government with the support of the international community should design and implement a programme for the rehabilitation of the war- wounded. For this purpose, a fund should be set up.

2. The children of amputees must be guaranteed free education up to tertiary level. The idea being that with sound education, the children will be able to take care of their parents in the future.

3. Victims should be guaranteed free health services for life and free primary health care for their children.

4. The Government should find a way of reducing the dependency of amputees on handouts to meet their basic needs and gain economic opportunities.

5. As the country is moving into a transition period, the name "AMPUTEE" should be removed to avoid stigmatization and the generic word "War-wounded should be used instead.

6.A census survey should be conducted to get a clear picture of number of victims affected.

7.

THE NORWEGIAN REFUGEE COUNCIL'S AMPUTEE/WAR WOUNDED PROJECT



Amputee housing in Koinadugu (NRC)

Background

A decade of civil strife in Sierra Leone (1991-2001), dubbed one of the most brutal in modern times, has left in its trail continued suffering as a result of wide-scale atrocities committed against the civilian population during the conflict. It is estimated that there are around 1,000 amputees and a further 2,500 internally displaced people (1DPs) with severe lacerations or gunshot wounds in the country. The nature of their injuries are such that they have become permanently disabled and in need of assistance both in terms of housing and gaining a measure of self-reliance. There were at the start of the project around 400 amputees/war wounded living in the amputee camp at Murray Town.
Up to the end of 2002, 239 amputees or war wounded and their families have benefited from the on-going NRC Housing and Resettlement Project for Amputees and War Wounded. The project provides houses near or around their home communities, or preferred place of resettlement. The majority of the beneficiaries of the project are amputees, currently making up 156 of the beneficiaries, with a further 83 war wounded having been housed and resettled. There is still an additional 161 amputees/war wounded living in camps with their families. Out of this group, 60 to 80 families are in dire need of permanent shelter and assistance to reintegrate back into their communities.

A survey was conducted among the camp population at the Murray Town Camp - at this time the camp housed both amputees and war wounded - in the summer of 2000 to assess the needs of the amputees and war-wounded. All respondents - 346 out of 400 took part in the survey - indicated that their homes had been destroyed and that they for this reason had to seek shelter in the camps. 95 per cent recorded housing as one of their most pressing needs. Furthermore, nearly all the respondents, 99 per cent, expressed a need for access to medical facilities as one of their priority requirements.

The survey also recorded the preferred area of resettlement of the respondents. Nearly 43 per cent of the population wanted to return to the Northern Province, a further 31 per cent wanted to resettle in the Eastern Province, 43 per cent wanted to remain in the Western Area and 20 per cent expressed a desire to return to the Southern Province.



Amputee at preferred area of resettlement *(UN ocHA)*

Project Description

As no other organization was handling the housing need of the amputees/war wounded, NRC decided to respond to the challenge. The resulting project was designed to assist the Government of Sierra Leone to build houses and to resettle amputees and war-wounded with severe lacerations living in the Amputee camp at Murray Town and War-wounded camp at Grafton.

Funds were made available, totalling US$1,000,000, by the Norwegian Government in year 2000 as part of an agreement between the Norwegian Prime Minister Kjell Magne Bondevik and the then President Bill Clinton towards assisting amputees and war wounded in Sierra Leone. The Norwegian Government has continued to support the project since. The Catholic Mission, represented by Father Maurizio has also provided funds for the project, raising US$80,000 in 2002 towards the construction of 20 additional houses for amputees and has also continued to support the project. Cause Canada has since 2001 provided assistance for the resettled beneficiaries in terms of skills training, micro credit schemes, physiotherapy and other services. The World Food Programme (WFP) is also providing a 6 months ration aid package to beneficiaries on resettlement.



Facing a better future? (UN OCHA)

A committee was established in order to assist NRC in the selection of candidates for houses - as funds adequate did not, and still do not exist to provide for the entire camp population - as well as house design and to prepare the beneficiaries and their families for a life outside the camps. The committee, which is chaired and hosted by NRC, meets bi-weekly and is comprised of the following: members of the Executive Committees in the Murray Town and Grafton Camps, MSF France, Handicap International (HI), World Hope International, Cause Canada, Sierra Leone Red Cross Society (SLRCS), World Relief, Orient, Father Maurizio of the Catholic Mission, the National Commission for Social Action (formerly NCRRR), UN OCHA and the NRC.

NaCSA and OCHA are closely involved with the reintegration part of the project. NRC is assisting NaCSA with the distribution of non-food item reintegration packages, through CARE, and food rations through the World Food Programme. The International Organisation on Migration (IOM) is the agency assigned the responsibility for resettlement and NRC is collaborating closely with them. Since the autumn of 2002 NRC has been funding the resettlement of the beneficiaries and their families by buying the services of IOM.

The collaboration between NRC and the amputees/war wounded has always been close, and the project itself is based on a participatory approach. Beneficiaries have been, and continue to be, involved at all stages of the project. Executive Committees of war wounded and amputees have been established to ensure their participation. Close collaboration is also sought with the host communities in which the amputees/war wounded are resettled.



Mr. Lamin Jusu Jaka, Chairman of the Camp Executive Committee Murray Town Camp *(UN oCHA)*

Summary of project design and main components

Land, on which the houses were been built, is obtained from the District/Community of origin or through the Government of Sierra Leone as "gratis" to the amputees and war-wounded beneficiaries. A legal document is developed, so as to prevent the beneficiaries from selling the houses before a period of five years after resettlement.
The houses have been constructed in towns of the various chiefdoms/districts of origin in Sierra Leone of the 239 selected amputees and war-wounded from the two camps. Besides Greater Freetown, were NRC has built houses in six different areas, NRC is operating in 16 chiefdoms countrywide, mostly in eastern and northern provinces.

The houses for the amputees/war wounded have been designed as a two-bedroom structure, with a big living room and veranda, outside toilet, bathroom and kitchen. Local materials are being used. The houses and their units are planned so as to occupy one town plot, and 5-10 houses grouped per area, though this depends on where and how the land allocations are provided. The houses are furnished with two beds and mattresses, one table and four chairs.



An amputee mother in front of her house at Lumpa *(UN oCHA)*

The project includes community sensitisation seminars held in the communities in which the amputee/war-wounded houses are to be built and the beneficiaries resettled. The sensitisation exercise is aimed at informing the community of the amputees/war wounded and their needs, and also to prevent stigmatisation. The target groups for this sensitisation are District/chiefdoms and community leaders, including social and health workers, teachers, neighbours, etc. The seminars are aimed at facilitating the reintegration process for the beneficiaries and their families, and the Amputee/War Wounded Drama Group plays a prominent role in the one-day long seminar: a sketch is set up in order to demonstrate that the amputees and war wounded are resource persons in spite of their handicap, and that they have learnt to work and that the community will not receive beggars, but tailors, soap makers etc.. The seminars are chaired by the Paramount Chief/other important leader, and are usually attended by up to 500 people.



Skills training for self-sufficiency *(UN oCH,4)*

In order to facilitate the education of girls the project includes a component

ensuring that one girl child-dependant of the beneficiary is given a one year scholarship after the beneficiary has been reintegrated and resettled.

An HIV/AIDS awareness campaign component is also included in the project. It focuses on sensitising the amputee and war-wounded camp communities to HIV prevention strategies and control methods before their resettlement. NRC has collaborated closely with the Amputee/War Wounded Drama Group (which was sponsored by HI/Cause Canada). A play with an anti-HIV/AIDS message was written, rehearsed and later performed in both camps. Two performances were held and Tshirts, banners, posters and condoms were distributed.

In addition to the normal IDP reintegration package, each family receives another package from Cause Canada, based on individual assessments. Cause Canada also has posted social workers in the different areas of return, to assist the beneficiaries and their families to be self-dependent. A welcoming ceremony is prepared in the village, and "adopting neighbours" have cooked dinner for each family and is expected to introduce the family members into the community (markets, schools etc)

Up until the end of 2002 there were 239 primary beneficiaries, with an additional 1800 people, including families and dependents, benefited from the project. Out of the 239 beneficiaries, 82 were war wounded and 157 amputees. 14 of the beneficiaries were under the age of 17 and 55 were women.

Housing_ completed by the end of 2002

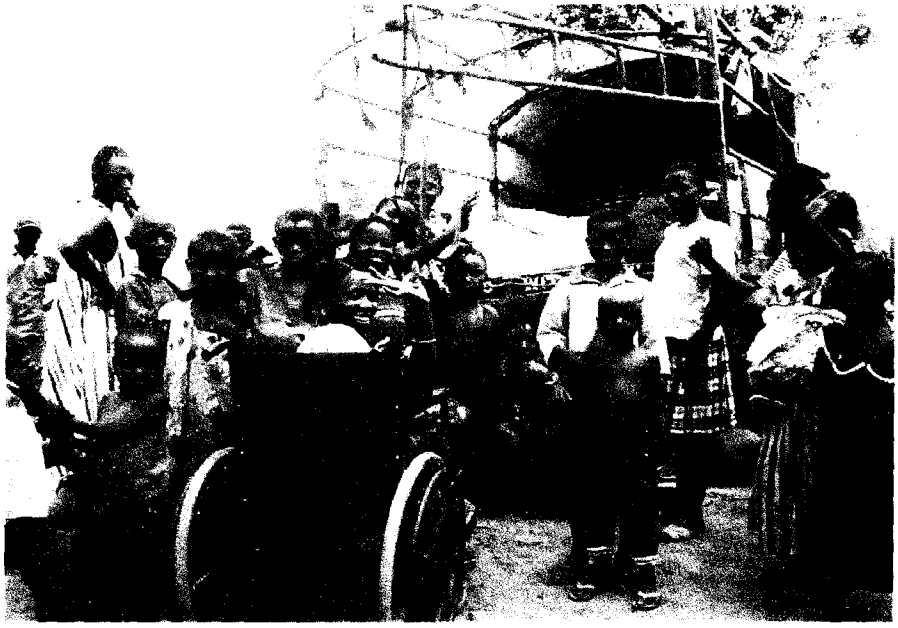
The table below gives detailed information of the location and number of houses constructed in each town/district country-wide.

DISTRICT	CHIEFDOM	LOCATION	NO. OF HOUSES	STATUS
Port Loko	Koya	Masiaka (5 sites)	27	Completed
Port Loko	Kaffu Bullom	Tulomasaw	5	Completed
Port Loko	Maforki	Port Loko	9	Completed
Western	Greater Freetown	Jui	10	Completed
Western	Greater Freetown	Grafton	10	Completed
Western	Greater Freetown	Rokel	10	Completed
Western	Greater Freetown	Hastings	10	Completed
Western	Greater Freetown	Ben uma	10	Completed
Western	Greater Freetown	Lumpa	10	Completed
Western	Freeto	Kiss	1	Completed
Tonkolili	Yoni	Mile 91	6	Completed
Tonkolili	Kama	Bumbuna	8	
Bo	Kakua	Bo town	5	Completed
Kenema	on	andayama	2	Completed
Kenema	**Non**	Bo/Kenema Highway	2	Completed
Bombali	Bombali Shebra	Makeni/Makama	14	Completed
Bombali	Makari Gbanti	Panlap	14	Completed
Bombali	Makari Gbanti	Bombalibana Road	12	Completed
Bombali	B_om_b_ali	M_aken_i-	10	Completed
Kambia	Ma	Thaira Town	6	Completed
Mo amba	Kaiya	Mo amba	3	Completed

Koinadu u	Dian	Kabala	15	Completed
Koinadu u	Kassu	Fadugu	4	Completed
Kono	imikor	Bum eh - Kono	7	Completed
Kono	Tankoro	Yormadu 1 - Kono	6	Completed
Kono	imikor	Motema - Kono	17	Completed
Kono	Gbense	Koeyor - jKono	(	Completed
		Total	239	

Constraints

The major constraint of the project has been related to land acquisition in some areas in the Western Area and Eastern Province (Greater Freetown, Bo and Kenema) and to hire local labour (Kono) and moreover, securing funds for the housing and resettlement for the most vulnerable war-wounded and amputees remaining in the Grafton and Murray Town camps. The initial US$ 1,000,000 allocated by the end of 2002 exhausted the Norwegian Government in year 2000. NRC is, however, optimistic about attracting further funding from the Norwegian Ministry of Foreign Affairs to house and resettle the 70 most vulnerable war-wounded and refugees still remaining in the camps.



Just before departure back to Kono (NRC)

The **Project** in 2003

After the resettlement of 239 beneficiaries, there are still 70 amputees/war-wounded living in the Murray Town and Grafton Camps with their families (totalling 560 people), waiting for assistance to be resettled back into their communities. NRC is expecting to secure funds to build 70 houses, and has started the construction of 35 houses for these beneficiaries. Ten of these houses have been completed and handed over to NRC. Beneficiaries to theses houses would be resettled during the 2nd week of June 2003.

In April 2003 The United Nations High Commissioner for Refugees (UNHCR) provided funds for the construction of 3 water wells in Kono, where 36 beneficiaries and their families were faced with lack of access to safe drinking water. The project is implemented by World Vision with Peace Winds Japan providing the necessary equipment. Fr. Maurizio of the Catholic Mission had also secured some funds for the construction of water wells in all the resettlement areas completed in 2002. So far, 80% of theses wells have been constructed and the remaining 20 % is ongoing.

HOUSES UNDER CONSTRUCTION AT VARIOUS LOCATIONS 2003

DISTRICT	**CHIEFDOM**	**LOCATION**	**NO. OF HOUSES**	**DATE OF RESETTLEMENT**
Bombali	Bombali Shebra	Makeni/Mason bo Town	8	Completed & resettled
Kono	imikoro	Bum eh	5	August 2003
Kono	imikoro	Motema	6	August 2003
Kono	Gbense	Koe or	6	August 2003
Koinadu u	Kassunko	Fadu u	3	Completed & resettled
Koinadu u	Wara-Wara Ya ala	Kabala	7	Completed & resettled
		Total	35	

AN OVER VIEW OF SELECTED AREAS OF HOUSING CONSTRUCTION FOR THE REMAINING 35 AMPUTEES/WAR-WOUNDED AT GRAFTON/MURRAY TOWN CAMPS

DISTRICT	CHIEFDOM	LOCATION	NO. OF HOUSES
Tonkolili	Yoni	Mile 91	3
Tonkolili	Kamankay	Bumbuna	3
Port Loko	Maforki	Port Loko	3
Moyamba	Kai amba	Mo amba	1
Port Loko	Ko a	Masiaka	2
Kambia	Magbema	Thairay	2
Western Area	Greater Freetown	Newton	15
Western Area	Greater Freetown_	River No._2	6
		Total	35

NATIONAL COMMITTEE FOR DISARMAMENT, DEMOBILISATION AND REINTEGRATION (NCDDR)

(EXECUTIVE SECRETARIAT)

4 August 2003

P R E S E N T A T I O N

" P R O M O T I N G R E C O N C I L I A T I O N A N D N A T I O N A L R E I N T E G R A T I O N "

(R O L E O F N C D D R)

AT THE

TRUTH AND RECONCILIATION COMMISSION

On behalf of H.E. The president and staff members of the NCDDR Executive Secretariat, I would like to take this opportunity to thank the Chairman, Commissioners, the Executive Secretary and Staff members of the TRC for your monumental contribution to the consolidation of the hard won peace in our beloved country, Sierra Leone. We have already made two written submissions to you earlier, one on the DDR Programme in general and the other, more specific, on the theme: "Militias and Armed Groups" in our conflict. We have also provided information to the Commission's staff on an ad hoc basis on various issues pertaining to the crisis.

In our submission today, we have been invited to talk on the theme "Reconciliation and National Reintegration". We are very pleased to be here to do just that and contribute to our collective search for a way forward after 10 years of carnage in our country.

INTRODUCTION

Following the restoration of the democratically elected Government in 1998, the Government conceived of a plan to end the war and the cycle of violence accompanying it and promote peace and reconciliation through a two-pronged approach. On the one hand, Government decided to address the problems posed by multi-faction fighters/combatants through a special programme to be implemented by the NCDDR. On the other, the problems of Internally Displaced Persons (IDPs), refugees and other war-affected populations were to be handled by a special Commission - i.e. the National Commission for Resettlement, Rehabilitation and Reconstruction (NCRRR) - now National Commission for Social Action (NaCSA). This was perhaps one of the most significant post-conflict strategies pursued to build and sustain peace after a decade of conflict.

Sierra Leone's conflict became more complex in 1998 with the proliferation of arms and armed groups or factions. Even before the establishment of the NCDDR, it was clear to all stakeholders that without a comprehensive DDR, peace will continue to be elusive in Sierra Leone and the country will not come out of its complex dilemma over a very long period.

Establishment of NCDDR - Executive Secretariat

In July 1998, the NCDDR was established under the Chairmanship of H.E. the President, with membership comprising the Vice President, the Special Representative of the Secretary General of the United Nations and The Force Commander of UNOMSIL and later UNAMSIL, Force Commander of ECOMOG, Heads of the armed factions - Revolutionary United Front, Armed Forces Revolutionary Council, Deputy Defence Minister, Force Commander of Sierra Leone Army, Ministers of Finance, Internal Affairs and Information and Broadcasting, Commissioner of NCRRR (now NaCSA) and Donors (represented by the British High Commissioner and the American Ambassador).

An Executive Secretariat, with an Executive Secretary as Head, was established to handle the affairs of the NCDDR, including the formulation and articulation of policy, design and execution of a programme for disarmament demobilisation and reintegration

of the armed factions. The National Committee met frequently during the early critical phases of the peace process and became the key decision making body on all sensitive matters pertaining to the DDR programme.

The DDR Programme

A DDR programme was put together in 1998 with a very defined overall objective: to disarm and demobilise 45,000 combatants from the RUF, AFRC, CDF and SLA factions and support their reintegration into society. This was a major challenge for the peace process and the prelude to any meaningful promotion of peace and reconciliation in Sierra Leone. The question we had to answer was how best to translate such a programme on the ground

To operationalise the DDR Programme, we had to **bring together a broad coalition of stakeholders to put together an implementation strategy that** fulfilled multiple objectives. Firstly, we had to promote disarmament and demobilisation of the fighters from the different factions - Rebels. Civil Defence Forces, and Government Soldiers that had teamed up with the rebels. This required confidence-building among them to ensure that they committed themselves to the spirit of the peace process. A second objective was to promote reconciliation and acceptance of the rebels among a terrified, brutalised and dispossessed population. Without this assurance, it was believed that the rebels, especially, would not be willing to give up the weapons.

Thirdly, we had to design a reinsertion and reintegration programme that provided an immediate alternative to "life with the Gun in the bush" for the armed factions after 10 years of carnage. Some of these disaffected rebels had lost all contacts with their own communities and families. This was compounded by pervasive poverty and hardly any economy in **which to reintegrate ex-combatants. Finally, we had to convince donors that the peace process would work and to provide the funds to commence implementation of the programme, (i.e. "cash for peace").**

DDR and the Peace Process

From 1998 to 2001, the peace process went through a very difficult path and this adversely affected the outcomes of both the NCDDR meetings and the DDR Programme. The programme faced two major periods of set back from December 1998 to October 1999, May 2000 to May 2001. Each period was characterised by tragic events that made it difficult for us to achieve our multiple objectives. The events culminating in 6 January 1999 hostilities halted the first phase of disarmament until the Lome Peace Agreement was signed in July 1999. The second phase was halted by events culminating in the 8 May 2000 disruption of the peace process. These events threatened our survival as an institution, lowered the morale of some staff, and led to **loss of investment in property.**

In spite of the setbacks, we continued to be resilient and focused on the main operational objective - namely, DDR of the fighters as the only means tomove the country forward. As long as we had these gunmen running amuck in the country, our misery in Sierra Leone would continue and will not be in any position to rebuild our society.

