



PERMANENT MISSION OF THE REPUBLIC OF
SIERRA LEONE TO THE UNITED NATIONS

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EXECUTIVE SUMMARY

**TRUTH & RECONCILIATION COMMISSION'S
REPORT**

SIERRA LEONE

October 2004

Executive Summary

This Executive Summary provides a cursory overview of the Report and its principal areas of analysis, as listed in paragraph 5, below. Substantive detail is contained in the chapters that follow. It is particularly important to read the Executive Summary in conjunction with the Findings and the Recommendations. The Commission hopes those who read the Executive Summary will take the time also to read the rest of the Report. Only by so doing can a comprehensive understanding be obtained of one of the terrible human tragedies that unfolded in the last decade of the twentieth century.

• Introduction

1. On 23 March 1991, armed conflict broke out in Sierra Leone – a tiny country on the coast of West Africa made up of just 4.5 million people – when forces crossed the border from Liberia into the town of Bomaru near the eastern frontier. An organization styling itself the Revolutionary United Front (RUF) took credit for the incursion with the declared objective being to overthrow the corrupt and tyrannical government of Joseph Saidu Momoh and the All People's Congress (APC) which had ruled Sierra Leone since 1968.
2. The events that day were little more than a skirmish, but they heralded the beginning of a decade of violence that devastated the country. As the civil conflict exploded into appalling brutality unleashed upon civilians, the world recoiled in horror as stories of the tactics used by the RUF, its allies and opponents emerged - stories of indiscriminate amputations, abductions of women and children, recruitment of children as combatants, rape, sexual slavery, cannibalism, gratuitous killings, and wanton destruction of villages and towns. This was a war measured not so much in battles and confrontations between combatants but essentially in attacks upon civilian populations. Its awesome climax was the destruction of much of Freetown in January 1999.
3. The war finally shuddered to a negotiated conclusion, reached at Lomé, the capital of neighbouring Togo, in July 1999. Although the fighting did not end entirely with the Lomé Peace Agreement, it began a process that brought a fragile peace to the country. The subsequent presence of a robust United Nations peacekeeping force, the United Nations Mission in Sierra Leone (UNAMSIL), did much to ensure conflict would not be renewed and the components of a lasting peace, notably disarmament and demobilisation, would be effected.
4. Article XXVI of the Lomé Peace Agreement mandated the establishment of a Truth and Reconciliation Commission. The remit of the Sierra Leone Truth and

Reconciliation Commission (TRC or Commission) is set out in several provisions of the enabling legislation, adopted in 2000 by the Parliament of Sierra Leone. According to section 6.1 of the Act:

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

5. In response to its mandate and in order to create an impartial and historical record, the Commission examined various aspects of the conflict:
 - the historical antecedents and other preceding events;
 - its causes, with a particular focus on issues of governance;
 - the conflict itself, including military and political events, its nature, the role of external actors, and circumstances that fuelled it, such as mineral resources;
 - its impact on various groups, particularly on women, children, and youths;
 - the relationship between the TRC and the Special Court for Sierra Leone; and,
 - the efforts made to help Sierra Leone reconcile with its past, including the proposed reparations programme and the National Vision for Sierra Leone.

6. In drawing its conclusions and preparing its Report, the Commission took into account the testimony provided by victims, witnesses, and perpetrators at its hearings and during an initial statement-taking phase; the investigation and research conducted by the Commission's staff; and, the statistical analysis deriving from the Commission's database of violations committed during the conflict in Sierra Leone.

HISTORICAL ANTECEDENTS TO THE CONFLICT

7. How did a peace-loving nation become engulfed, seemingly overnight, in horror? What are the underlying events that occurred in the history of this country, which made this conflict possible? Responses have varied from 'bad governance', 'the history of the post-colonial period in Sierra Leone' to the roles of 'Liberia and its former president Charles Taylor'¹ and 'Libya'. The international community initially dismissed the war as just another example of tribal conflict in Africa, another failed state imploding in the context of environmental degradation and acute economic crisis².

¹ A Liberian warlord said in a BBC interview in 1990 that 'Sierra Leone will taste the bitterness of war' because the country had joined the West African Intervention Force (ECOMOG) which attacked his bases in Liberia.

² See Kaplan R., 'The coming Anarchy,' Atlantic Monthly, February 1994. Also see Clapham C., 'Sierra Leone: The Global-Local Politics of State Collapse and Attempted Reconstruction,' Failed States Conference, Florence, 10-14 April 2001.