Following the break through in the peace process in mid May 2001 and the re-commencement of disarmament of the armed factions, NCDDR has been engaged in fulfilling the same multiple objectives with armed combatants, the civil populace and the donors. Significant progress has already been recorded. Disarmament and demobilisation of ex-combatants was successfully completed last year and H.E the President declared the war over on 18 January 2002. This paved the way for resettlement of IDPs and refugees, national elections, and a host of other developments (including the establishment of the TRC and the Special Court).

Support to Ex-combatants as Promotion of Reconciliation and National Re-integration

The 10 year old war ended through negotiations between Government and rebels in Lome in 1999. Commitments were made to the rebels and the DDR Programme was offered to the combatants on all sides. The programme was meant to provide a genuine transition of fighters to civilian life and therefore lay the basis for reconciliation and reintegration at community level. This has provided the basis for the work of NCDDR.

Let me address some misconception that has been giving us some problems in our bid to promote the peace process i.e. that NCDDR is targeting support to ex-combatants at the expense of the victims of their activities. This question came to the fore the first time NCDDR decided to provide some transport allowances to ex-combatants in demobilisation centres in 1999. It became more of an issue when we started to pay out a transitional safety-net allowance or reinsertion package in cash to ex-combatants.

These cash payments or support packages had been designed on purpose. They were meant to firstly, meet immediate humanitarian needs of these ex-fighters and was equivalent to the humanitarian support given to the displaced people. Secondly, the payments provide respite to civilian populations in areas occupied by rebels. These people were harassed and enslaved by rebels over a long period. The basic support we gave relaxed the grip on these people. Thirdly, we used the payments to promote confidence in the peace process among the ex-combatants. Our experience was that peace could be fragile in the period just following disarmament. Fourthly, these payments somehow induced disarmament, especially among the rank and file of the armed groups. Fifthly, the payment of cash promoted demobilisation - breaking of the command and control over the rank and file. It made each ex-combatant less dependent on the Senior Commanders.

The short-term reintegration opportunities we are currently providing the ex-combatants have also been misunderstood by some people. However, the programme has been a key contribution to peace making, peace building and peace consolidation in the country. The rationale for this support to ex-combatants has been carefully conceived. We had the following in mind for the economic reintegration aspect:

i) promotion of security in the short-term while Government re-organised security sector. A small percentage of ex-combatants that preferred military reintegration were given the opportunity to do so. They have been trained alongside other recruits, thereby promoting a seamless transition for them;

i) to keep ex-combatants busy for 6 -12 months to allow for resettlement of the displaced population, comprising IDPs, Refugees and restart of community life; Indeed, this had been achieved since last year, following the completion of disarmament and demobilisation in the country: and

iii) provide basic vocational skills and formal education to ex-combatants who need it to make up for time lost in the bush and provide alternative to life in the bush. They are already using these skills to help rebuild their own communities, thus promoting reconciliation.

In the last two years, we have supported over 20,000 Sierra Leonean ex-combatants to learn various trades, including Agriculture, Vocational skills (carpentry, Masonry, auto-mechanics, plumbing, etc), Formal Education, Public Works, among others. Over 25,000 are undergoing training in similar trades in on-going projects in all Districts of Sierra Leone. We are confident that by the time the NCDDR phases out at the end of the year, every major settlement in the country will have trained artisans in these various fields, a very significant contribution to community reintegration and reconciliation. Already ex-combatants have provided the labour force to rebuild community infrastructure such as roads, health posts, schools, police stations and barracks, etc.

Over 7,000 ex-combatants have been supported already in the formal educational system at the secondary, tertiary and technical-vocational levels.

Social Reintegration

National reconciliation has been a cornerstone in NCDDR policy and a key strategy in trying to promote disarmament and demobilisation of the erstwhile fighters. For us, building confidence in the peace process and allaying fears of retribution by the civil populace among the ex-combatants has been at the heart of our reconciliation efforts. H.E. the President has been in the driver's seat in the last three years in his capacity as both Chairman of the NCDDR and Head of State. We recognised that the people of Sierra Leone had to reconcile with their own kith and kin to promote the peace.

In the last 12 months, we have been pursuing intensive social reintegration measures in order to facilitate the peaceful return of ex-combatants to their original homes or localities of choice, and participate fully in all traditional and social events in the communities without inhibitions. This has been quite sensitive and challenging, considering the level of atrocities committed during the war years. The NCDDR had to contend with latent animosity against ex-combatants from the larger society.

The challenges have been manifested in various forms. For example, ex-combatants used to be constantly reminded about the belligerent days and associated atrocities. This led to occasional outbursts in the communities. This was compounded by the refusal of some ex-combatants to hand over premises to their rightful owners in some major settlements around the country.

There are still a few areas of concentration of ex-combatants in the country, which are receiving the attention of the authorities. These ex-combatants have refused to return to

their homes for various reasons, ranging from fear to shame. Some have actually lost all family and community ties that will support their resettlement into normal society.

NCDDR has employed various strategies alongside the opportunities generated for economic reintegration to provide pertinent information and raise awareness in the larger society about the need for peaceful co-existence with ex-combatants. Radio-discussion programmes, soap operas, live drama performances, TV documentaries, community sensitisation sessions by community-based organisations, press conferences and technical co-ordination committees involving other stakeholders in information and sensitisation have all been utilised for that purpose.

With the re-establishment of central and local authority and control in every District and Chiefdom, some of the problems associated with ex-combatant excesses are being addressed. In the remaining period for the NCDDR, we will work with these structures increasingly to ensure that longer-term solutions are applied to some of their social problems.

As an institution, NCDDR's information and sensitisation activities have also focused on some clearly defined reconciliation and social reintegration issues in the last one year. For example:

a) we have been working closely with implementing partners to curb undercurrent animosity against ex-combatants. Over 100 of the 149 Chiefdoms in Sierra Leone have already been covered by over 44 Community-based organisations and local NGOs in the implementation of various reconciliation projects. Consequently, open animosity towards ex-combatants has been minimised considerably, thereby increasing the possibilities for their social acceptance by community members.

b) NCDDR has also focused on providing support for psycho-social counselling to selected vulnerable groups, schools and communities.

c) We have also promoted and participated in peace and reconciliation activities in all regions of the country in support of peace consolidation. For example, we have provided small grants for Agricultural Shows and Peace Carnivals.

As mentioned earlier, we will continue to address the issues until the end of this transition period. We hope that the work of the Truth and Reconciliation Commission will create an even greater impact by the end of their mandate. Many other organisations and agencies are already engaged in this field, thereby strengthening the peace network.

Conclusion and Recommendations

I would like to conclude this session by reiterating that as a transitional institution mandated to plan, direct and manage the disarmament, demobilisation and reintegration

of all armed factions in Sierra Leone's ten year old conflict, we have largely fulfilled the objectives of Government and the international community. We have done so conscious of the need to sustain the achievement through the promotion of reconciliation and national cohesion and reintegration. Our activities in the remaining months we have will focus on further promotion of this key national desire. We are very hopeful that the work of the TRC will broaden the scope of reconciliation activities and consolidate this national achievement.

In this post-conflict phase, Sierra Leoneans need to do so much to advance national reconciliation, reintegration and cohesion. We would use this opportunity to proffer a few recommendations for consideration by the Commission.

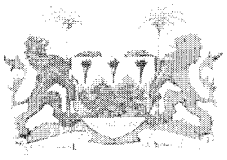
1. Unemployment is growing and many trained ex-combatants are joining the ranks of the jobless, especially in our major towns. Job creation should dominate Government's economic and social policy and action in the next 5 - 10 years. This will demonstrate to the affected population that society cares.

2. The youth factor should now be prominent on the social development agenda. Government has taken one major positive step by establishing a Youth Ministry which has formulated a National Youth Policy. The next step to consider is the creation of some kind of National Youth Scheme that focuses on training and employment of the growing number of disaffected young men and women dropping out of the formal (educational) system.

3. We will repeat this recommendation here: political parties that base their membership on erstwhile armed factions should be encouraged to phase out.

4. Reconciliation work should continue for another year or two. Since May 2001, our peace process has moved relatively fast - perhaps too fast. The following events have occurred during the last one and half years: completion of disarmament and demobilisation and declaration of end of the war, resettlement of displaced populations, national elections (Presidential and Parliamentary). Chieftaincy elections, restructuring and retraining of the National Army and the Police Force, etc. The role of the international community (especially UNAMSIL with a large military force, and the UK) has been very prominent. The international good will may not last forever. We therefore need a longer period for reconciliation among ourselves, on our own. The TRC will be needed well beyond the current lifespan we know, with a focus on Reconciliation.

I will rest my case here. Thank you all!



Government of Sierra Leone National Commission for Social Action (NaCSA)
Formerly the National Commission for Reconstruction, Resettlement and Rehabilitation (NCRRR)

39 Siaka Stevens Street, Freetown - Tel. 226032 / 227692

Website: www.nacsa-sl.org, e-mail: info@nacsa-sl.org, admin@nacsa-sl.org

25th July, 2003

The Executive Secretary
TRC
Block A, Brookfields Hotel Jomo
Kenyatta Road Freetown.

Dear Sir,

SUBMISSION ON: **PROMOTING RECONCILIATION AND NATIONAL REINTEGRATION (INCLUDING REPATRIATIONS)**

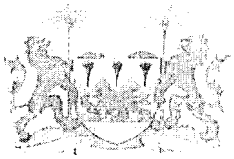
I wish to refer to the above subject matter and hereby submit fifteen copies of the testimony to be presented to the Commission, on behalf of the National Commission for Social Action (NaCSA).

The Commissioner will personally deliver the testimony at the Commission on Monday 4th August, 2003.

Best Regards.

Unisa Sesay
Programme Manager,
Information, Education
and Communication

NnCSA is supported by the World Bank and African Development Bank (AfDB) via the Emergency Recovery Support Fund; UNDP (Support for Resettlement and Rehabilitation Project); Islamic Development Bank (Integrated Rural Development Project); AfDB (SAPA Project) and the government of Sierra Leone.



Government of Sierra Leone

National Commission for Social Action (NaCSA)

Formerly the National Commission for Reconstruction, Resettlement and Rehabilitation (NCRRR)
39 Siaka Stevens Street, Freetown - Tel. 226032 /227692

Website: www.nacsa-sl.org, e-Mail: info@nacsa-sl.org, adminAnacsa-sl.org

THEMATIC HEARI NGS

"Promoting Reconciliation and National integration (including Reparations)"

Su6mitted to

THE TRUTH AND RECONCILIATION COMMISSION

The Commissioner of NaCSA

July 2003

Mr. Chairman, Members of the TRC

I wish to express my personal appreciation and that of the National Commission for Social Action (NaCSA) for being invited to the Truth and Reconciliation Commission to participate in this phase of the process of national reconciliation which will afford me the opportunity to address certain issues which are not only very pertinent to the TRC's mandate, but also have

wider implications for Government. The theme itself,. "Promoting Reconciliation and Reintegration (including Reparations)" is very challenging and I am certain that by the time I finish my testimony I would have been able to unveil the complexities, issues and challenges involved in the process of promoting reconciliation and reintegration. I dare say that these cannot be addressed by any one institution or organization - be it the Government, the United Nations, Multilateral and Bilateral Organizations or NGOs. Rather, it calls for the active participation of all these groups in strong partnerships with communities through-out the country.

Mr. Chairman, I would like to present my testimony within the framework of the mandate of NaCSA, formally NCRRR, which defines the parameters for its activities. Notwithstanding this, I will endeavour, to respond to any other related issues that the Commission would want to raise.

Let me begin with a brief history of NaCSA as background information which I hope will be useful in guiding the discussions that may follow from this presentation. The Commission was established first as a Ministry by His Excellency the President, Alhaji Dr. Ahmad Tejan Kabba upon his election as President of Sierra Leone in 1996. It was then the Ministry of Reconstruction, Resettlement and Rehabilitation (MNRRR), specifically established to lead the new Government's programme in tackling the devastation caused by the war. Unfortunately, just about a year later, its activities were disrupted by the overthrow of the elected Government. After the return of the democratically elected Government from exile in 1998, the MNRRR was transformed into the National Commission for Reconstruction, Resettlement and Rehabilitation (NCRRR) to enable it make quick decisions and reduce bureaucracy, with the following mandate:

- To be responsible, on behalf of government, for the overall planning, programming, coordination, supervision and monitoring of all humanitarian, resettlement, rehabilitation and reconstruction work in consequence of the rebel war;

- To coordinate the activities of all non-governmental organizations engaged in relief, rehabilitation, resettlement and reconstruction work in consequence of the rebel war

- To ensure that the activities of implementing partners, including international agencies and non-governmental organizations, are in conformity with the National Reconstruction, Resettlement and Rehabilitation Programme (NRRRP) of the Government;
- To design an operational and procedural framework that will be credible and flexible enough to facilitate effective collaboration and coordination among Government departments and other partners;
- To establish a separate Financial Management and Procurement Unit (FMPU) to ensure appropriate use of donor resources in a transparent manner for Reconstruction, Resettlement and Rehabilitation;

- To ensure that all implementing partners submit periodic reports of their activities to the Commission.

Following the successful implementation of multi-sectoral sub-projects throughout the country, the NCRRR was transformed into NaCSA in the year 2000, with an expanded mandate to promote community-based and sustainable development activities, leading to the alleviation of poverty and improvement in the speed, quality and impact of development activities, in cooperation with its strategic partners. In practical terms, NaCSA has moved from a largely humanitarian Agency to a Social Fund and is now acting as a bridge between Relief and Development.

The Commission's role in promoting Reconciliation and Reintegration has therefore been pursued essentially through the resettlement of internally Displaced Persons and Refugees, as well as the Reconstruction and Rehabilitation of services, infrastructure and livelihoods in war-affected communities, covering Agriculture, Education, Community infrastructure, Health, Information and Sensitization, Micro-enterprise promotion, and Resettlement and Rehabilitation.
Clearly, the achievement of national reconciliation between victims and perpetrators of the war requires far more than these interventions and it is therefore important to realize that NaCSA is merely laying the foundations to what should be a sustained and comprehensive process. Indeed, in the area of reconciliation and reintegration, one must look at the combined mandates and activities of both NaCSA and NCDDR in order to fully appreciate Government's overall strategy and commitment. Essentially, NCDDR is providing targeted assistance to ex-combatants in order to fulfill Government's obligation under the Lome Peace Agreement and to facilitate their peaceful reintegration into civil society, thereby stabilizing the peace process. In contrast, NaCSA is providing recovery and reintegration support to the civilian element of societies the displaced, returnees, host communities, youths, women and the disabled. Naturally the needs and demands of post-war Sierra Leone are far greater than what NaCSA and NCDDR can provide, and hence Government has sought assistance from our international development partners at every opportunity to contribute to the challenge. NaCSA's role in this awareness and fund raising drive will be highlighted later.

Coordination of Humanitarian Assistance.

An important component of NaCSA's contribution to the reconciliation and reintegration process has been to facilitate the building of partnerships and networks to provide leadership in the coordination of Humanitarian Assistance, resettlement of Displaced Persons (IDPs and Returnees) and the reconciliation and reintegration process. In this, NaCSA has been guided by the basic rights approach enshrined in the constitution and various international instruments - treaties, conventions, laws etc. which the Government has ratified. These legal instruments not only provide a focus to the Commission, but are also critical in providing services, without fear or favour, to any group or category of people in the country.

Throughout its seven-year existence, NaCSA, on behalf of Government, has played the principal role in providing Humanitarian Assistance to the displaced, through the establishment of effective and decentralized coordination mechanisms and structures, fostering partnerships and establishing networks with funding agencies and implementing partners. In terms of coordination, at the center is the National Consultative Forum chaired by myself and to which all the Sectoral and Technical Committees report weekly for approval of policies, procedures, plans etc. Membership includes government line ministries, UN agencies, NGOs, Civil Society representatives etc.
This mechanism and structures are replicated in each Region of the country, even at the height of the crisis, when some Regional and District Headquarter towns were inaccessible to the Government. This arrangement ensured consistency with Government policies, as well as in the delivery of assistance by agencies. In terms of partnerships and networking, pipeline agencies were identified and the country mapped out amongst the agencies to ensure country-wide provision of support. Participatory planning processes like the Consolidated Appeal Process (CAP) and Donor's conferences are also coordinated with input from NaCSA, so as to present a common message to donors and thereby increase the chances for support. This approach ensured adequate humanitarian support to the displaced and other war-affected persons.

The coordination of Humanitarian Assistance has implications for the promotion of reconciliation, for if not managed well, it will sow the seeds of future conflicts. To this end therefore, policies, principles and strategies were carefully thought through to ensure fairness, equity and transparency. NaCSA facilitated the adoption of a Resettlement Strategy by Cabinet which provided the framework, policy guidelines and basic criteria for addressing displacement within the country. In addition to this, other International instruments that aim at protecting displaced persons were reviewed and adapted to the local conditions and in every instance this process was systematic, transparent and very participatory. All Line Ministries, agencies, security forces,

donors, Local leaders were automatically engaged within the coordination structures, according to their competences, whilst the Displaced were active members of the Camp Management and Resettlement Committees. Through these mechanisms, standardized assessments, targeting, packages, rations, minimum standards, responsibilities of Government and agencies etc. were designed and adopted, which formed the basis for monitoring and evaluation of impact.
The significance of this approach for reconciliation can hardly be emphasized in a nation rife with rumour-mongering and where the illiteracy level is very high, thereby limiting access to information in the print media. NaCSA's efforts at coordination have been commended in and out of the country as a model for equity and transparency, as well as providing a forum for ensuring information-sharing and dissemination. By ensuring that principles and policies are adhered to in every camp in the country, regardless of tribe, place of origin or religion, the seeds of future reconciliation within Communities were sown. There were other thematic interventions and initiatives that were undertaken in camps and host communities which are supporting the reconciliation process, namely Peace Building, HIV/AIDS, War Affected Children, Trauma Healing etc. These have yielded good dividends as resettled populations, are by and large living in harmony with their host communities.

Resettlement

The issue of resettlement has been crucial in the Sierra Leonean context. Out of a population of about 5 million, it has been estimated that up to 2 million were displaced - 500,000 as refugees and the rest as IDPs. In order to address the issue of supporting the resettlement process, the same approach of partnership-building and coordination was adopted to allow for the resettlement of about 230,000 IDPs from Camps and another 200,000 from Host communities.

Mr. Chairman, to give you an indication of the complex task that the Commission had at the height of the crises in 1999, there were six camps in the East, four in the North, nine in the Western Area and fourteen in the South. In addition to these, there were IDPs in Host Communities in Mandu, Bo, Yele, Malal Mara, Lokomassama, Mile 91 and its environs, Roruks, Rogbere Junction, Calaba Town etc. The Freetown camps included two camps at Grafton and Aberdeen for Amputees, and War Wounded. I am pleased to report that over a four-phase period -June, 2000 to December, 2002 all the IDPs have been resettled in various parts of the country. The only remaining IDPs to be resettled are about 140 amputees and dependants, and War wounded. In addition, another estimated 135,000 Sierra Leonean Refugees, out of a population of 195,000 in the sub-region have also been resettled in various parts of the country, with support from UNHCR. Again, the standard packages and support are provided so as to prevent conflict between IDPs and Returnees.

As indicated above, the same approach of adherence to principles and policies, to ensure equity and transparency, guided the resettlement process to a successful conclusion. The resettlement packages were standardized for all the regions, displaced beneficiaries in camps and host communities, returnees etc. These include choice of resettlement area, free transportation, medical screening before transportation, a non-food item package which included plastic sheets for erection of temporary shelter and food for two months. District-level security assessments and transparent criteria for declaration of safety of chiefdoms were applied for every district.

Reintegration

As a strategy to reintegrate the displaced and support the recovery of war-affected host communities, NaCSA and its partners adopted a community-based approach to support communities receiving displaced persons. Social services and livelihood systems such as schools, clinics, agricultural seeds and tools, livestock, food for work to support agriculture and roads rehabilitation, were provided to these communities. To further promote reconciliation and

reintegration, access to such opportunities were opened to all community members and not targeted at particular sub-groups, such as ex-combatants, returnees, IDPs etc.

NaCSA is quite aware that it could not undertake these activities alone and so, we not only developed programmes to support the resettlement and reintegration process but also provided direction to donors and partners, participated in fund-raising and embarked on an advocacy role for areas affected by the war. Through the Emergency Recovery Support Fund (ERSF), the Social Action and Poverty Alleviation (SAPA) Project, the Integrated Rural Development Project (IRDP), the Support to Resettlement and Reintegration Project (SRRP), and Labour Intensive Public Works (LIPW) programmes, NaCSA has supported seven hundred and twenty-seven (727) sub-projects throughout the country, which are aimed at the restoration of basic services to communities and reintegration of the displaced and host populations.

Similar community recovery interventions are being undertaken by DFID, the EU, The World Bank, UN Agencies and NGOs. Through its advocacy and fund-raising activities, NaCSA contributed to the donor conference in Paris which yielded significant pledges to Sierra Leone and contributed to raising funds for UNHCR. NaCSA has also recently secured funding from the World Bank, African Development Bank and Islamic Development Bank to support social reintegration and reconciliation over a five-year period. Through all these, NaCSA continues to play a major role in the reintegration process, providing support at community level through the provision of basic services, shelter and the promotion of livelihood systems, job creation and micro-credit. Significantly, the building of social capital will represent an important element of the social fund approach as the delivery of project inputs.

Reparation

Mr. Chairman, **members, Ladies and Gentlemen,** the issue of reparations is enshrined in International instruments to which Sierra Leone is a signatory and which guided the discussions and agreements embodied in the Lome Peace Accord signed between the Government and the RUF on July 7th 1999. These include the declarations and principles of Human Rights adopted by the UN and the OAU, especially the Universal Declaration of Human Rights and the African Charter on Human and People's Rights. Two fundamental principles in these instruments are 1) The Right to Reparation and 2) The Right to an effective Remedy. The former was adopted by the Permanent Court on International Justice (as contained in the Report of the International Law Commission -53rd session April -Aug 2002) which states that "the breach of an international obligation entails the duty to afford reparation" whilst the latter states that "Human Rights violations entail a duty to provide an effective remedy to afford redress to the victims." The African Charter is very explicit that the remedy should be judicial.

It is within this context that the role of NaCSA, then NCRRR, was clearly defined in the Lome Peace Accord. Article XXVIII states that "The Government, through the NCRRR, and with support from the International Community shall provide appropriate financial and technical resources for post war Rehabilitation, Reconstruction and Development". With reparations, on the other hand, the Lome Agreement provided that the Government, with support of the International Community, would design and implement a program for the rehabilitation of war victims, through the establishment of a special fund for the War Victims- see Article XXIV of the Accord. In this, it will be guided by the recommendations of the TRC which will be binding on the Government and the International Community. It is very explicit here that the authors of the article were aware that reparation is a complex issue which should be financed through a different funding mechanism and managed by a separate body with expertise in reparation laws, principles and strategies to ensure that the system is transparent and not abused.

Within it's mandate, NaCSA has successfully mobilized resources for the maintenance of the Human Rights of the displaced to shelter and basic services in camps and during the resettlement process. Community-based support has also been delivered by NaCSA, through Line Ministries, NGOs, CBOs etc to support the reconstruction, rehabilitation and reintegration of resettling communities. These include seeds and tools, Food for Work, Schools, Clinics, Shelter, Micro-credit, etc. NaCSA, on behalf of the Government, was very

instrumental in advocating for special packages for the very vulnerable amputees and War Wounded. In this respect, it was able to access funds from the Norwegian Government for the construction of houses, provision of furniture and a six-month resettlement food ration (instead of two) for amputees that were registered by then. Similarly, it accessed the Bill Clinton Fund for amputees and the disabled, which is currently being implemented through the OMEGA Initiative and utilized to support the rehabilitation of this category of people in communities. Within the new NaCSA programmes, the amputees and other categories of the disabled are also specifically targeted for shelter assistance. As a policy, all community development structures that are dealing with NaCSA should include a proportion of disabled and Women, as Gender sensitivity is also a cornerstone in NaCSA's programmes.

These gains notwithstanding, Mr. Chairman, the issues of reparation and remedy for amputees and other war-wounded persons cannot be limited to the movement of the amputees back to communities, or the provision of food for six months. It involves the adoption of policies and setting up of structures that will deal with the amputees as war victims in the first place, and with disability as a phenomenon within our society, in the second place. It calls for rules of engagement, roles and responsibilities of different stakeholders -Line Ministries, NGOs the Private sector etc. It also entails strategies to identify the target beneficiaries. I am pleased to inform you all that H.E. the President Alhaji Dr. Ahmad Tejan Kabba and his Vice President Hon. Solomon Berewa, both being legally minded, are strongly committed to the need for providing reparations. On all the occasions we have discussed these issues, they have always emphasized the need for the continued engagement of our partners and the government to look into reparations.

At this juncture, let me say a few words on the issue of disparity in the support to victims and perpetrators which is constantly brought to our attention at NaCSA and DDR. The provision of reintegration support packages to ex-combatants was part of the Government's agreement made in Lome in 1999 to encourage the fighting forces to join the peace process. It should not be seen therefore as a reward to ex-combatants, but rather as part of the compromise that was deemed necessary at the time to "buy the peace" and ensure stability of the country during a fragile period.

Unfortunately, limited resources mean that NaCSA **will never be able to provide a similar package for every one of the hundreds of thousands of victims of the war. Hence, NaCSA has focused on targeting community services and community livelihood systems as a way of reaching as many people as possible. However, Government has made stringent efforts to provide targeted support to some of the more visible groups of war-affected victims. Support to the displaced in camps and to their subsequent resettlement has been mentioned. But in addition, 256 amputees and war wounded family heads and** their **1,862 dependants have been resettled and provided with houses costing $4,000/unit, furniture worth Le500, 000, non-food items and a six-month food ration to each family. Whilst these can in no way compensate for the loss of the means of income and dignity (due to the loss of limbs and feet), yet these should be looked at as part of the provision of reparation by the Government and Donors.**

Having said that, NaCSA fully supports the setting up of the War Victims Fund or other funding mechanisms for War Victims such as Lottery or a Safety Net scheme, as soon as possible, to address the needs of the amputees in the short run, and the formulation of a policy on disability which will address most of their concerns in a much more systematic and sustainable way. Other non-financial, but equally important forms of reparation should also be explored.

In summary, Mr. Chairman, the promotion of reconciliation and reintegration in post-war Sierra Leone is a huge challenge. Essentially, it involves giving all of our citizens a stake in society and a stake in a peaceful future, be they combatants, youths, displaced, disabled etc. However, the reintegration challenge can only be achieved

through an integrated national strategy which promotes access to basic human rights, such as food security, shelter, health, education, other social services and economic opportunities and to justice and security. This takes time and resources, but most of all, it will take a new spirit of transparency, equity, and inclusion between Government and the people at national, regional, district, chiefdom and community levels. NaCSA is proud to have made a contribution to this challenge, but is under no illusion as to the scale of the task ahead. However, it is a task that we embrace and a task which must be achieved to ensure a peaceful future for our country.

We continue to count on the support of all stakeholders and partners in identifying new ideas and strategies to fulfill Government's task of caring for the war victims and affected communities. Let me end by acknowledging the very positive role the TRC has played in facilitating national reconciliation. The formation of your Commission has indeed been vital and timely in our peace building efforts through Reconstruction, Resettlement and Rehabilitation.

Mr. Chairman, the sustained development of the peace process is indispensable to the continued well-being of the country and its people, and indeed the sub-region of West Africa.

I thank you for your attention.

TRUTH AND RECONCILIATION COMMISSION

PROMOTING NATIONAL RECONCILIATION AND NATIONAL REINTEGRATION
(Including reparations)

APC PRESENTATION - TUESDAY 5TH **AUGUST 2003**

His Excellency the President, Chairman and Members of the Truth and Reconciliation Commission (TRC), Ladies and Gentlemen:

Our Party, the All Peoples Congress (APC) has been with you at your thematic and institutional hearings since you started Public Sessions on Monday, 5th May 2003. The APC attaches great importance to the work of the Truth and Reconciliation Commission. It is with this in mind that my party has been very cooperative in making submissions and public appearances. This Commission is playing a cardinal role in our efforts to reconcile and unite our war torn nation and every Sierra Leonean must be very thankful to you.

To pursue national unity and reconciliation for the wellbeing of all Sierra Leoneans and sustain our hard earned peace indeed requires reconciliation between all sections of Sierra Leonean society. **The people of Sierra Leone have achieved victory** in war. **Now they want prosperity in peace. We have learnt an instructive lesson as a nation that peace is not an abstract concept.** To **be real, it must be won and worked for.**

The burden of responsibility for the reconstruction of our country and the reconciliation of our people now largely rests with the SLPP Government. It is important for them to stay, focused on this by running the country in a transparent manner and showing genuine commitment to building a democratic society where basic human **rights, justice and equal opportunities are strictly observed. The APC hopes that the SLPP will live up to these expectations. We can assure this Commission, the nation and the international community that the APC will never obstruct any genuine efforts of the SLPP directed at achieving these cherished aims. We shall however, vigorously oppose any actions that in any way attempt to interfere with the democratic rights and freedom of the citizens of this country. For it is precisely the systematic erosion of individual rights and freedom, the inability to administer justice fairly and the biased approach to** development and opportunity that led to the tragic events of the past decade.

Among others, the causes of the RUF war included bad governance, political exclusion, and poor conduct of elections. These are the evils that are to be avoided especially during this crucial period of healing the social and economic wounds that have been inflicted upon us.

What is alarming at this time is that we are now witnessing the same vices of bad governance being practised by the SLPP in a manner approaching callousness. We do not see the efforts at fence mending and removing the seeds of division that initially laid the basis for the tragic war. Instead of progressing towards unity, the SLPP is deliberately widening the divide between the people. In fact it has gone so bad that many civil servants and public employees are afraid to talk to people known to be members, supporters or even sympathisers of the APC. There is a feeling of siege, a culture of fear among those holding positions in the community - a fear that they may, lose their jobs if they are seen associating with anyone who is remotely associated with

the APC. People are locked out of offices, friends avoid socialising with assumed APC friends, employers hesitate to employ anyone with a taint of APC on him or her. Contracts of Government, NaCSA and Parastatal are only awarded to known SLPP supporters. Even temporary holiday jobs for students are given only to those whose names appear on an SLPP supporters' list furnished by the SLPP executive from the relevant college. This is depriving individuals of their basic rights and throwing the policy of equal opportunity into the political dustbin. A growing number of Sierra Leoneans now complain of this highly divisive policy. Such a policy of deprivation can only, lead to frustration, alienation and ultimate bitterness. It cannot sustain lasting peace.

We appeal to the SLPP especially HE the President, to take Positive action in deeds **and words',** to **educate their members that in our young and fragile democracy, the concept of the winner** takes **all is unacceptable.** In **whatever party one finds oneself, they must be accorded the same rights and privileges and share the same duties and obligations.**

Corruption continues to plague our country; much is desired with regard to arrest this malaise. Efforts made so far to fight against corruption have failed. The fight against corruption now needs a new and robust approach. It must be prominent in our agenda to move forward. Democracy, sustainable peace, national development and reconciliation cannot be achieved if corruption is not properly and seriously addressed.

Another precept that must be accepted by all if peace and reconciliation are to be sustained is that sovereignty belongs to the people. This is a cardinal principle of democracy that must be ingrained in the minds of Sierra Leoneans - especially those in authority. Failure to accept this basic tenet of good governance has been one of the major causes of instability in our country, matched only by unbridled corruption. The rigging of elections has become an art in Sierra Leonean politics. We ought to stand by the name of this Commission and speak the truth - all elections from 1967 to 2002 have left much to be desired. Various strange election theories and phrases aimed at rigging have been coined by the fertile imagination of politicians who wished to interfere unfairly with election results and tip the balance in their favour. All of this was carried out with corrupt hand picked political servants of the ruling party that go under the name of a National Electoral Commission. Thus the peoples' will has been thwarted over and over again with the resulting bitterness, anger and frustration. National reconciliation cannot be achieved with an SLPP puppet National Electoral Commission. The APC accepted this Commission's conduct of the May 14, 2002 Parliamentary and Presidential elections in the interest of national peace and reconciliation. We recommend a re-constitution of the National Electoral Commission.

Bad governance has also given the military and rebels a welcome excuse to tread into areas where they have no business. We in the APC recognize that the ballot box is the legitimate medium for change of government and condemn in the strongest terms the intrusion of the military in the governance of the country - whether it was by Hinga Norman in 1967, Valentine Strasser in 1992 or Johnny Paul Koroma in 1997.
But to ensure that these tragic events do not recur, we have to commit ourselves - all of us, of whatever political shade - to the ideal of the sovereignty of the people by holding free, fair and transparent elections at all times. When the people have spoken through the ballot box, we must accept it.

At this point I must caution the government on the pending local government elections which rumour has it that they may be held on a non-party basis. We believe that local government is an excellent forum for developing our young democracy and empowering the people. The word non-partisan smacks of the one-party politics that the APC thankfully dumped into the political dustbin over a decade ago. To avoid dissatisfaction and anger, we suggest that the Local Government Elections are held on a democratic ticket with parties fielding their candidates. If we lose, we will accept it with dignity; if we win, we shall be gracious in victory. But we do not fear to accept the verdict of the people. What we must fear is their anger when they perceive that they are being consistently deprived of their rights.
Further on the question of reconciliation, it would be pertinent to learn some lessons - very pertinent lessons - from former President J.S. Momoh. On attaining power, Momoh demonstrated a good spirit of national unity and reconciliation by inviting a number of SLPP stalwarts who had been in self-exile for a long time. The late Sir Banja Tejan-Sie and Maigore Kallon (former Chairman of the SLPP and Foreign Minister in both the Albert Margai and Kabbah regimes), were personally invited by President Momoh to come home; they were both given a red carpet welcome by the President and given substantial assistance to enable them restart their lives after a long absence from home. Accompanied by the then Second Vice-President Salia Jusu-Sheriff, they were flown in the Presidential helicopter to Bo and Kenema so the people would know that it

was time to heal the wounds of the past. Dr. John Karefa-Smart was likewise accorded the same courtesies. A beneficiary of this symbolic reconciliatory gesture by President Momoh is our present Head of State, President Ahmad Tejan Kabbah. Houses and properties confiscated by the military junta that seized power in 1967 were returned to their respective owners. Paramount Chiefs Komkanda, Alikali Modu and Koblo Pathbana were reinstated and their staffs of office returned to them.

Most importantly, President Momoh reversed an earlier decision by his predecessor and reverted to the original date of April 27th as the National Day instead of April 19th (the day Sierra Leone attained Republican State). On April 27 1987, President Momoh held a State Memorial Service at Sir Milton Margai's grave because he wanted to use that as another symbol of national unity. After all, Sir Milton is the founding father of independent Sierra Leone and it is only fit that he be the symbol of a united Sierra Leone. All the surviving Ministers who served under Sir Milton and Sir Albert and members of the Margai family were invited and they all laid wreaths on the grave. It was a touching moment to see Sierra Leoneans from different parties standing side by side, paying homage to this icon of our nationhood - President Momoh, late G.S. Panda, D.L. Sumner, John Nelson Williams, Chief Sam Margai and former President Siaka Stevens. But sadly, when President Kabbah held a service on April 27 this year at the same spot in memory of Sir Miton, Momoh's laudable example was not followed. Instead of making it a national service, President Kabbah chose to make it only an SLPP affair thus detracting from the unifying symbol of our national hero. We suggest that in furtherance of national reconciliation, future services of this nature could be used to further national unity, not pamper narrow partisan politics.

The saddest thing though is that President Kabbah and the SLPP have now meted the most uncompassionate treatment to former President Momoh who strove so hard to reconcile this nation. The irony is that it was President Momoh who worked selflessly to bring the multi party constitution we now enjoy into being. Lest we forget or anyone detracts from Momoh's efforts at ushering in multi-party politics (as many SLPP die-hards constantly but unsuccessfully try to do) I quote from one of his speeches on his efforts to introduce a multi-party system of government.

In early 1990 while addressing the people of *Kono and Kailahun, I initiated the debate on returning the country to a multi party democracy as long as that was the wish* of *the majority of the people. Without any form of pressure, I drew the nation's attention to the debate that was raging in other parts of the world and to the collapse of Eastern Europe's one party dictatorships. After that statement, the debate became wide open and everyone has had the opportunity* of *freely participating in it*.

Working for, and introducing multi party democracy was Momoh's ultimate effort in trying to bring peace and stability to our nation. This man died frustrated in Guinea, denied of a11 his benefits from the state. President Kabbah and the SLPP government would have made a big leap towards reconciliation if they had rehabilitated President Momoh. For sustained stability, other former Presidents, now and in future, should be treated with the dignity and compassion they deserve. This should have been done not as favour to Momoh, but because it is the right thing to do.

It is pertinent at this stage to note that the SLPP continues to illegally occupy APC properties including the Party's National Headquarters at 39 Siaka Stevens Street and its Multi purpose (We Yone) Building at Old Railway Line, Brookfields. These properties were never the subject of any Judicial Commission of Inquiry but were forcefully seized by the illegal military NPRC Junta. Yet the SLPP continues to endorse a military illegality by unfairly appropriating these properties to their use. This is surely not the golden path to reconciliation that we all want to see. We believe that in the interest of national unity and reconciliation, all properties seized by Comnissions of Inquiry- since 1967 to January 2002 be returned to their owners.

Our party's submission to the TRC stated that the RUF rebel war is the worst tragedy that has befallen this country. We laid bare roles played by international conspirators in fuelling this national tragedy using our diamonds. We believe that the TRC has uncovered the role played by blood diamonds in the conflict and we recommend that various agreements recently entered into for the exploitation of our mineral resources - Diamonds, Gold, Rutile, Bauxite, Iron Ore - be renegotiated in the better interest of the nation and people in the mining areas.

The APC notes with satisfaction that evidence before the TRC underscores the mal-administration of the notorious NPRC junta that carried out many extra-judicial killings and brought mayhem to this nation. We believe it was a mistake on the part of the SLPP to grant amnesty and safe haven to members of the NPRC without holding them to account for the horrible crimes they committed. In some ways, it could be argued that the license the members of the NPRC enjoyed served as a model of aspiration for the subsequent senseless actions of the AFRC junta. The APC recommends that the extra-judicial killings by the NPRC in December 1992 of

former Inspector General of Police James Bambay Kamara, Col. Yayah Kanu and Kawuta Dumbuya and others be thoroughly investigated.