8. Fulfilling the terms of its mandate to “compile a clear picture of the past” (Section 1 of the Lomé Peace Agreement, as explained in the Memorandum of Objects and Reasons for the Act) required the Commission to go beyond the temporal jurisdiction set out in the Act (‘the beginning of the conflict’ - 23rd March 1991 – to ‘the signing of the Lomé Peace Agreement’ – 7 July 1999). A meaningful understanding of the conflict required an analysis of the historical antecedents of the war, most notably the structural conditions that laid its foundations, as well as placing the conflict within its historical context.
9. Accordingly, the Commission examined the history of the country from the colonial period through to the outbreak of hostilities. It identified fault lines and other key moments which offer an explanation for what happened and which can be regarded as warning signs or missed opportunities. Had the political elite of the country responded to them responsibly, the trajectory of Sierra Leone’s history might have been radically different.
10. Central to this examination was the nature and extent of the social and political interaction among the various groups that make up Sierra Leone, which shaped perceptions amongst them. These perceptions, in turn, provided the biggest challenge to the concept of nationhood and citizenship. They undermined a sense of national identity needed to build a nation out of disparate groups that came together to fight colonialism.
11. The Commission identified four periods in the formation of the Sierra Leonean state crucial to understanding the conflict and certain challenges facing Sierra Leone today:
 - The Colony and the Protectorate. The Colonial government was responsible for creating two nations (one in the Protectorate and another in the Colony) in the same land and developing them separately and unequally as well as two legal systems that persist today (it formalized the common law yet neglected the development of customary law). The impact of these and other policies and practices (including those relating to issues of citizenship, ownership of land, land tenure rights and conflict of laws) were far reaching and affected access to education, social, political and economic development. Their impact bred deep ethnic and regional resentment and destabilized the traditional system of Chieftaincy.
 - The Era of Party Politics. Party politics provided the greatest challenge to national cohesion and identity. With hindsight, the euphoria and apparent perceptions of unity in the decade preceding the post-colonial period

appear to have been artificial. When stresses tore at the fabric of the nation in the post-colonial years, the ruling elite demonstrated that it was still hostage to ethnic sentiments and other vested interests entrenched during this period.

- The Sierra Leone People's Party (SLPP). The 1962 elections were characterized by ethnic and regional differences which impacted upon the judiciary and the military as well as upon other institutions of government. The first post-colonial government, that of the SLPP, polarised public opinion in the country and laid the foundation for military involvement in politics. This had terrible but foreseeable consequences on the unity of the young state and served to deepen existing cleavages.
- The 1967 Elections. These elections, marked by ethnic politics and used by the political elite to sustain its privileges, were a turning point in the political fortunes of the country and ultimately led to the destruction of the multi-party system established in 1961. The crisis in Sierra Leonean politics deepened when a standoff developed between the SLPP and the All Peoples Congress (APC). This was followed by a military coup which served to narrow the political space, compelling some sections of the public to begin exploring alternatives to power other than through free and fair elections, and set the scene for the coups that were to follow.

12. Against this background of emerging and ever-exacerbating ethnic and class tensions, the Commission examined the period in power of the All Peoples Congress (APC). Its stifling of a nascent democratic culture and the consequent economic decay and political fragmentation made the onset of war in 1991 inevitable. The APC's corruption, nepotism and the plunder of state assets became standard government practice operating, as did the system of power, through patronage and exclusionary politics. These practices were replicated at regional and local levels. Chieftaincies, created by the colonial government and politicised by successive post-colonial governments, became an increasing source of local resentment.
13. Sadly, neither the SLPP nor the APC made genuine efforts to deal with the systemic failure and dysfunction in the politics and economy of the country. While they claimed to be ideologically different, in reality the politics of the two parties was all about power and the benefits it conferred. Tragically these characteristics persist today in Sierra Leone.

14. All in all, it became difficult for Sierra Leoneans to distinguish the differences between the political parties. While the government changed hands from one political party to another, many of the faces remained the same. The popular adage about government in Sierra Leone was that Sierra Leoneans board 'a different bus, but with the same driver.' Ordinary people in Sierra Leone lost faith in government and the political process. The deep sense of despair about the political elites led to a massive brain drain from Sierra Leone which deepened the political and economic crisis even further.

GOVERNANCE

15. It has been argued by both national and international observers that the civil war in Sierra Leone was largely the result of dysfunctional governance and institutional processes in the country.³ Political actors failed to sustain the state's capacity to meet such critical challenges as the security, livelihood and participation in decision making of the overwhelming majority of Sierra Leoneans. The Commission shares the view that the failure of governance provided a context conducive for the interplay of poverty, marginalisation, greed and grievance that caused and sustained the civil war. The Commission hopes its examination of issues of governance – by identifying past distortions in governance, evaluating the sufficiency or adequacy of current remedies, and making recommendations to fill the gaps – will enhance efforts towards national recovery, stability, and reconciliation.
16. Proper governance include laws, institutions, due process and humane practices that lead to such desired ends as security, justice, enhanced livelihoods, and participation. The perception of citizens adduced during the Commission's hearings show Sierra Leoneans yearn for a system of governance that upholds the rule of law over the rule of strong patrons; one that protects the people from the abuse of rulers through a system of checks and balances made possible by the effective operation of such institutions of horizontal and vertical accountability as the judiciary, the auditor general's office, the electoral commission, the media and civil society.
17. The Commission's analysis looked at the post-colonial governments' records on separation of powers, decentralization, political participation, independence of the judiciary, the rule of law and the existence and effective operation of oversight bodies and institutions of horizontal and vertical accountability. It analysed approximations or deviations from good governance at two levels. First, the Commission reviewed fundamental country documents (such as the

³See UNDP Submission to the TRC on the causes of the conflict, May 7, 2003 p7-11. See also Mrs. Creighton Randall, Campaign for Good Governance, Submission to the Commission, May 5, 2003 p1-3. See also Submission to the Commission by UNAMSIL, March 1, 2003 p2-5.