The unfortunate popularisation of the term `collaborator' by the SLPP resulted in the dismissals of many Sierra Leoneans

from their jobs both in the private and public sectors and death by lynching of several of our supporters including Alhaji Musa Kabia, Sheik Mostaba, Sakoma following the restoration of the SLPP government in February 1998. These dismissals and killings represent premeditated vengeance and a sad chapter in our country's history. They remain the biggest blot in President Kabbah's democratic governance and must be investigated and appropriate reparations paid to members of their families.

When President Kabbah, the SLPP and the 1991 Constitution were re-instated in February 1998, the Chief Executive and Commander-in-Chief of the Armed Forces of the Republic misjudged the situation and undertook some unfortunate actions that were detrimental to State Security, Peace and Reconciliation.

- He pitched the mono-ethnic SLPP Kamajor Militia against the Sierra Leone Armed Forces thereby escalating the civil war.

- He announced the disbanding of the regular army thus pushing the soldiers to join forces with the rebels.

o He appointed Chief Hinga Norman as Deputy Minister of Defence being fully aware that Norman was Commander of the Kamajor Militia that was fighting the Army.

o President Kabbah made a statement in Makeni that the North should apologize to the rest of the country because Foday Sankoh, the RUF Leader, has a northern name and is said to have hailed from the North. This unfortunate statement caused great resentment among northerners who saw it not only as a poor effort to disguise the real origins of the RUF but also as a deliberate attempt to create a regional divide and fan ethnic animosity. We hope that now that President Kabbah and the whole country know the truth about who really are the RUF, he will graciously apologise for this unfortunate and annoying statement.

J

When President Kabbah was in Guinea in 1997, he informed the world that all those Sierra Leoneans who stayed behind when he was toppled in a coup were rebels and `collaborators'. Let me ask in all seriousness, did President Kabbah honestly believe that all Sierra Leoneans including Doctors, Teachers, Nurses, Policemen, Soldiers, Electricity Workers and Central Bank Officials should all have abandoned the country and troop after him into Guinea? Worse still, he created further misery for Sierra Leoneans he left behind in Guinea when he returned to Sierra Leone by also labeling them as **rebels.** This **statement prompted the Guinean authorities to unleash unprecedented** violence against **these unfortunate Sierra Leoneans.**

The President's inability to halt rampant corruption in **SLPP governance makes the government** an accomplice to **massive destruction of our national economv. Instead of minizing corruption, it is now a sad reality that corruption** is growing in size and sophistication on a daily basis.

The Sierra Leone Armed Forces, the Police including the State Security Division should always be made to enjoy their constitutional rights and perform their duties. Marginalizing them, depriving them of their privileges, housing the Kamajors at Brookfields Hotel while the army were in dilapidated barracks all amounted to bad judgement, which fueled the crisis.

Even though they were dressed up in fake legality, Sierra Leoneans saw that the 1998 treason trials were unfair, irregular and had no legality. In a desperate effort to exterminate perceived political opponents, an obnoxious Public Notice No. 4 of 9thApril 1998 was hurriedly issued thus amending the criminal Procedure Act of 1965 and effectively denying accused persons of fair hearing. With indecent haste and reckless indifference, the Kabbah SLPP administration killed 24 (twenty four) soldiers - most of them senior officers - after a very poorly conducted court martial of dubious credibility.

The APC appeals to the TRC to address that miscarriage of justice against political opponents in the interest of reconciliation. We would like to see the TRC investigate those court martial trials.

The APC believes that these revenge arrests, trials and executions cannot promote national reconciliation. They are a bad precedent for our fledging democracy.

As a party, we are saddened that the SLPP has not rendered remorse and apology for these executions. The APC appeals to the TRC to recommend that the laws of Treason and Court Martial be scrupulously guarded to avoid abuse and misuse.

My party further appeals for a review of the death penalty in accordance with current international human rights standards of justice.

The strength of the APC lies in the many, infrastructural developments the party undertook all over the country. Our greatest pride and strength are found within the pages of the 1991 Mu1ti-Party Democratic Constitution (Act N0.6 of 1991). This is our gift to Sierra Leone and we appeal to the SLPP to hold sacred this Constitution in the interest of democracy. Bad governance and undemocratic tendencies breed violence and revolt. We urge the SLPP to give Sierra Leoneans democratic governance.

The peace we are currently enjoying is a result of the resolve of all Sierra Leoneans to have peace. The APC congratulates all Sierra Leoneans for accomplishing this feat.

The brutal and inhumane amputations and other atrocities carried out by the RUF and Kamajors have left indelible scars in our society. These amputees are sad reminders that we must always strive to avoid actions in governance that may cause friction and tragedy. In the quest for reconciliation, the APC submits that amputees should be appropriately cared for and adequately compensated.

My party is proud of her record in office and these records are visible all over Sierra Leone. But despite all of our achievements, one has to remember that politics is not saintly and it becomes dirty with greed, impropriety and undemocratic overtures on the part of the players. As we urge our brothers and sisters in the SLPP to play the game according to the rule, we assure them that we shall also be doing the same; for we all owe it to our country, to those who suffered all forms of deprivation and to those who lost their lives or limbs, during this sad conflict. At the same time, we extend to all Sierra Leoneans of whatever political party a hand of friendship, with our hearts emptied of bitterness and hold everyone in a warm embrace of reconciliation.

We have of course made mistakes over the years and to all those who we may have hurt in any way, we say - SORRY. The APC asks for your forgiveness.

Let us all henceforth commit ourselves to the democratic principles enshrined in our Constitution, let us all work together as brothers and sisters trying to achieve the same goal - the progress of our country and the furtherance of the well being of our people. We may express our different views about how to get there but as long as we respect our differences, listen to one another,

hold human rights, justice and individual freedom sacred, fight against corruption, show compassion when in authority, I believe we shall find that harmony to work together and live in peace. In this way, the country will have cooperation, unity and peace and not suspicion, division and instability.
I thank you.

Hon. Ernest Bai Koroma

Leader of the ALL Peoples Congress

And Minority Party Leader of the

Sierra Leone House of Parliament

Revolutionary United Front Party (RUFP)
Lightfoot Boston Street,

Freetown.

January 28 2003.

Rt. Rev. Joseph C. Humper
Chairman - TRC
RSL.

Dear Sir,

We are pleased to have received an invitation of submission from your institution mandated by the GOSL and the terms of the Lome Peace Accord. Not to allow superfluous, concisely we will commence with the wanted materials from the fourth paragraph.

1. The causes of the conflict:

a. Citizens have been marginalized for a longer period

b. The Religious institutions' failure to speak on direct issues to the governed body for corrections.

,

c. The failure of previous governments listening to her citizens

d. The failure of Governments in the past to understand the cry of the masses
e. Rampant corruptions within the circles of governance.

2a. The roles of actors, schools and countries dissecting the facts of actors, institutions and countries, the RUFP would like to embrace countries like Nigeria, Liberia, Gambia, Mali, Togo, Ivory Coast and Ghana. This compliment differs from sending contingents respectively.

Nigeria had been a prey motivator for the peace in Sierra Leone. Factions paid visits to Nigeria for either transparent education to conflict resolutions or practical lectures on confidence building. Despite, Nigeria provided office equipment to the RUFP to encourage the lcadership to come down and disarm for the benefit of the Sierra Leonean masses

Liberia:- Liberia has never benefited from the war in Sierra Leone. She only opened a corridor for the departure of men that were captured during the conflict simply, prisoners of war. Liberia also encouraged fluent meeting of factions to discuss pertinent issues for a way forward.

Togo: Certainly, Togo should be given a medal for accepting the key to the stop doors of men and women in arms. This was a risk. The Lome Peace Accord, which led to the peace in Sierra Leone, should be complemented under the auspices of our beloved state, Togo. Bravo to His Excellency Eyadema.

However, the implementations started too late and the calls have been shun according to the accord.

Mildly, the Trust Fund, the occupations of parties in the conflict in governance, parastatals et all.

The RUFP is also commending the former Malian President, His Excellencey Konare, H.E. Yaya Jammeh of Gambia, Former President of Ghana, H. E. Jerry Rawlings and the Former President of Cote d'Ivoire, H.E. Henry Bedei and also the present Secretary General of the African Union, Mr. Amara Essy for jobs well done for peace in Sierra Leone.

3a. How Can A Repetition Of The Conflict Be Avoided.

Ans.

A) We are to eradicate all factors responsible for the war for a positive directions especially those outlined in the Lome Peace Accord because the accord speaks for all parties involved in the conflict.

B) Victims have positive assistance in the same accord; despite any philanthropist in Sierra Leone and at Diaspora can help these war victims by either establishing an account of mutual understanding or make the children of these victims achieve free educations. NGOs are doing well as per hearings from mass medias.

C) The GOSL should continue assisting these men with good shelters and rations.

D) The GOSL should also encourage the NCDDR to continue the reintegration till most victims can independently survive.

E) The handicaps should also practice play lets, carnivals, etc. for helps.

4. How Perpetrators May Be Reintegrated Into Society That The Nation May Be Healed And Rebuilt.

This question should also allow me answer on a comfortable bed.

a. Perpetrators must face Special Court.

b. **To completely avoid executions because when a doer is executed, he can only vanish the world and is quick to forget him. He can only be remembered when the action is repeated.**

c. To keep perpetrators at homes under governmental surveillance and allow his families to visit him. Visitations will enable the doer to say some facts leading to his arrest when he is at leisure time. Good medications are necessary, free movements give men sound brain.

Sir, the perpetrators should be given the responsibility to take care of what they have destroyed and wounded like victims. Anyone coming with a war should know that wounded must prevail. He has his source of income to uphold the solutions.

We will comply with all calls from TRC.

Long live the TRC

Long live the State and Governance. May God bless our State.

Yours faithfully,

Mr. Jonathan Kposowa
Sec. General - RUFP



SIERRA LEONE GOVERNMENT

STATEMENT

HIS EXCELLENCY THE PRESIDENT ALHAJI DR. AHMAD TEJAN KABBAH

Made Before the Truth and Reconciliation

Commission

Tuesday, 5th August, 2003

OFFICE OF THE PRESIDENT
STATE HOUSE
FREETOWN
SIERRA LEONE

Mr. Chairman and Members of the Commission, I aN delighted to have been invited to make a statement at these public hearings of the Truth and Reconciliation Commission, particularly on the theme "Promoting Reconciliat ion and National Reintegration". In dealing with this theme, I take the view that it will be useful if I put

within its proper historical perspective the situation prevailing in Sierra Leone, which makes the promotion of reconciliation and national reintegration an active and necessary element of State Policy

INTRODUCTION

The peace achieved at the end of the eleven years of war in this country can be sustained only if there is reconciliation among the people and if national reintegration is actively and successfully pursued. Thus reconciliation and national reintegration are necessary ingredients in the peace building process which we need to embark upon in order to avoid the-recurrence of war. Therefore to promote reconciliation and national reintegration we need to understand what were the root causes of the war itself and how those root causes are to be eradicated for good. It is for this reason that I have deemed it necessary to take the Commission back to an appropriate point in the history of this country to narrate the events and elements which, in my view cumulatively gave rise to the war. It is also important to narrate the role played by some of the actors in that war, and how they subscribed to the causes of the war or to the war itself. I will proffer no justification or explanation here for the conduct of any of the actors because there is no justification that can be found for their conduct. My concern here is merely to state the facts that occurred as a matter of history and the role my Government has played and continues to play not only to ensure that peace returns to the country but also to put in place measures to prevent another war, promote reconciliation and national reintegration.

2. Sierra Leone became independent from Britain on the 27t}n April, 1961. At that time and for some years thereafter good governance and the rule of law prevailed. Multi-party Govern inception systematically dismantled those two systems up to a point that not even a shadow of them remained. Thus for a period covering nearly three decades what prevailed in Sierra Leone was a one-party totalitarian form of Government starting as a *de* facto one party government in 1968 until it was formalized by the One Party Constitution of 1978 which remained in force up to 1991. The consequence was the disenchantment of the population with the state and the organs of government, the pervasiveness of bad governance and the total lack of accontability by pu retain their positions. The party in this situation became preoccupied with its own survival and for this reason it would not tolerate any dissent or opposition which it crushed by brutal force. What follows now will give details of what I regar as factors which cumulatively gave rise to the war.

3. Multi-Party political system continued to be practiced in Sierra Leone for some years even after Independence in 1961. After the controversial election of 1967 and the intervening one-year of military rule in 1967/68, the All People's Congress (APC) Party took over the Government from the Sierra Leone People's Party (SLPP) in 1968. By diverse and often questionable constitutional amendments, Sierra Leone was transformed from a monarchical democratic system of Government to a Republic in 1971, with a Ceremonial President, which, within less than 24 hours, was again changed to an Executive Presidential Government. This situation was aggravated by various electoral manipulations at bye-elections following successful election petitions filed by the A.P.C. Party against the SLPP and other devices such as the use of thugs and the rigging of those bye elections. From 1968 Sierra Leone as already mentioned became *a de facto* One Party State. By formalizing the one-party system in the d1978 Constitution the APC Party became the sole political party. The membership of that Party then became a necessary pre-condition for the participation by any person in the political life and indeed in the governance of this country. This was the situation that prevailed up to 1991 when the Government was obliged reluctantly to yield to popular outcry for the return to political pluralism. This resulted in the promulgation of the 1991 Constitution. A number of political parties including the SLPP and the People's Democratic

were registered in that year in readiness for the elections, which were to be held in 1992.

4. It needs to be mentioned here that sometime in 1966, Sir Albert **Margai** who had succeeded Sir Milton Margai as Prime Minister and leader of the SLPP, in 1964 proposed the introduction of a one party system of government. Because of the opposition received from all and sundry especially from the A. P.C. Party to any change from the multi-party democratic system of government, Sir Albert dropped the idea of a one party system and nothing was heard about it it again until in 1978 when that system was formally introduced by the APC Government. By the promulgation of a multi-party Constitution in 199l the APC Party was merely grudgingly making good what it had formally deprived the country of for close to two decades.

b

THE **ALL PEOPLE'S CONGRESS PARTY'S ATTITUDE TO THE 1991 CONSTITUTION AND ITS DESIRE TO RETAIN ITS GRIP ON POWER AT ALL** COSTS

6. **The promulgation of the 1991 multi-party Constitution resulted in the registration of a number of political parties, and with this the A.P.C. Party, which had been in˙office since 1968 felt its position threatened. A number of its previous supporters had reverted to the SLPP to which they originally belonged or had joined the PDP. So much for the state of affairs up to and immediately after 1991.**

6. **The rebel war in neighbouring Liberia had commenced in 1989 with the express objective of removing President Samuel Doe from office in that country. Charles Taylor, who later became President of Liberia had come to Sierra Leone with the view of using this country as a springboard for staging a rebellion against Doe.** The **APC first received him and even encouraged him to do so. This initial encouragement for Charles Taylor, we are told, was as a result of some financial consideration paid by him to the higher echelons of the APC regime. The APC Government then failed to keep to its own part of the bargain.** It **had a change of heart and had Charles Taylor arrested, incarcerated at the Pademba Road Prisons for a while and then expelled from the country. This conduct by the APC regime is a factor that might have provoked the hostility of Charles Taylor and his active participation in the rebel war in Sierra Leone. He is known to have organized and sponsored the initial invasion into Sierra Leone by arming and directing the invaders and his support for them remained active all throughout the rebel war.**

7.There is no attempt here to justify the attitude of Charles Taylor and the stance he took against the people of this country. But a salutary lesson can be learnt from the relationship that was forged between the APC Government then and this man and the transaction or deal that is imputed to have transpired between the two. That lesson is that matters of State should be embarked upon **with greater caution and circumspection and the receipt of personal gain should never determine how important matters of State should be decided. It would have been quite proper for the then APC Government to have declined to allow Charles** Taylor **the use of Sierra Leone territory for hostile activity against a sister count**ry such as Liberia. **But the impropriety lay in first accepting such use and for a consideration, and then reneging on it. This country and its people have paid most dearly and are still paying for such improper conduct of the APC Government.**

8. The rebel war in Sierra Leone commenced in March 1991, and the multi-party Constitution of 1991 became effective in October of that year. With the registration of a number of political parties under that Constitution and with the threat perceived by the APC to its Position which for the first time became assailable and the real prospect of its losing the elections slated for 1992 under that Constitution, the APC Party began devising strategies to guarantee its continued grip on power. Some of those strategies were to wage war against Liberia not for the purpose of staving off the rebel incursion but in order to provide a justification for not holding the scheduled 1992 elections. Other strategies the APC

Party considered adopting were either to use the war then in progress as a pretext for declaring a state of emergency and for establishing an interim government. This would necessarily have resulted in postponing the elections. A reserved strategy which that Party was adept in implementing was, in the event that those elections could not be postponed, to embark on the extensive use of public funds to rig the scheduled elections in its favour. In other words, even though there had been a serious incursion into Sierra Leone's territory, the only preoccupation of the A.P.C. Government was to retain political power. Thus, after October 1991, the APC Party was determined to embark upon any measures, which would result in the elections proposed for 1992 to be postponed indefinitely and thus frustrate the desire of the people for a smooth political change and for a restoration of normal democratic multi-party governance in this country after a dearth of more than two decades.

9. The modalities for giving effect to the scheme hatched by the APC Party were debated at length at one of the high level meetings of that Party held at their Office and under the Chairmanship of the then Inspector-General of Police, the late Mr. Bambay Kamara. '.' quote here verbatim and in extenso excerpts from the Minutes of that meeting which I had since come by:

"Speaker AA: The state of emergency will not solve the problem either, but to declare war against Liberia. Registration of P.D.P. has brought untold confusion in the Party. We have lost most of our thugs to P.D.P. and other Parties. SLPP would have been no threat to A.P.C. They are mild people or Party. PDP has given SLPP minds to face us... -

Speaker BB: Chairman... About the state of emergency, Haja solemnly appeal - to Chairman and A.P.C. to see that it goes through. It will be total destruction to A.P.C. survival if it fails. This is a big test.

Speaker CC: Let us address ourselves seriously to the formation of interim government. You are bound by law to include opposition members in policy-making cabinet. They would want to know how much we have got for the war and how much spent. The country's budget must be known. These are the monies we depend on to rig the elections and to make anything necessary to bring victory. How can we do these effectively if we have these oppositions among us?

Speaker DD: I wholeheartedly agree with the lst Speaker Haja. Indeed we have lost almost all our thugs and supporters to P.D.P. Thaimu knows us better than any of the parties. We have to exercise patience to destroy P.D.P. For SLPP is no threat to A.P.C. in

any form. They cannot stand tensions and thugs.

Speaker EE: APC is at a crucial point since we are not accountable to anybody now. Let us use the war front funds and national funds to persuade Honourable Members to vote in favour of counter motion as Honourable Sankoh is going to withdraw his private motion. We cannot afford to lose any steps now..."

10. I have decided here not to disclose the identity and names of those present at that meeting and the speakers because a number of them are now chastened and are currently engaged in activities beneficial to the governance of this country. No useful purpose will be served by disclosing their identity as this will only cause them embarrassment and possibly the withdrawal by them of their services. But if the Commission is desirous to know the identity of these persons, I am prepared to disclose their names in confidence.

11. I have attempted here to give the Commission an idea of the state of affairs which prevailed in the body politic of this country in the run-up to the proposed elections of 1992, which was aborted by the NPRC coup d'etat of that year. This gives an idea of the level to which the APC Party was prepared to go to satisfy its greed for power and to do so even if it meant

endangering the security of this nation by plunging it into a war not as a defensive measure but for the purpose of retaining power. It also gives a glimpse of the frame of mind and attitude of the then ruling A.P.C. Government not only towards the proposed democratic elections, but more so and naturally towards the junta which ousted them, and towards my Government which succeeded them after the elections of 1996. In other words, my success at the elections of that year was not a matter the A.P.C. Party was willing to accept lightly. From the foregoing it is therefore reasonable to infer that the defeated A.P.C. Party was even prepared to be involved in machinations to cause problems for my government even if this meant creating further chaos in the country. This in fact turned out to be the case. Hence, the obvious hostility shown by that Party to my Government and the refusal of its leadership to accept my invitation to participate in the broad based national government, which I formed after the 1996 elections.

12. I have given this account not with any intention of casting aspersions on the A.P.C. Party, but merely to describe the political situation in this country at the time I became President, and the course of events that followed thereafter some of whose repercussions are still haunting us. To achieve national reconciliation we need to take due cognisance of these events and to prevent their recurring so that the appropriate atmosphere can exist for national reconciliation.

THE SECURITY SITUATION PREVAILING IN SIERRA LEONE BEFORE MY ELECTION AS PRESIDENT

13. The account following will give the Commission an idea of the prevailing precarious security position in the country at the time I first assumed office as President.

(a) Before I became President in March 1996, the RUF had already entrenched themselves in the war for close to five years both in combat and in their international contacts. They then continued to have active support principally from Liberia, Burkina Fasso, and had haven in Ivory Coast.

(b) The Sierra Leone Military Forces were then unwilling and/or unable to confront and engage the RUF in combat. On the contrary, there was clear evidence that their loyalty had been compromised to the extent that the civilian population had lost confidence in them, and because of their perceived collaboration with the rebels, they were nicknamed "sobels". This was a word coined from the words "soldiers" and "rebels" to emphasize the level of collaboration between the soldiers and the rebels.

(c) Because of the long stream of successes in combat by the RUF, their anticipation of actually taking over the Government of the entire country had been heightened. They were therefore vehemently opposed to whatever or whomever they saw as standing in their way to power. It was in this light that they perceived the democratic process that was emerging towards the end of 1995 and the beginning of 1996. Similarly the RUF considered a11 politicians participating in the election process as real enemies attempting to thwart their imminent occupation of the entire country.

MY DECLARED RESOLVE TO RESTORE PEACE TO SIERRA LEONE AND THE OBSTACLES

14. When I became President, I was very conscious of my political, constitutional and perhaps even moral obligation to strive hard and exert every effort to bring an early end to the war. The reasons for this were obvious.

(a) The population had already become war-weary, and in spite of my knowledge of the state of the military and its inability or unwillingness to prosecute the war

against the rebels, I had made the ending of the war my main campaign pledge. I made this pledge in the belief that by negotiations and sound reasoning I would be able to talk the rebels out of their hostile activities against the population, persuade them to enter into negotiations with the view of concluding a peace agreement with them. I reasonably had the belief that if they signed any agreement they would see themselves obliged to abide by their signatures.

(b) I was also convinced that with a civilian government other than the APC in power, the original stated rationale for the RUF taking up arms would have been eliminated and my new civilian government would be able to persuade them to 1ay down their arms. This conviction was based on the fact that the RUF had repeatedly stated that they embarked on armed struggle in order to oust the APC Government from power and to liberate the people of Sierra Leone from the perceived tyranny and corruption of that Government.

(c) On my assumption of office in 1996, I was quite conscious that the military had been for long completely politicized by the previous civilian regime and that by their having been in power for over four years immediately before my election to office the same military had cherished the fact of having political power which they had used mainly to accumulate wealth. I was therefore aware that they would not be inclined to be loyal to my Government in the first place and would also detest to give up power easily and completely. The NPRC military junta clearly demonstrated this attitude by their conduct as they grudgingly yielded to the holding of the elections only after persistent outcry from the civil population and pressure from the international community for the elections to be held. They unsuccessfully mounted and orchestrated a campaign with the slogan "peace before elections" which was another way of perpetuating the junta in office. Through this campaign they even attempted to ingratiate themselves with the RUF by demonstrating to the RUF that the junta was prepared to delay the holding of elections so that it would forge a power sharing arrangement with the RUF, but that the problem was with the political parties as they were pressing for the holding of elections for the purpose of permanently excluding the RUF from participating in the governance of the country. In order to convince the population that "peace before elections" was a viable proposition, and in order to demonstrate to the RUF that the junta was sincere about its desire to bring the rebels into the Government, the NPRC organized a hastily arranged peace meeting with the RUF in Yamoussoukro, Ivory Coast just before the date of the elections and the continuation of the meeting was adjourned to a date after the stated date for the elections.

(d) Again in order to prove its point that elections could not be held successfully before peace was achieved, the junta orchestrated acts of terror and intimidation of the e.ectorate in several parts of the country just before and during the conduct of the elections so as to cow the population down to give up the idea of holding or continuing with the elections. Of course, the prospect held out to the RUF by the military junta that the RUF had better chances of participating in government if the junta remained in office and elections postponed further heightened the expectation of the rebels of actually taking over the entire government, having regard to their successes over the military and the internal weaknesses in the military itself. In spite of all these, and because of the resolve and determination of the population, the elections were held in February/March, 1996 and I became President of Sierra Leone as a result.

MY IMMEDIATE CONCERNS ON ASSUMPTION OF OFFICE AS PRESIDENT

15. On assuming office, I was quite clear in my mind as to what needed to be done immediately:

(a) I was anxious to fulfil my election promise to end the war and to restore peace to this country. This was a near obsession for me not just because it was a political undertaking which I had made but also because I was conscious that the country needed peace, and the population was war weary and was yearning for peace. I knew that the

loyalty of the military or of what remained of it could not be guaranteed to prosecute the war against the rebels successfully; I was determined to bring to an end the long fratricidal war in order to prevent the further killings of Sierra Leoneans by Sierra Leoneans on either side. The only option 1 saw available to me then was to embark on negotiations with the rebels. -This I did immediately after my inauguration. The opportunity for my first meeting with the RUF was afforded by their continued presence in Yamoussoukro, Ivory Coast, waiting for the adjourned meeting with the junta leaders there.

(b) I knew that I had to convince the RUF that in spite of their misgivings, their situation would be better by their agreeing to negotiate peace with me than with the military junta as I was the elected leader and representative of the people of Sierra Leone and therefore the only person with authority to negotiate peace terms then agreeable to the people of Sierra Leone. Of course, the initial reaction of the RUF and their reception of me was hostile as they regarded me as a stumbling block. They thought

I and the other politicians had insisted on the holding of the elections as a deliberate device to frustrate their ambition of participating in the government and eventually their taking over - a prospect which they considered as real if the junta had remained in office and the elections had been postponed under the slogan "peace before elections". In the view of the RUF, my Government would use the Constitution, constitutional arguments and the issues of legality to frustrate their ambition. Therefore, only very grudgingly did they agree with me on an initial shaky cease-fire in anticipation of full-scale peace- talks between them and my Government.

(c) I knew I had to extract from the military or whatever had remained of it some element of loyalty for my Government and a sense of Patriotism. This was necessary because I needed their loyalty and support in any event. I never deceived myself that this was an easily achievable enterprise, but it was an enterprise I had to embark upon. I therefore appointed the leadership of the Army with due diligence and after consultations and advice from appropriate sources.

(d) While pursuing the peace process, I was also aware that the people were anxious not only to have peace but also to begin to realize concrete dividends from the restoration of a democratic government which they had obtained, after much toil and suffering. Therefore, my Government from its inception had pursued the search for peace and at the same time embarked upon measures for the rehabilitation and reconstruction of this **war-torn country and its economy. Because of my relative success with this two-pronged approach, I was able to retain the patience of the population** and **their cooperation and support as they demonstrated at the elections of 2002.**

The Peace Process in Sierra Leone

16. **It will be useful to discuss at this juncture, the process which I refer to here as the Peace Process covering the period April, 1996 to January,** 2002. **This was a most crucial period in the history of this country. It marked the heightened atrocities of the rebels which threatened the very survival of' the nation, the attempts by my Government to bring** an end **to the war, the initial indifference of the international community to the plight and suffering of the people of Sierra Leone until so many lives were lost and property destroyed,** the valiant determination of the people not only to rid themselves of the scourge of the rebel war but to restore their dignity and to determine their own future in a democratic manner and **finally the realization of the international**

The Abidjan Accord 1996

17. As already stated, my Government had just been elected in March, 1996. Just after this, we rushed into negotiations with the RUF. We took this step with the knowledge that the only way of bringing the war to an end was by negotiated

settlement. We were aware of the problem relating to the questionable loyalty of the military to my civilian government that had just succeeded a military regime. I was elected President against the background of the heightened expectation of the RUF of actually taking over the entire country because of the successes they had already achieved in battle. Their manifest hostility to my Government which by insisting on "elections before peace" had caused them a sense of frustration was therefore explicable even though not justifiable. All these weakened the bargaining position of my Government when it entered the Abidjan Peace Talks with the RUF rebels in 1996. However, a Peace Agreement was concluded in spite of the acrimony engendered by the rebels during the negotiations. The key elements in that Agreement worth mentioning here were -

(i) The total and immediate cessation of hostilities;

(ii) The disarmament, demobilization and reintegration of all combatants;

(iii) The disbandment and withdrawal from the country of all mercenaries;

(iv) The provision of an amnesty for the rebels;

(v) The establishment of a Truth and Reconciliation Commission;

(vi) The establishment of a Commission for the Consolidation of the Peace with far reaching responsibilities for ensuring that the peace agreed in that Accord was sustained.

18. The people of Sierra Leone wholeheartedly welcomed the signing of this Agreement and there was nationwide jubilation as they regarded it as the end of their woes and suffering and that it would restore lasting peace to the country. It soon turned out that the people and my Government had in fact been deceived by the RUF. A message from Foday Sankoh to Sam Bockarie alias Maskita which was intercepted by the Government only days after the signing of the Agreement, clearly showed that the RUF did not enter the peace negotiations in good faith and had no desire to abide by the terms of the resulting Peace Agreement. In that message, Foday Sankoh had communicated with his Field Commander, Sam Bockarie, alias Maskita, that he had agreed to participate in the negotiations and to sign the Peace Agreement only as a pretext to relieve himself of the pressure of the international community; that he never intended to abide by its terms. In the same message. he ordered his commanders to resume hostilities even with greater force. Indeed the ceasefire which then prevailed was unilaterally broken by the RUF immediately after the signing of the Agreement, a clear indication that the Abidjan Agreernent was doomed to fail.

19. **Another matter by which Foday** Sankoh **demonstrated his insincerity in relation to the Abidjan Agreement was his refusal on the very day of** the signing of the Agreement to append his signature to a document prepared and signed by me which needed to be mutually signed personally by him and by me to authorize the deployment of 90 UN Peace Keepers in Sierra Leone to monitor the observance of the ceasefire. The signing of that document by both of us was a precondition for such deployment. Sankoh had never agreed to sign that document. Thus, no peacekeepers came to Sierra Leone to observe the maintenance or otherwise of the ceasefire under that Agreement which was violated at will and in every respect by the RUF.

20. **My Government however took measures immediately after the signing of the Abidjan Accord to implement all** the obligations which on its part it had to implement under that Agreement, in particular those it could implement without needing the cooperation of the RUF to do so. Thus, **I proclaimed and caused the granting of an amnesty to all the**

rebels to be gazetted; my Government terminated the contract entered into by the previous military regime with a mercenary South African security outfit, Executive Outcomes. I **myself in principle detest the idea of mercenaries. But in the circumstances which then prevailed and to which I succeeded, the Executive Outcomes was the only credible and dependable military outfit opposing the rebels. It had** held them at bay or at least successfully delayed their overrunning the entire country up to the date of the signing of the Abidjan Accord. There was therefore popular outcry that that outfit was to remain in Sierra Leone at least for a **while. But because of the persistent demand of the RUF that they would sign the Abidjan Accord only if it contained a provision for the termination of the contract of the Executive Outcomes, I yielded to their demand in spite of the popular opposition and the heavy financial consequences that followed** from the wrongful and premature termination of that contract. My Government is still paying the damages which followed from such termination. But my yielding to the demand of the RUF in this respect was dictated by my eagerness to produce an early negotiated settlement of the war and a speedy restoration of peace to enable my new Government to embark on the rehabilitation of the people and the economy, and the reconstruction of the extensively damaged infrastructure of the country and on meaningful development. But alas! The **real motive of the RUF for their demand** for the exit of the Executive Outcomes as it turned out was to facilitate their taking over of the whole country, as with this outfit gone, there remained no credible and dependable military force to oppose and resist their advance.

21. **My Government was also able to persuade the international community to prevail on the RUF to nominate its representatives to the Commission for the Consolidation of the Peace. This Commission, which was to sit in Freetown, was to be made up of** an **equal number of representatives from the RUF and the Government with a rotating Chairman. As Foday Sankoh was still** resident in **Abidjan and had no intention to return to Freetown until the RUF had secured victory, the Commission was charged with the responsibility of reporting to him in Abidjan progress of their deliberations. For this reason, the entire Commission went to Abidjan early in 1997 to meet him. Foday Sankoh refused to see the members of the Commission who waited to see him for a long time. While the members of the Commission were still in Abidjan hoping** to see **him, Foday Sankoh left for Nigeria in March, 1997 where he was arrested for trafficking in arms. After his arrest, Sam Bockari, alias Maskita lured three of the RUF members of the Commission into a trap where they were arrested incarcerated and tortured. They were released only in 1999 after the Lome Peace Agreement was concluded.** By Foday Sankoh's refusal to see the members of the Commission in Abidjan and the subsequent arrest of its members, he had brought an end to the implementation of a very significant provision in the Abidjan Accord and **thus jeopardized the success of that Accord. Again, Foday Sankoh's conduct in relation to the Commission for the Consolidation of Peace is an indication and affirmation of his initial intention as manifested in other respects, namely that he did not enter the negotiations of the Abidjan Agreement in good faith and he never wished that Agreement to succeed.**

22. There were other inherent weaknesses in the Abidjan Accord itself which, on hindsight, I considered as contributing to its failure. These were in addition to the factors external to the Accord and to the real hope of the RUF of taking the entire country because of the military situation which then prevailed. In **the first place, there was** little or no political incentive in the Accord for the RUF to abide by the Abidjan Peace Accord. This contrasts that Accord sharply with the Lome Peace Agreement. Of course, the absence of any power sharing provisions in the Accord was of no great inducement, which to them would have been merely half of the loaf. They already had firmly within their grip, or **at least they thought, more than half of the loaf. The remainder of the loaf was attainable with ease.** Thus **they did not seriously demand or make power sharing or political incentives a pre-condition for signing the Accord.** To **the credit of the RUF however, same attempts were made at making some social demands, for example, free education for all, of course, without consideration to the devastated state** of the **country's economy at the time, all due to them. Secondly, there was also a minimal provision for disarmament,**

demobilization and reintegration without any specific source of funding referred to, which meant that the **average fighter within the RUF's movement was unlikely to receive any form of monetary payment and would hardly be able to show anything for the years of fighting he** had been engaged in. **Thirdly, unlike the Lome Peace Agreement,** the Abidjan Accord did not provide for a definite time scale for the implementation of its provisions except in the case of the Government which had to do certain things within a rigid time period, for example, to abrogate the agreement with the Executive Outcomes within a month of the signing of the Accord. Fourthly, most of the obligations under the Abidjan Accord were imposed on the Government. Besides the obligation to cease hostilities and a few others, the RUF was not required to do anything or anything within a specific time frame.

23. Thus, as a result of the provisions in the Abidjan Accord, while the Government was dismantling its meager remaining security and defence outfit and structures, the RUF was consolidating its own, making further penetration into the country and further strengthening its alliance with the members of the Sierra Leone Military Forces. Existence of this alliance became apparent when the coup d'etat of the 25th May, 1997 occurred. The rapidity with which the makers of that coup invited the RUF to participate with them in the coup and the equal rapidity of the positive response of the RUF to that invitation and their presence in Freetown and other towns which they had not been able to penetrate earlier are all clear manifestations of the existence of such alliance long before the date of the coup.

THE INITIAL INDIFFERENCE OF THE INTERNATIONAL COMMUNITY TO THE PLIGHT OF SIERRA LEONE

24. For some years the war in Sierra Leone was treated as a localized conflict which did not deserve international attention or even indirect intervention. This was the position up to the time I assumed power in 1996. I made several requests for international assistance to strengthen the capacity of the security forces especially in the areas of intelligence gathering and training but to these requests I either received a flat refusal or where there was some positive response, the assistance given was too paltry to make any significant impact-. I give here some instances of the way in which the international community initially reacted to my requests for assistance and the dire need we then had to build up a dependable intelligence network.

(a) After the signing of the Abidjan Accord in 1996 and when it became apparent to me that the RUF was not going to comply with the terms of that Accord, I started thinking of other ideas of beefing up the security of the country. My initial approach was to the Americans to assist us with weapons, as our armoury was empty. The rebuff I had from my request was that the United States Government would not as a matter of policy provide to a third world country aid which might turnout to be lethal.

(b) I then requested the Americans and the British to assist us with the training of our soldiers at the Benguema Training Centre. The response was to send five soldiers, two Americans and three British. The highest rank of them was that of a Sergeant. In the course

of the training at Benguema there was a report of a rebel attack at Kabala. I ordered the deployment of some soldiers who were then being trained by the British and Americans to Kabala to deal with that attack. These soldiers mutinied instead of complying with my orders as their Commander-in-Chief. The reaction of the American and British training team to this situation was to leave the country without even saying goodbye.

(c) A real handicap which my Government faced after the Abidjan Accord which again had adverse effect on the security situation in the country, was not only the

absence of a dependable system of gathering intelligence, but the failure by the security forces to provide my Government with reliable and credible intelligence which would form a proper basis for the Government to make policies or take actions relating to the security of the country. When they gave intelligence reports such reports were full of contradictions, deliberate falsehoods and deceptions, all aimed at misleading my Government into believing that the army, in relation to the conduct of the war, was on top of the situation. Sometimes, I would receive at the same time two intelligence reports about the same situation or incident which were so diametrically opposed to each other that I was unable to act on either of the:ˉn. 1 give here some examples of such contradictory, misleading and false intelligence reports that were furnished to me at the time.

At one time I received an intelligence report that the rebels were preparing an attack on Pujehun and within moments I received another report that the rebels were leaving Pujehun to attack Kailahun. In that situation I would not decide whether I was to order the defence of Pujehun or of Kailahun.

(ii) On a number of occasions the army Chief and his men brought to me information about a successful military campaign by them which resulted in the routing or dislocation of the enemy and seizure of destruction of its logistics including even the killing of known rebel commanders. Such a false account was given to me in relation to a purported attack of government troops on a rebel camp in the provinces. In the report it was alleged that that camp was wholly destroyed, a large number of rebels including their commander, Superman, was killed. A photograph of a charred bed alleged to have been that of Superman was produced to me as proof of the truth of the contents of that report. Superman was one of the most hated of the rebel commanders as he was notorious for his unrelenting propensity to cause mayhem and carnage on the civilian population. As it turned out, the report was wholly untrue. The particular camp was never attacked by Government troops and it remained intact long after the Lome Peace Agreement in 1999. Superman himself remained alive for a long time after that report and he perished only in a brawl that ensued later within the ranks of the rebels themselves.

(iii) In the attempt of the security forces to furnish me with false intelligence reports, I had the experience of listening in the military network to a conversation between two military officers one giving a glowing account of a very successful exploit by the Government troops against the rebels. This conversation became the subject of a Situation Report (Sitrep), which was presented to me in order to give the impression that the military's conduct of the war against the rebels deserved to be commended. It turned out that the contents of that Sitrep did not bear any reality to any event at all, but that the two officers who were in conversation were each in different rooms of State House.

(iv) When I received from members of the public information relating to security matters, the only means I had for checking on the status of such information was to refer it to the existing security outfit for investigation. I had no means of verifying the accuracy of whatever findings on that information that was reported to me.

As a result of this appalling lack of dependable means for me to be furnished with credible and truthful intelligence, I sought from the United Kingdom Government, assistance in this area. My request was turned down on the grounds that to assist an African Government in the area of intelligence would amount to assisting that Government to -entrench itself and to resist any regime change. Because of this latter

rebuff, my Government increasingly turned for assistance in this area and other areas to our ECOWAS neighbours, principally Nigeria, and then Guinea and others.

The military coup of May, 1997

25. On my taking up office as President in 1996 thereby succeeding a military junta, the National Provisional Ruling Council (NPRC) I was bequeathed with a security outfit which had been politicized for years as I have already mentioned and which regarded itself as having loyalty not to the Government of the day but to the only political class which they had known over the years and to which they had related. The one thing the NRPC coup of 1992 did was to bring an end to that political hegemony and to prevent it from perpetuating itself further. But the ill effect of that coup, like all others, was to entrench the military in government in this case for a period of four years. In this situation, even when the leadership of the NPRC appeared to have given up power on the assumption of office of my civilian Government in 1996
there still remained in the military in both senior and junior ranks, elements who had tasted power and what they considered as the perquisites of power. They were not prepared to give these up lightly and become loyal to my civilian Government. These were, for instance, personal bodyguards, drivers and batmen of the NPRC Secretaries of State. Such lackeys, because of the positions occupied by their patrons were able to amass a lot of ill-gotten wealth by their extortion and intimidation of the civilian population who held such soldiers in awe. The fear of their losing their undeserved privileges and of an end of the opportunities they had for amassing more-wealth illegally was one main reason for their unwillingness to accept the changes from a military regime to civilian rule.

26. In addition to their continued active collaboration with the rebels, they attempted a number of coups d'etat, which were foiled. One such coup plot involving an acting Major Johnny Paul Koroma was unearthed early in 1997. In order to produce a thorough and objective investigation into the allegations relating to that plot I requested the Government of Nigeria to assist my Government by the provision of experienced Nigerian investigators. As a result of those investigations Major Johnny Paul Koroma and a number of junior military officers were charged with treason. In this case, even though all the accused persons were military men and therefore liable to be tried by courtmartial, they were all indicted in a civilian court. The trial was in progress when the AFRC coup occurred in May, 1997. The prisons were broken into and the accused persons were released. Major Johnny Paul Koroma became the leader and Chairman of the junta. I and my Government then went into exile in Guinea from where we operated. The entire Sierra Leone populace and the international community totally rejected that coup, refused to cooperate with the junta, and demanded the immediate and unconditional restoration of my civilian government.

27. Because of the refusal of the AFRC (which was now in formal league with the RUF) to relinquish power and the uncompromising insistence of the people of the country and the international community on the restoration of my civilian government, it became necessary for ECOWAS to device an exit strategy for the AFRC. This became the Conakry Peace Plan of November, 1997. By this plan, the AFRC/RUF were to take measures one after another to dismantle their outfit with a view of restoring my Government back in Sierra Leone within six months of the conclusion of the Plan. Of course, the AFRC/ RUF failed to comply and this resulted in the military intervention by ECOMOG in February, 1998, the ousting of that military junta and the eventual restoration of my Government in Freetown.

.

28. It needs to be stated that my Government was not a party to the Conakry Peace Plan of 1997. It only had an observer status at the talks that resulted in that Plan. My

Government did not wish to compromise its constitutional credentials by entering into a dialogue with the AFRC/RUF on the status of that junta on which it did not at all wish to confer even *de* facto legality. Again, the issue of power sharing between my Government and the AFRC/RUF junta or for that matter any other entity appeared for the first time in the Conakry Peace Plan.

The Lome Peace Agreement 1999

29. During the intervention by ECOMOG in February, 1998, a number of the senior cadre of the AFRC/RUF junta and their men escaped arrest and sought refuge in the jungle. There they regrouped in readiness to make a comeback. They intensified their activities predominantly in the diamond mining areas. Thus, they were able to mine diamonds which they exchanged cheaply for weapons with which they armed themselves to the teeth. The concentration of ECOMOG was mainly in the large towns. The AFRC/RUF' were able to move through the jungle into Freetown. It was the invasion of the Capital City of Freetown and the slaughtering of thousands of civilians which, for the first time, awakened genuine international awareness to the plight of the civilian population. That incursion was remarkable because of the speed with which it almost engulfed the city and by the level of the mayhem and destruction which resulted from it.

30. The outcome of that incursion was the dire need for the acceleration of the peace process. In collaboration with ECOWAS, the international community was now willing to intervene, at least diplomatically, and they together with the Government were now determined to find a workable and lasting solution to the rebel menace in this country. This led to the commencement of the dialogue which resulted in the Lome Peace Agreement of 1999. The initial stage for the dialogue was set when I was invited to Lome to sign a Ceasefire Agreement with the RUF Leader, Foday Sankoh in March, 1999. I did this amidst a lot of misgivings from the people of Sierra Leone. From the bitter experience they had had regarding Foday Sankoh's attitude to the Abidjan Peace Accord they on the one hand, preferred an all out war against the rebels and an attainment of peace by their defeat in battle. I on the other, was aware of the handicaps and limitations of the Government to proceed that way. I was also aware of the pending restoration of a democratically elected Government in Nigeria as a result of which the continued stay of the Nigerian contingent in ECOMOG in Sierra Leone, which was by far the largest, could not be guaranteed. Thus I chose the path of dialogue, but this time, careful to avoid the pitfalls and weaknesses in the Abidjan Peace Accord.

31. In my opinion, there is the need to state here why a new Peace Agreement was necessary in order to reactivate the Peace Process; why we did not just resurrect the Abidjan Peace Accord, which after all had never been abrogated. It was even reaffirmed in the Lome Agreement itself. The most important element now was the AFRC factor, which was not present in the Abidjan Peace Accord. There was also the emergence of a new portent force, the Civil Defence Forces to which too recognition had to be given in any new arrangement. Thus, the objective aimed to be achieved by a new peace agreement could not be achieved by merely effecting a patchwork to the Abidjan Peace Accord.

Reasons for the Relative Success of the Lome Peace Agreement 1999

32. Although a number of terms in the Abidjan Peace Accord were imported into the Lome Peace Agreement, there were additional key factors on the ground and in the latter Agreement itself that led to its success.

(a) There was then a robust presence of ECOMOG on the ground which was given a role in the monitoring of the implementation and observance of the terms of the Agreement. ECOMOG, unlike the Sierra Leone army had already demonstrated their ability and willingness to successfully confront the AFRC/RUF.

(b) There were above all else the power sharing provisions in the Lome Agreement. These included Cabinet, Deputy, Ministerial, Ambassadorial positions and Directorships in Parastatals.

(c) There was the appointment of the RUF Leader as Chairman of the newly provided-for Commission for the Management of Strategic Mineral Resources plus status equivalent to Vice-President.

(d) Extensive provisions were made for the payment of all sorts of fees and allowances to the rank and file of the RUF in exchange for their participation in the disarmament, demobilization and reintegration process.

(e) There were numerous provisions in the Agreement itself committing the international community to the funding or assisting in the funding of a number of the activities or institutions established by the Agreement.

33. All these offers and provisions in that Agreement proved too tantalizing for the AFRC/RUF to refuse. It was these new provisions which finally tilted the balance in favour of the peace process. The benefits of all those offers had to be enjoyed in Sierra Leone and they could not be enjoyed by a person still engaged in war against the Government. Thus the disarmament proceeded steadily.

34. Another matter which assisted the implementation of the Lome Peace Agreement was the fact that activities that were provided for in the Agreement had to be performed within stated time periods. Further, that Agreement like the Abidjan Accord, also conferred on the members of the AFRC/RUF a blanket amnesty for all their wrong doings up to the date of the Agreement.

35. To the average Sierra Leonean, the terms of the Lome Agreement were like a bitter pill they were asked to swallow. It was like the **case of the perpetrators being richly rewarded whilst the poor victims received nothing at all and were further required in the name of reconciliation to forgive and forget. Had it not been for the events of May 8, 2000 the members of the AFRC/RUF would most likely still be enjoying the benefits of the provisions of the Lome Peace Agreement. But fortutuously as it turned out, the temptation arose within the ranks of the AFRC/RUF to continuously breach the terms of the Agreement. In the process, they articulated one of the weaknesses inherent in the Agreement which was that in the absence of any provision vis-a-vis accountability and particularly because of the blanket amnesty the attitude of the rank and file of the members of the AFRC/RUF was that they could continue to commit further atrocities without being held to account. We had resisted the persuasion of the international community for the exclusion of war crimes, crimes against humanity and against international humanitarian law from the applicability of the amnesty provision in the Lome Agreement. We did this deliberately. We realized that limiting the operation of the amnesty provisions would give a justification to the AFRC/RUF for refusing to sign that Agreement and for the resumption of hostilities in the country. Thus, we put beyond the ability and outside the jurisdiction of our domestic courts** power **over the prosecution of crimes committed before the signing of the Lome Agreement since the amnesty granted amount to a constitutional bar to any form of prosecution in our domestic courts in respect of the offences amnestied. Further, there was no provision in the Agreement that was to act as a deterrent against the resumption of'hostilities on the part of the AFRC/RUF. This led to numerous occasions of violent acts by individual members of AFRC/RUF particularly in the provinces - all in the belief that those acts**

would go unpunished. Thus, the threat of the AFRC/RUF resuming hostilities was always hanging like the sword of Damocles over the heads of Sierra Leoneans.

36. **Indeed, both the Abidjan Peace Accord and the Lome Peace Agreement provided for a Truth and Reconciliation Commission, and obviously since the Commission would not have powers to punish, the AFRC/RUF willingly agreed to its inclusion in the Agreement. Again even long before the enactment of the legislation for the establishment of the TRC, I had myself embarked upon a nationwide campaign to urge reconciliation and forgiveness as I regarded this as a most important element for the sustenance of the peace. I had also urged my Ministers and other Government officials and functionaries to take advantage of their private or public discussions with members of the public to do the same. When the Truth and Reconciliation Commission Act, 2000 was promulgated, I established a committee comprising some key Ministers and RUF members to tour the provinces together to urge reconciliation and reintegration of ex-combatants in their communities of origin.**

37. But alas! The insincerity of the AFRC/RUF both in negotiating and adhering to the Peace Agreements had been abundantly manifested by the 8th of May, 2000. Although they were anxious to receive and utilize all the benefits and privileges accorded them under the Lome Peace Agreement, they certainly were not interested in the burdens thereunder, nor did they consider themselves bound by that Agreement in so far as it imposed any obligations on them. Unfortunately, they could not and did not avail themselves of the benefits without fulfilling their own obligations since there were no conditions precedent to be fulfilled by them, nor were these benefits tied up reciprocally to any obligations on their part. Rather, most of the Government's obligations were to be performed within the context of a strict time frame regardless of non-performance on the part of the AFRC/RUF. It was therefore inevitable that the harassed, brutalized and dehumanized citizens of Sierra Leone would finally rise against the excesses of the AFRC/RUF which were in flagrant violation of what the people considered as the final peace settlement in the form of the Lome Peace Agreement. The people organized a peaceful demonstration and marched on the residence of Foday Sankoh, the rebel leader, to insist on his observing the terms of the Agreement and to refrain from continuing with activities which obviously threatened the peace, activities such as the continued taking as hostages of UN Peace Keepers and the persistent laying of ambushes on the highways for unsuspecting civilian travellers. His response to this peaceful demonstration was the cold-blooded murder of 21 of the demonstrators.

38. It was as a direct result of the events that led up to and inclusive of the incidence of the 8th May, 2000 that my Government realised the insistence of the international community that there was a need to introduce some form of accountability mechanism and, an avenue for the punishment of the perpetrators of the war crimes and other crimes. The Representative of the U.N. Secretary-General had, during the signing of the Lome Peace Agreement, expressly reserved the right of the international community not to be bound by the amnesty provision in respect of flagrant violations of international humanitarian law and war crimes. This belated realization of my Government resulted in an agreement with the United Nations in January, 2001 for the setting up of the Special Court for Sierra Leone.

The Civil Defence Force

39. At this point I consider it necessary to give a brief account of the Civil Defence Force as this outfit played a very significant role in the peace process. The promotion of reconciliation and national reintegration will be incomplete without their participation and cooperation in the process. At a particular point they were perceived as and became the embodiment of the collective will and determination of the population to resist the combined forces of the RUF rebels, AFRC and all other forces

opposed to the legitimate regime of this country. For this reason it is important to include in this presentation a historical account of the CDF, how this institution evolved, the role it played and its relationship with the military forces.

40. Quite early after the RUF incursion into Sierra Leone in 1991 many able-bodied men volunteered to assist the Sierra Leone army in diverse ways in the prosecution of the war within their localities. Some of this assistance included providing information, guides and porter services in terrains in which they were obviously more familiar with. Some of the much younger volunteers had even become adopted members (so to speak) of some military units as they provided food, shelter and clothing and traveled with them virtually everywhere they went. The more adventurous of the volunteers were even encouraged to carry out more challenging tasks including penetrating behind rebel lines. Sometimes they were given weapons for such missions.

41. Before long, these volunteers, now named vigilantes, increasingly became casualties. Their numbers had increased many times and in most units they almost outnumbered the military personnel. This situation on many occasions interfered or impacted negatively on the performance of the forces as situations later proved. The Vigilantes at a later stage as they became more adventurous and became casualties made a collective request for their lot to be issued with weapons. In response to this request they were issued with MK 4 rifles and a substantial amount of ammunition. This practice heralded the proliferation of arms in the Eastern and Southern Sierra Leone for the most part of 1991 and 1992.

42. Gradually the demands of the Vigilantes increased in types, quantities and quality of the equipment they asked for. In addition to the stores supplied, the Military was to start receiving subsidies to formally provide rations for the Vigilantes. The level of such provisions and rations will be given below. Control of many of the Vigilante groups became very difficult for most units. It was reported then that many of the Vigilantes had been engaged in reprisal killings of their people as they avenged the brutal killings and burning of their family houses by rebels believed to have been aided by rival towns mates. Also reported was collusion between the rebels and some units of the military. This explains the lack of trust by the CDF of the military much later in the conflict.

43. By 1992 when the NPRC overthrew the APC government, perhaps the most organized of the Vigilante groups was the TAMABORO group from Koinadugu District. They were drawn from local hunters in the district and were believed to have supernatural powers, like many other groups that were formed long after. Some of these powers were widely accepted to have been demonstrated in many attacks the Tamaboro group led. Before long, however, the Tamaboro group became disillusioned as they complained they were unfavourably treated as compared to the Vigilantes located with the military forces deployed in the Eastern and Southern Provinces. Twice between 1992 and 1994 the Tamaboros were asked to return their weapons and return home.

44. With the increased demands of the Vigilantes and the need for them to have some formal military training, a few hundreds of them in the Eastern and Southern Provinces were selected and absorbed as Border Guards (BGs) and allocated military-style identification numbers. These Border Guards received their initial training within the units around which they were recruited. At the completion of their training, they were paid monthly allowances. By this time, the Border Guards could use about every type of weapon the soldiers were using.

45. Additional intakes or absorption of the Vigilantes or Border Guards were made and within the first three years of the war their numerical strength had almost equaled that of the regular army. At this point the distrust between the military and the Vigilantes/ Border Guards was mounting. The Vigilantes perceived some of the regular forces as

colluding with the RUF rebels to attack their villages, kill their relations and destroy their properties.

46. By 1992 when the NPRC announced formally that Vigilante groups were to be formed in every locality, there were already many such groupings in many parts in the South and East working closely with the military. As the conflict moved to the North more Vigilante groups were formed in Port Loko, Bombali and Tonkolili Districts. These regional groupings developed later in the GBETHIS and KAPRAS in Temne areas in the North, and Tamaboro (reactivated) in Koinadugu and DONSOS in the Kono District. By far the largest grouping was the KAMAJORS, which drew its membership from the large Vigilante groups already existing in most of the Eastern and Southern Provinces. The Vigilante groups came to be referred to collectively as the Civil Defence Force (CDF).

47. The Kamajors were more cohesive and enjoyed the support of large numbers of sons and daughters both locally and in the Diaspora. Many had rightly assessed and experienced that the greatest destruction of human and material resources had taken place in their own homelands by that time. Other motivating factors included the frustration over the less-than desired efforts demonstrated by the military already perceived to be an extension of the already overthrown APC - hence their invigorating determination to provide their own defence. So, by the time the 1996 elections drew nearer and the established support demonstrated by the potential winning SLPP, the Kamajors and by extension the other CDF elements enjoyed considerable support not limited to their individual base areas. The people had then developed a collective and nationalistic faith in their resolve to take the defence of their country and their livelihood with or without their armed forces. The CDF symbolised that determination.

48. The CDF continued to play significant roles in providing the necessary leverage at critical stages for Government to tilt the scale to its favour - first against the RUF and on many occasions against the combined forces of the RUF and AFRC. For this reason, the CDF became a household name as the people embraced it as the viable option. They provided the leverage at the 1996 elections; they were the vanguard of the ECOMOG-led force that countered the AFRC/RUF junta; they provided the leverage when the RUF misbehaved again and again - notably during the May 8, 2000 problem; they helped to send a clear message to all renegades that the people meant to realize the peace promised by my Presidency sooner rather than later, by the end of 2000. At the end of their voluntary service they gracefully disarmed, demobilized and most have since returned to their respective homes. Those who opted to go through the Military Reintegration Programme and were successful are now proud members of the Republic of Sierra Leone Armed Forces (RSLAF). Others still have been trained or are being trained in preparation for their reintegration into profitable civilian life.

49. It needs to be stated here that the role played by the CDF was at considerable cost to the Government. The numerical strength of the CDF nationwide was, towards the end of the war, given as 8,600 men.

The following expenditure on the CDF excluding cost of arms and ammunition for the Financial Year 2001 gives an idea of the financial burden the Government necessarily carried:

Ration: (rice):	5,160 bags @ Le28,000.00 per bag That is, Le'.44,480,000.00 per month or-Le733,760,000.00 per annum
Condiments:	Le400 per person for 30 days

That is, Le103,200,000.00 per month or-
Le1,238,400,000.00 per annum

Other Expenditures

(transportation, fuel etc.) Le753,418,491.36.00 per annum.

These figures show that the Government's total expenditure on the CDF for the Financial Year 2001 was Le3,725,578,491.36 (Three billion, seven hundred and twenty-five million, five hundred and seventy-eight thousand, four hundred and ninety-one leones and thirty-six cents).

Expenditure on the RSLAF for the Financial Year 2001:

The expenditure on an estimated 15,000 men in the RSLAF in the Financial Year 2001 is given below. Again, these figures exclude salaries and allowances and the cost of arms and ammunition. The expenditure on the RSLAF for the same. period was:

(i) Diets-Rice: 7,000 bags @ Le 29,000.00 per bagLe2,436,000,000.00.

(ii) Cash Ration Condiments: Le600.00 per soldier per day for 30 days-Le279,000,000.00 but government approved, only Le270,000,000.00 per month.

(iii) Standing Monthly Imprest to Joint Support Command for Unclassified expenditure-Le100,000.000.00.

(iv) Medical Imprest-Le50,000,000.00 monthly to Director, Forces Medical services for the procurement of medical items for the Military not provided in the drugs contract.

(v) Imprest for CDS-Le5,000,000.00 monthly.

(vi) Drugs-Le100,000,000.00 monthly.

(vii) Other Hospital equipment-Le2,914,387,692.00 monthly.

(viii) Fuel and Lubricants-Le2,782,978,767.00 monthly.

(ix) Support and Attack Helicopter Contract-Le5,475,387,692.00 per annum. .

(x) Spares for vehicles etc.-Le1,039,357,950.00.

(xi) Building Materials and related expenses for maintenance of military properties and buildings-Le 1,177,825,978.00.

(xii) Stationery, Office equipment and furniture-Le 1,015,476,427.00.

(xiii) Utility Bills-700,880,127.00.

(xiv) Travelling overseas 'L and Intelligence gathering-Le1,552,352,667.00.

(xv). G1098 Stores-Le 119$_9$820,550.00.
(xvi) Payment to Freetown Funeral Service s-Le 17,58 5, 000. 00. (xvii) Rents and Compensations-Le302,669,540.00.

(xviii)Refund to Social Security Fund for Rice-Le922,040,000.00.

(xix)Ferry Crossing-Le 68,799,300.00.

Total expenditure on the RSLAF for the year 2001 was Le25,625,561,690 (twenty-five billion, six hundred and twenty-five million five hundred and sixty-one thousand six hundred and ninety Leones).

50. The logistics support and the disbursement of the funds to the CDF was through their National Civil Coordinator, with whom their administration and supervision lay. The funds were provided direct from the Ministry of Finance through the Ministry of Defence.

51. As President, I did not and could not have interfered in the operations or the internal organization of the CDF as I was not a member of the Society to which all the members of the CDF had to belong and which created a bond among them. My role was confined to ensuring that Government provided the required funds and logistics and to insisting that the membership of the CDF was contented, motivated enough to perform their security roles.

The Special Task Force

52. Another group which I came to know about much later as part of the security units utilized by the military, was the "Special Task Force". I was never briefed about this when I assumed office as President in 1996. I knew about the existence of this unit only on the day of the AFRC coup d'etat. Yet the army without regard for the origin and true motive of the members of this group had used them regularly and depended on them considerably.

53. It is important for this Commission to be told of the role played by this unit in thwarting our peace efforts. It is an instance of the reckless regard with which our national army treated the security of the country.

54. The SPECIAL TASK FORCE was a grouping of mainly Liberian militia personnel who survived the several internal power struggles that characterized the initial coalition force put together to counter Charles Taylor's NPFL forces in Liberia.

55. By late 1990 when the Liberian war had reached the outskirts of Monrovia, the refugee flow into Sierra Leone had reached its highest peak. Among these refugees were a substantial number of remnants of the late President Samuel Doe's Armed Forces of Liberia (AFL) and Liberia Police Force personnel who had fled the fighting. Their common objective was to regroup and return to Liberia to continue their resistance against Charles Taylor's N P F L. This group included a number of influential Liberians who were supporters of the late Samuel Doe's regime. This new alliance was received by the APC, Government and allowed to remain in the country, and a special relationship developed between them and the Government. Gradually and predictably these Liberians requested for support from the Government, initially by way of better accommodation facilities for their leaders and then financial support. When the RUF incursion occurred in Sierra Leone in March, 1991 the then APC Government yielded to their demand to be supplied with weapons which they could use to stave off the Charles Taylor inspired incursion. By this time, they had developed independent ambitions of their own, namely to use the weapons supplied them by the APC Government to invade Liberia and halt the rapid advances of Charles Taylor. Thus instead of utilizing the weapons supplied them in the defence of this country they hid them and always came back demanding more weapons for more military operations, many of which were only stage-managed.

56. Eventually, the unit of Liberian dissidents and refugees in Sierra Leone was named ULIMO with Roosevelt Johnson as their field commander. Again the new structure was fraught with intrigues amongst the various tribal groups notably KHRANS and MADINGOS. A split occurred, Alhaji Koroma spearheaded a splinter group - ULIMO K backed by Madingo financiers based in Kenema (and some key Guinean top officials). The other group holding allegiance to Roosevelt Johnson became the **ULIMO J** faction.

57. When the NPRC Government took over in 1992 ULIMO did not take long to support the overthrow of the APC Government. Efforts by the ousted APC regime to get them to mobilise against the NPRC did not yield much. Again, at that stage ULIMO used the opportunity to acquire more weapons and other logistical support. They joined the new regime as they now saw a better future in the perceived-to-be more youthful NPRC.

58. The NPRC inherited from the APC regime the problem of ULIMO, but it too never settled it or attempted to settle it. All it did was to insist on the dropping of the "J" and "K" from the names of the two factions and to collectively rename them **SPECIAL TASK FORCE** (STF). The Special Task Force was then almost incorporated into the Sierra Leone Army and they received salaries, allowances and their supplies were regularly replenished. The two leaders of the ULIMO K and ULIMO J factions, Alhaji Koroma and General Johnson respectively later became members of the interim Government of Liberia headed by Charles Taylor. Brigadier David Livingston Bropleli eventually became the new head of the Special Task Force.

59. The Special Task Force had its own command line separate from that of the Sierra Leone Army. Their personnel were attached to the army units throughout the country. For many operations, however, the Special Task Force elements in the units were regrouped into one large unit. There was a general understanding that the Special Task Force were experienced in jungle warfare and could match the RUF in the brutal manner in which they handled their troops-and hence their perceived effectiveness in jungle fighting compared to the troops of the Sierra Leone Army.

60. My Government inherited the STF, but I had not known of the existence of this outfit within the security apparatus as no one briefed me about its existence. Incidentally this situation was no different from the military's about my persistent requests to know more about the military itself especially in such crucial matters as the strength of the military. There was no other means by which I could source such information. But as the war was still waging I allowed the status quo to continue while my Government continued to provide funds, rations and other logistics as demanded by the military.

61. I first knew of the existence of the Special Task Force as part of our security apparatus on the 25th May, 1997, the day of the AFRC coup. While I was listening to the military network, I heard the then Chief of Defence Staff of the Sierra Leone military, ordering the Special Task Force to move and engage the disloyal troops so as to foil the incipient coup. Instead of doing this, the Special Task Force moved and joined forces with the AFRC junta and together they overpowered the few remaining loyal troops. Their leader, General Bropleh was compensated by the AFRC junta when he was made adviser to Johnny Paul Koroma and given special privileges.

62. General Bropleh and his STF followers fled together with other AFRC Junta personnel when the ECOMOG-led force removed the junta from Freetown in February, 1998. Together they played an active role in all the attacks that displaced ECOMOG and Government troops in such places as Koidu, Makeni, Kamakwie and Lunsar. They supported the January 6th 1999 attack of Freetown. On the recall of all military personnel in 2000 after the granting of the amnesty in the Lome Peace Agreement 1999, the STF resurfaced with General Bropleh still at the helm of the Force. When this fact came to my knowledge I ordered the expulsion of General Bropleh and his men from Sierra Leone. He made a U-turn and was back in the country. I finally succeeded in getting him out of the country when I insisted with UNHCR that it was their responsibility to secure a safe haven for this man and that his continued stay in Sierra Leone was no longer desirable.

63. This account, I hope, gives the Commission an idea of the precarious security situation which prevailed in the country before and after my assumption of office. That situation did not arise accidentally. It was contrived without due regard for the true security of the people of this country and it was the people who became victims, of the reckless conduct of their Government.

CONCLUSION

64. In **this Statement I have endeavoured to furnish the Commission with an account of the political experience the people of Sierra Leone went through for nearly three decades and how this adversely impacted on the security of this country.** I **have illustrated the consequences which flowed from the conduct of previous Governments when such conduct was not focused on or did not take into account the interest of the people arid the nation which those governments purported to serve. I have shown how a Government which is more preoccupied with its own survival is** bound **to embark on measures which will alienate from it the citizens who do not necessarily subscribe to its views on national issues and thereby exclude them from participation in the governance of the nation. I have further narrated the myriad of state actions which resulted in the destruction of national cohesion and** in the **alienation of the people whom it is now our duty to reconcile and reintegrate. Some of the matters I have narrated here are within my personal knowledge. Some have come to my knowledge from the materials I have come by, as a result of my own researches or from the accounts given to me by persons credible enough to be believed. I am aware that this Commission will be submitting its Report and Recommendations to me in due course for my consideration. Be that as it may, I now wish to bring to the attention of the Commission some of my own views and thoughts on how reconciliation can be promoted in this country and how national reintegration can better be achieved, and the steps and measures my Government has taken so far in this direction. I believe that these will not only prevent a recurrence of the horrible experiences the people of this country have gone through, but will also further promote national cohesion.**

(1) Sierra Leone Governments should always strive to maintain peaceful relations with other countries, especially neighbouring countries. Efforts should be made at giving this country a reputation of a haven of peace where both citizens and non-citizens can live in peace. Instead of embarking on a deliberate policy of fuming conflicts and discord in neighbouring countries, our Governments should strive to make Sierra Leone a Centre for peace talks and peace settlements and the resolution of conflicts between countries and within sister countries.

(2) Government and all opinion formers should lead in the promotion of reconciliation and national reintegration. The effort in this regard should be real and practical. I **have referred in this Statement to the practical steps my Government has** taken **and continues to take in this direction. I have since established the office of reconciliation and national reintegration with the former Vice-President of Sierra Leone as head. His principal role is to visit areas in the country where there may be a concentration of persons who because of their activities during the war are now afraid or reluctant to return to their original localities. His business is to reconcile those persons to their communities and facilitate their reintegration.**

(3) Government should maintain zero tolerance for corruption. Above all, Government should avoid the use of public funds to promote partisan political causes and in order to ensure its stay in power. I have given in this Statement a glaring example of how the APC Party was intent on using public funds to prevent the holding of elections which it was sure to lose. This was an instance of blatant abuse of office and it was bound **to provoke the resentment of the people.**

(4) Government should espouse the observance of human rights by all State Organs. Every citizen should experience fairness and equality of treatment by the State. It

is for this reason that my Government is contemplating the establishment of an effective human rights organization as a successor to the Truth and Reconciliation Commission. It **is hoped that when established that unit will ensure the protection of the rights of the citizens even against the Government. More importantly it would be structured in such a way and given enough capacity to educate the citizens adequately on their rights under** the law **and also their civic obligations. I hold the view that unless the people are aware of their rights and their civic duties, they** cannot **insist on the observance of those rights nor can the Government properly expect them to perform their own civic obligations to the State and their community.**

(5) Any effort whether made overtly or covertly or by any ruse by the government or President to extend its or his stay in office beyond the period provided for in the Constitution should be condemned and criminalized. We have seen in this country how Governments stage-managed demonstrations demanding the continued stay in office of a President irrespective of the Constitutional provision on the matter.

(b) The use of hired thugs to advance any political objective should be proscribed as a threat to the security of the State.

(7) All civil defence organizations shall only operate within the security system of the country. Where such organizations become necessary, they should be an integral part of the security apparatus of the country and subject to its formal command structure.

(8) Government should practise measures which will promote national cohesion. Thus appointments to public offices not made on merit but on the basis of regional, religious or personal affiliations can only militate against the promotion of national cohesion.

(9) I am aware of the cynical attitude of the people generally towards politicians. Because of the record of politicians in this country, the attitude of the people is, with some justification even more cynical. If there is no change in the behaviour of politicians, the people will lose confidence in them. The consequence of this happening will be awful to contemplate. One way to restore the trust and confidence of the people in all those holding political offices is to convince them that they hold such offices for the purpose of serving the population and not for personal enrichment or self aggrandizement. Our catchword as politicians should be service. We need to demonstrate this in a practical way. It is for this reason that I have often described myself as the Chief Servant of the people and required all other public officers to regard themselves as **servants of the people. A practical way of,our illustration of the concept of service and not personal gain is by subjecting our own salaries to the determination by a Commission comprising Civil Society and other prominent citizens, particularly those who have demonstrated the highest level of integrity in private or public life. This of course will require an adjustment of the present Constitutional position. This is to reinforce the point I have made elsewhere, namely, that unless the wealth of the nation is seen as being distributed equitably there is** bound **to grow jealousy and resentment by the governed against the governing class.**

(10) I would insist that political parties should seek the mandate of the electorate in the **form of clear-cut programmes, issues or manifestos presented to them for their choice and not by way of invoking regional, tribal or religious affiliations. Elections won on the basis of such affiliations would be bound to produce a government that will practise nepotism with adverse consequences to he nation. Similarly, I would urge that a culture be inculcated in our politicians for the practice of cooperating on matters which are** in the **national interest. It will not help if the Opposition Parties oppose government measures merely for** the **sake of making political points, and to do so even if in the process they mislead the public or incite them to disaffection against the Government. Both Government and Opposition have equal duty to refrain from conduct or public pronouncements which may tend to damage the image and reputation of the country; both**

have a duty to strive to achieve the best for the people and the country. It **is for this reason that I often** say that **after elections, politics takes the back seat, and government, meaning the pursuing by the organs of the state of what is good for the people, takes the front seat.** Our **contribution to debates on national issues should be objective, frank and truthful and not divisive.**

(11) Members of the public too have a duty to ensure that the Government and all organs of State work properly and in the **public interest. It will be folly for any Government to pretend that it exclusively has the solution to all the problems facing the country. Members of the public who believe they have ideas or proposals which may influence the effective performance by Government of its functions should regard themselves as obliged to air out those ideas or proposals frankly and objectively, failing this, they stand the risk of forfeiting the right to criticize the Government's inaction in respect of those matters.** The **fanciful practice of condemning or blaming government for all ills in society which are within the power of the public to prevent or make good should be avoided.**

(12) In the case of the military, I have already demonstrated that what they lacked was proper motivation and direction, and that they were made to owe loyalty not to the State, but to a particular political party or particular politicians. The politicization of the security forces deprived them of their professionalism and the proper focus on their constitutional role, namely, to guard and secure the State, to participate in national development and to protect and secure the people's achievement. The emphasis of my Government has since been to reverse this situation and to ensure that the security forces are given the motivation and direction needed to enable them to perform their assigned roles effectively and efficiently solely in the national interest and in a manner befitting the present democratic setting. By providing them with proper training, logistics and orientation, their general performance is progressively becoming commendable. Government is determined to even improve upon this. Government also regards it as its duty to care for the welfare of the security forces. In return, they too are required to perform their assigned roles and exhibit professionalism and patriotism in doing so. With this, they will regain the"respect of the entire citizenry. Favourable results are now emerging in this regard and there is marked cordial civilian/ military relationship developing. It is necessary that the depoliticisation of the security forces, and their maintenance of professionalism at all times should be promoted by Government. There is also the emergence of the new esprit de corps among the ranks of the forces. This is a positive trend which should be maintained and encouraged.

With all these, we can sustain the peace.

13. The attitude of workers in the public service and public Enterprises deserves my comment here. It is common knowledge that the average Sierra Leonean worker in the public sector does not exhibit the correct attitude to his work. He generally does not show the desired commitment especially in situations where he realizes only his legitimate income or salary. He engenders interest only when he stands to gain personally over and above his legitimate income. It is for this reason that Sierra Leqnean workers involve themselves in illegal and corrupt practices in their places of work even at the expense of the survival of the organizations for which they work. This attitude accounts for the prevalence of corruption in the public service. The effect of this is not only to demean the character of the worker but also to prevent the organization itself from fulfilling its objectives. In the end the public are not provided with the services which they are entitled to from that organization. Government is blamed for this and there again exists another potential cause for popular discontent. Again, because of the negative attitude of Sierra Leoneans to their work, the nation loses opportunities to build wealth. Without this, better services cannot be provided for the population and the Government would be unable to pay salaries attractive enough to retain competent public officers and engage new ones in the public service. They are lost to the private sector with the result that the nation continues to plod on with unproductive, inefficient arid often corrupt officers.

14. Another matter which needs to be mentioned here is the attitude of the press in Sierra Leone. Indeed the Government fully subscribes to the freedom of the

press. This is an important institution, which enhances the practice of democracy and helps in the promotion of good governance. The hallmark of a democratic society is the existence of a free press with the ability to expose the excesses of the government and of persons in authority. What is objectionable however, about the conduct of certain sections of the Sierra Leone Press is their unwarranted and unjustified attack on the personality and character of individuals. Some journalists do this without regard to the ethics that govern their profession and often for mean and malicious reasons. They write as facts what they know is untrue and without regard to the effect their publications would have on the reputation of those they write about. Such attitude does not promote reconciliation, especially in a country like ours just emerging from war. Another consequence of the practice of such unethical journalism is that it causes a number of persons of known impeccable character and reputation to shy away from public employment for fear that they would expose themselves unnecessarily and unjustifiably to the wrath of the press. A number of individuals of immense competence in particular areas of speciality have, for the same reason, turned down my offers of employment to public positions. In this way the nation has been deprived of the services of such persons. I am in no way against the press exposing for public knowledge, the improper conduct of public officers and the bad character or reputation of an individual proposed for appointment to a public position. This will be a valuable contribution by the press to the good governance of this country. All that is needed is that the publication must be factual, true and objective and devoid of malice or ill motive. Otherwise, the press instead of contributing to the enhancement of democracy would sow the seed of discord among the people.

I thank you for your attention.

28a. Incidentally, before I leave the AFRC, I need to give a brief account of some of the reckless manner in which that regime dealt with the assets of this country. Some of the associates of the junta had no restraint in causing further havoc on the country.

At the request of Mr. Victor Foh, a gentleman, Mr. Michael Hart Jones, purporting to belong to a company named Africa Trade Link Ltd. entered into an arrangement with the AFRC junta whereby the unused mining and mineral reserves of this country were to be used as collateral for a loan that the junta was determined to obtain.

In this connection in a f axed message sent to Mr. Foh, dated 24th September 1997, Mr. Hart-Jones purported to have secured one billion dollars for the project. The project was to involve the Government giving four securities to the tune of $200 million and the mining concessions were to be the collateral. The funds to be raised by this arrangement were alleged to be intended to be utilized partly on the services of the AFRC junta.

The scheme was to be effected as follows:
A company named Commercial African Development Ltd. (CARD) was re-registered in Sierra Leone on the 19th day of December 1997. This Company was made to enter into a joint partnership with the junta and the mining concessions in respect of the richest mining areas in the country were given to the joint venture. Four Bank Guarantees of $50 million each dated 12th November 1997, in favour of CARD for the $200 million secured were then issued by the Governor of the Bank of Sierra Leone and the Minister of Finance, both appointees of the junta.

If the AFRC had not been ousted in February 1998, thereby aborting the scheme, the effect on Sierra Leone and its economy as a result of this arrangement would have been -

(a) Laundered money would have been brought into this country undetected and this would have had serious adverse effect on the economy for a very long time. In the fax message in question, it was made clear that the one billion dollars which was said to have been earmarked to be brought to the country would have been brought stealthily and under cover.

(b) The Bank of Sierra Leone and the Government would have been encumbered with an obligation to discharge the security of $200 million as a result of a scheme that would not have benefited the people and Government of Sierra Leone, and in any case, only members of the junta and their associates like Victor Foh would have been the beneficiaries of that arrangement.

(c) The worst aspect of that scheme was that the richest and most profitable mining areas in this country were given as collateral under that arrangement and those areas were available to be mined without restriction and the proceeds from them taken away without any account given. The areas to be affected were carefully identified and mapped out.

The documents involved in this transaction are available here for the Commission's perusal.

The account of this transaction needs to be brought to the notice of the Commission merely for the purpose of further illustrating the reckless manner in which regimes, which

were unaccountable, schemed to wreck the economy and destroy the mineral assets of this country.

RECOMMENDATION FOR REPARATION FOR ALL WAR AFFECTED AMPUTATED VICTIMS THROUGHOUT THE COUNTRY IN SIERRA LEONE

These include – Aberdeen Camp (Freetown, Western Area), Bo, Kenema, Kailahun, Moyamba, Kabala, Tonkolili and Bonthe.

I Jusu Jarka, as chairman of the War Affected Amputees Association of Sierra Leone, represent the war amputees, and the ear victim s of our country generally. My main purpose here is to demand reparations for the war victims of our just ended war.

For the general public who I speak to from the forum of the Truth and Reconciliation Commission (TRC), it is important that I throw light on what 'reparations' is.

'Reparations' is a sign from the perpetrator of a wrong to the victim of the wrong done that the perpetrator is sorry for what has been done. That sign of saying "sorry' is most often done a tangible way – in money and materials; like with the payment of billions of dollars by the German government to survivors of the Holocaust in Germany during the Second World War. The symbolic and practical act of reparation brings up hope that the perpetrator would not repeat what has been done. Reparations thus is like a bandage, or a medicine to lessen the pain and help heal the pain of the victim. But it is not only the victim who is healed, the entire society would be healed by reparations. The victims of our war are obvious.

There are the hundreds of thousands of people who were brutally murdered by mainly the Revolutionary United Front (RUF) rebels, and the soldiers who changed and became rebels, calling themselves the Armed Forces Revolutionary Council (AFRC). There were women who had their pregnant stomach split opened by small rebel boys. There were babies dumped into drums of boiling palm oil. There were infant girls who were gang raped. There were thousands of houses burnt down. There are people like me, thousands of us, who had their hands and legs chopped off by rebels. There are thousands of others, maybe millions of other Sierra Leoneans whose scars are in their minds. And these scars in the mind could be worse as those of us with chopped off hands. We are the victims of this war. We have received assistance from diverse local and international sources over the past ten years. But by and large, such assistance has been token. In the DDR programme, millions of dollars has been spent in rehabilitating and resettling some of the perpetrators of the war – nothing close has been spent on the victims of the war. I said some of the perpetrators or the war deliberately.

Who are the perpetrators of the mass murder, rape, arson, and amputation of our ten years war? The answer appears obvious? The rebels. RUF, AFRC rebels, SLA, Kamajors. Are they only perpetrators of these nasty and brutal acts on their fellow citizens? No. No.

The perpetrators of our war must include those who created the conditions that led to the war; those who did not change even as the war waged. Principal culprits are the civil servants and the politicians. They destroyed the country. They stole most of the country's money. They continued stealing even as the government could not provide electricity even in Freetown; even as people 'toe-line' for rice and petrol; even as banks could not give people their own money. There are the perpetrators in the judiciary. They perverted justice. Justice was reserved only for the rich and powerful. Within the court system, the poor man became victim by the fact that he his poor. There were the leaders in business; leaders in the medical profession who kept silent as the country was being destroyed. But to my mind, the worst of these unarmed perpetrators are the religious men in our society – the pastors and imams; the bishops; reverends; alhajis.

It is these reverends and imams who told the politicians that God had destined that the politicians rule forever – even as the politicians were destroying everything in the country. It was these religious who kept SILENT as the conditions that led to our war were created.

Even as victims of our war, even as amputees, we continue to experience the exploitation by the rich and powerful of the poor and weak. We continue to see the religious leaders being silent even as amputees were being abused.

I must use this public forum to elaborate on this further. On December 17, the Evangelical Lutheran Church in Sierra Leone (ELCSL) launched the Amputee Welfare and Reintegration Trust in the amputee camp in Aberdeen, Freetown. The then Foreign Minister, Dr. Sama Banya, was present among the dignitaries. The published documents of the ELCSL stated that the amputees would need a minimum of Le. 2 billion every year to meet their basic needs of foods, housing, shelter and education for their children. We had great hope that a church institution like ELCSL would live up to its words.

In February of 2000, we saw a publication in the DEMOCRAT newspaper that the Evangelical Lutheran Church in America (ELCA) had given $100,000 to the Amputee Trust Fund. We are aware that since the formation of the Trust Fund, only two meetings were held in February and March of 2000. in one of those meetings, Rev. Barnett, the President (now Bishop) of the Lutheran Church of Sierra Leone, promised to put in $50,000 into the Trust Fund. He never did. He never called another meeting after March 2000. the Amputee Trust Fund has a Board of Directors.

They are Eric James, well known businessman, Gracie Williams, who was the former Principal of Annie Walsh Memorial School; Alhaji Daramy Rogers, who is a well known businessman based in Bo; Frank Kargbo, a prominent lawyer, who is presently Executive Secretary of the TRC; Rev. Tom Barnett, as President of the Lutheran Church; and Alimamy Koroma, the General Secretary of the Council of Churches of Sierra Leone (CCSL). During the second meeting of the Board, Oswald Hanciles was elected as Liaison to the Amputee Trust Fund. Since 2000, all of these Board Members kept silent even as the Amputees Trust Fund had become inactive. Only Oswald Hanciles, who was then communications Officer of the Lutheran Church had been agitating on behalf of the amputees – for that, Oswald Hanciles was sacked from the Lutheran Church. We the amputees publicly thank Oswald Hanciles for his sacrifice for our cause.

And in this public manner we express our shock at the relative silence of the Board Members (Eric James only wrote a private letter to Rev. Barnett about the Fund). We also express our shock at the SILENCE of the entire Christian Church on the matter regarding the Amputee Trust Fund – which has been written so much about in the local newspapers; and discussed several times on local radio. This coming December 2003 would make it almost FOUR YEARS since the Amputee Welfare and Reintegration Trust was launched. If Rev. Barnett and his Lutheran Church had not taken steps to kill the entire idea, if Rev. Barnett had behaved like a true Christian, the Amputee Trust Fund would have raised millions of dollars by now. In this public manner, on behalf of the amputees, we demand a special reparation fro Rev. Barnett and the Evangelical Lutheran Church in Sierra Leone; we also demand reparation from the Evangelical Lutheran Church in America who have been told over the past three years what the Evangelical Lutheran church in Sierra Leone has been doing concerning the Amputee Trust Fund, but the Lutheran Church in America has kept quiet; we also demand special reparation from all the Lutherans all over the world who should know what their branch has been doing as regards amputees in Sierra Leone. As we demand reparations as war victims, we hope that such deadly silence would end in the future.

As we demand our 'reparations' it is not only because armed men physically brutalised us; it is also because unarmed leaders in our society can rightly be said to be collaborators in our being made victims today. When all of these collaborators help to bring up the cash and materials for our reparations, then this society stands a chance of not repeating its mistakes.

We ask reparations not only from government, but also from Parliament as a body, and individual parliamentarians; from the judiciary; from civil society; from banks and insurance companies; from petroleum companies; from traders; from especially the local and global diamond industry – for it can be said that our war was also a War for Diamonds.

Those close link between reparation on the one hand, and post-conflict reconciliation and democratization on the other hand, and the importance of including a reparation component in transitional justice can be show from difference perspective.

A new post-conflict state like Sierra Leone, which commits itself to upholding the rule of law should guarantee the individual rights of all its citizens. If the state or non state actors are responsible for acts of torture or other human rights violations committed, the Government should immediately show the seriousness of that commitment by lining up to its obligation to provide reparation to the victims (through the special fund for war victims). Honouring this commitment from the very start will shape the new political identity of Sierra Leone especially after the brutal civil war.

> Reconciliation aims to break the cycle of violence and promote peaceful co-existence. In order to achieve this acts of revenge by victims of past oppression should be stopped or, **putting it more positively,victims' legitimate hunger for justice should be accommodated.** This entails public recognition of our status as victims, public recognition of our suffering and the damage we have sustained,and a serious public effort to repair at least symbolically the harm done. It is a crucial instrument in allowing our society to get on with life.

Acknowledging and repairing the suffering of victims is a way of recognizing us, as equals with our human and civic dignity. In order to put on with life individually and to be able to function properly in the new society, each Amputee (victims) needs a renewed self-confidence. For the restoration of his or her psychological health and dignity dignity, reparation not only in its immaterial but also in its materials, financial dimension is an important tool. Moreover, continued preoccupation with our own distress cannot but hinder Our ability to be reconciled with others. The actual psychological impact of receiving reparation can differ greatly between people. For some victims reparation may **MEAN THE END OF A PERSONAL HEALING, PROCESS; FOR OTHERS 'Tr MAY BE JUST THE START OF IT**.

Repatriation gives victims a role in the transitional justice process. Theoretically a political transition like Sierra Leone could limit itself to legal or institutional reforms (of the judiciary and so on) and to sanctioning perpetrators, leaving the victims out of the picture; victims are likely to be better integrated into the transitional process if a repatriation component is included. As a consequence, the confrontation between victims and perpetrators and the issue of reconciliation becomes much more relevant.

- Reparation, is the context of Sierra Leone will acts as a bridge between the past and the future. It combines the backward-locking objective of compensating with the forward-looking objectives of political reform. Thus, it also helps the new state in reconciling itself with its past
- In some countries, reparation functions as a compromise. In some post-conflict societies, systematic criminal prosecution of all those involved in the past oppression may threaten political stability and undermine democratic consolidation. On the other hand, requests by members of the previous regime that the past be simply forgotten are equally **unacceptable**. Reparation, which includes a form of sanctioning and honoring of 'victims' rights, is therefore in itself a useful instrument of comprises.

This is so in Sierra Leone where an amnesty law denies we the amputees the right to institute civic claims against perpetrators: state reparation may counter the effects of the amnesty legislation. Mr. Chairman, other Commissioners in some educational cycle different terms are used to express sometimes identical or similar concepts.

- Reparation
- Restitution
- Compensation
- Rehabilitation
- Satisfaction
- Redress

- Restitution (or re-establishment of the situation which existed before the wrongful act was committed) was the main and preferred form of reparation,and was therefore then considered almost the same with repatriation it remains an important component of reparation as it relates to essential “belongings” such as the return of property, the restoration of liberty and the return to place of residence and the restoration of employment. However, Mr. Chairman, this is the case for us the Amputees because you will never re-establish the situation, which existed before the wrongful act was committed. It is against this background that the sierra Leone Amputee Welfare Association is asking the TRC to be considered in making your final recommendation to the government. Mind you we all see how the perpetrators were treated,

therefore we are saying each amputee in Sierra Leone should receive a life pension scheme that will cover free medical for him/her self and also the immediate family and also to consider the following:

1. **Life person** – i.e the beneficiary should receive and amount of money at the end of every month to take care of his welfare.
2. **Medical facility –** for all War Affected Amputee who have suffered in the past ten years war
3. **Education** – scholarship for our children starting from primary education unto university level.
4. **Feeding** – the provision of food for all victims at the end of every month.
5. **Money** – micro credit should be available to our caretakers/wives to enable them to do petty trading
6. **Employment facilities –** creating employment for victims who are academics with skills .
7. **Identification** – a provision of National ID cards to victims of war to enable them to move freely throughout the country and across international borders and a free customs at the sea port
8. **Shelter assistance** for all war affected amputees in the country
9. And this reparation should be by level of amputation e.g double amputees hands and legs, single amputees hands and legs, finger amputation etc.
10. We need communication as well. In order for us to transact our welfare throughout the universe.
11. We need a Secretariat (an office where we would be recognized by foreign nationals, the government of Sierra Leone, newspapers, etc).
12. We also need reparation from our formal colonial masters, British people/and all those who have dealer's licences for diamonds in Sierra Leone.

We are also requesting the Commission to submit final report to us a guiding principle for future interventions and ensure that all the recommendations are implemented.

Sir, we as victims who have suffered throughout the ten years war in Sierra Leone are appealing to the Truth and Reconciliation Commission (TRC) and the international community to please address our emergency needs, while we await the final recommendations that the (T.R.C-) would make to the Government and. the international community. And these emergency needs are as follows:

Feeding - Provision of food for all amputees throughout the country
Medical Facility - for all amputees who fall as an amputated victims of the war
Education: - Provision of scholarship for our children who's parent fall as victims of war

The war victims must be included as members of the Reparation Implementing Committee.

With all what we have documented, as for reparations, our children are also victims of war. They are to be taken care of. We would continue to make noise and there would be no sustainable peace in this country, until the international community hears us.

A photocopy of this document is going to be circulated throughout the country to all amputees.

Furthermore, all those who owe funds for amputees should be submitted immediately to the TRC: like Rev Tom Barnett who use the fund of the Trust Fund, Sierra Leone Teachers Union, Sallay Gbujama/ Pastor Momodu Koroma etc. The money was donated to the Amputees by Rev Bongay.

We are also requesting the Commission to submit final report to us a guiding principle for future interventions and ensure that all the recommendations, are implemented.

Faithfully submitted on behalf of all the war affected Victims in Sierra Leone. May God heal the wounds of those who lost their loved ones and may Allah grant their souls mercy.

Thank you very much

Alhaji Jusu Jarka
Chairman
Amputee War Affected Association

TO: **The Chairman, TRC**
FREETOWN

THRO: **The Head of Information Unit, TRC**
Mr. OZONNIA OJIELO
FREETOWN

THRO: **The Executive Secretary, TRC**
FREETOWN

FROM: **RTD Captain MOIGBOI MOIGANDE KOSIA (SL 90)**
C/O SAM BASSIE,
No. 8B Wilkinson Road
SOSOLISO SALOON, Cole Farm
FREETOWN

Sir,

APPEAL AND PETITION – REDRESS OF WRONGS
RTD CAPT. MOIGBOI MOIGANDE KOSIA – (SL 90)

I have cause very respectfully to make the following observation known to you. For your information sir, I am a retired combatant commissioned officer from the Sierra Leone Army. I was enlisted into the Army as a boy soldier in 1954 at the age of thirteen and a half years. I graduated from the boys service in 1959, and was absorbed into the men's service. I gained commission in 1965, after 18 months officer cadets training at the Military Academy. In 1966, I was posted to the Training Depot Moa Barracks Daru as a training officer.

Due to a combination of very unfortunate circumstance, I was one of the accused officers in the Court Martial trial of late Brigadier J.A Bangura and 8 (eight) others in 1971. After the trial, I was honourably acquitted and discharged. However, I was still in Pademba Prisons when (4) out of the eight (8) convicted officers namely Brigadier J.A Bangura, Major F.M Jawara, Major S.E Momoh and Lt JBS Kolugbonda were executed.

After my release from Pademba Road Prisons, through the sympathetic and fatherly intervention of late PRESIDENT SIAKA STEVENS, i was re-instated into the Army with my full rank against the wishes of some senior officers who were against me, and I assumed normal duties at MOA BARRACKS DARU. The President assured me that I could serve the Army as long as I wished.

In 1973, one week to the commencement of the General ELECTIONS, I was unceremoniously and hastily transferred from Daru to Freetown. No reason was given at the time for my unexpected transfer. Whilst in Freetown, two (2) days to the commencement of the general ELECTIONS, I was unexpectedly and prematurely retired from the Army. My retirement letter was handed over to me by Rtd. MAJOR GENERAL J.S. GOTTOR, by then a Major and adjutant of the 1st Battalion, Wilberforce Barracks, Freetown. No reason was given or stated in the letter for my retirement, I was only told to proceed on Terminal Leave with immediate effect. The letter was signed by A.B. Toronka, approved by J.S. Momoh, then Brigadier and Force Commander RSLMF.

I wish to stat that my retirement had nothing to do with any indiscipline, misconduct or misdemeanor on my part, but a staged managed political WITCH HUNT directed at officers and other ranks in the army from the EAST and SOUTHERN REGIONS of Sierra Leone. Officers and other ranks from these regions suspected to be SLPP sympathizers at that time were shortlisted and retired prematurely, quarterly on 24 hours notice from the army to give room to the Northern and Western officers and men. From 1968 onwards, soldiers were wrongly recruited into the army, all APC thugs were issued with cards for enlistment into the army. The usual procedure for recruiting was discarded by the APC.

There was so much bitterness in the Army engendered against people and different factions, Regional and Tribal. It was wide spread in the Army. All efforts by me to reach Momoh to find out reasons for my untimely retirement proved abortive. It was my wish to make the Army a life long career. I was never resettled or given any alternate employment, but left to roam the streets of Freetown for several months in search of employment. Wherever I went, I was asked to produce my APC membership card or a letter of recommendation from senior APC Ministers. I wrote a letter of petition to late President SP Stevens, wherein I raised quite a number of issues for his fatherly and sympathetic intervention for redress of wrong.

Through the assistance of a soldier by the name of Sergeant Kulufa Turay, a personal security and body guard assigned to Dr. S.P. Stevens at the time, my petition reached its desired destination. I was granted audience with Dr. Stevens in the presence of J.S. Momoh, who told the late President that prior to the 1973 General Elections, I was canvassing openly for the SLPP against the APC in my home Pendembu and the chiefdoms in Kailahun District. I was accused of training mercenaries from Ghana during an Advance Field firing exercise for recruits in Sulima. This was as standing operation exercise laid down for recruits after their basic training in Daru. The story was false, fabricated, concocted and unfounded by Momoh, Toronka and E.G.O. Caulker just to tarnish my image and character. That particular exercise was approved by Army headquatres in Freetown. That statement made by Momoh annoyed the president and my desire and intention to have made the Army a life long career was sealed. I was not given an opportunity to explain myself.

I was abandoned, rejected and neglected by my former colleagues especially the senior military officers with strong APC political connections, affiliations and inclinations. For many years, I was roaming the streets of Freetown office to office in search of employment but to no avail. Even though I was out of the Army, I represented everything J.S. Momoh, Toronka and others hated. I was always among the 1st three arrested and detained on three consecutive occasions by the CID in 1974, 1985 by the CID under false arrest without charge. My struggling has been too long and my suffering too great. I have suffered much and have given more to this party (SLPP). J. S. Momoh and others altered my life and my entire family forever.

The facts of my bitter and harsh past under APC rule to find true democracy will never be adequately completely narrated on paper. I have sacrificed my life for the very democracy we are enjoying now. Something must be done sir, to heal the pains of my neglected past. My present deplorable state need urgent attention from the present government.

The aforementioned are few of the fundamental root causes, accumulated errors, INJUSTICE, VICTIMIZATION, SEGREGATION, TRIBALISM, etc, to name a few for you to understand the history, causes and other aspects relating to the commencement of the conflict or birth of rebel war in Sierra Leone.

Sir, it is better to live with the PAINFUL TRUTH than to WALLOW in the false security of COMFORTABLE LIE.

I feel safe in submitting myself affirmatively to the TRC calls. I assure you of my whole hearted and solid support, this including my continued EYE-WITNESS ACCOUNTS.

May God Almighty grant you strength, success and guidance in all your undertakings and may HIS WILL be done for the CRY or the TRUTH to prevail.

I pray as in duty bound, for GOD's Grace, GOD's Guidance and Protection, GOD's Blessings as you continue to grapple with and discharge the onerous duties of office.