Constitution, laws and regulations) to assess whether they guaranteed 'indicators' of proper governance, such as separation of powers, decentralization, and political processes. Second, it assessed these indicators in the actual operations of government institutions.

18. The Commission concluded that all the post-colonial regimes contributed in creating the structural and proximate contexts that led to the conflict in 1991. The duality of the country's administrative and judicial structures created manipulative possibilities utilized by the various regimes of Sir Milton Margai, Sir Albert Margai, and Dr Siaka Stevens. The provincial areas were the first to fall victim to practices that undermined the rule of law and participatory governance. For instance, institutions and other processes in the provinces were manipulated to entrench the authority of the traditional elites (chiefs) allied to the party in power and to stall opposition activities. The continual assault on the rule of law weakened the capacities of state institutions to perform: the judiciary could not deliver justice, Parliament could not ensure accountability, the civil service could not deliver services, and the army and police became vectors of violence against the people they were established to protect. Non-state bodies that ensure accountability – the media and civil society – were undermined. Opposition political parties were suppressed and then banned by the One Party Constitution of 1978.
19. Against this backdrop, Sierra Leoneans became increasingly convinced that the structures of governance could only be changed through violence. Although President Momoh's regime tried to decelerate the decline through the promulgation of the economic state of emergency and a multi-party constitution, the measures were dictatorially managed and abused. The measures were 'too little, too late' and failed to arrest the economic and political decline or to avert the armed conflict that began in 1991.
20. Today, proper governance still remains an urgent challenge in Sierra Leone. Corruption remains rampant and there is still no culture of tolerance in political discourse. Many ex combatants testified that the conditions giving rise to the conflict persist in the country and, if given the opportunity, they would fight again. Yet, distressingly, the Commission did not perceive any sense of urgency among public officials to respond to the myriad challenges facing the country. Indeed, the perception within civil society and the donor community is that all efforts at designing and implementing meaningful intervention programmes such as the National Recovery Strategy, the Poverty Reduction Strategy Paper or the Vision 2025 programme are donor driven. This is lamentable.

21. Government must be accountable and the institutions that monitor and oversee government activity need to be strengthened and capacitated. The Government needs to promote a culture of tolerance to encourage Sierra Leoneans that indeed the war is behind them and the country is laying the building blocks for a strong democratic order. The executive needs to demonstrate ownership, leadership and determination in developing and implementing goals, indicators and effective programmatic interventions. Only then will the boundless energies of Sierra Leoneans be released for economic and social transformation and Sierra Leone freed from the tragedy unleashed in March 1991.

MILITARY AND POLITICAL HISTORY

22. The Commission recounts the story of the decade-long conflict by charting key events and dynamics in the military and political spheres. A description of the factors that led to the outbreak of hostilities is followed by a detailed accounting of the conflict itself, divided into three distinct 'phases': Phase I (Conventional 'Target' Warfare: 1991-93), covering the conventional warfare period of the conflict; Phase II ('Guerrilla' Warfare: 1994-97), reviewing the guerrilla warfare period until the 25 May 1997 coup; and, Phase III (Power Struggles and Peace Efforts: 1997-2000), describing the alliance between the AFRC and the RUF, the peace agreements, the resumption on hostilities and the final end of the conflict. Although each 'phase' had a slightly different character, each shared one devastating characteristic: gross violations of human rights and international humanitarian law by all warring factions.
23. In the pre-conflict stage, the innumerable failings in governance caused Sierra Leonean activists to seek alternative outlets for expression of their dissent and dissatisfaction with the one-party system. In the late 1980s, a small group of would-be revolutionaries formed a nascent programme for change, which included the idea of undertaking 'self-defence' training in Libya. The original 'revolutionary' programme never materialised in the form it was intended to take. It was supplanted by a deviant, militant agenda spearheaded by Foday Sankoh, who elicited support from foreign contacts, notably Charles Taylor, and conceived a plan to organise and lead an armed insurgency into Sierra Leone. Sankoh assembled and trained in Liberia a force comprising 385 commandos, who became the vanguards of the Revolutionary United Front (RUF). Taylor authorised nearly 2,000 of his own men from the National Patriotic Front of Liberia (NPFL) to become 'Special Forces' and operate jointly with the RUF in Sierra Leone. Shortly after dawn on 23 March 1991, a band of fighters from

Taylor's NPFL attacked the town of Bomaru, Kailahun District. It sparked a conflict that was unprecedented in its intensity, nature and characteristics.

24. Phases I and II outlines the role of the Sierra Leone Army (SLA) and the APC Government's failure to properly supply it at the outset of the conflict; the April 1992 coup establishing the National Provisional Ruling Council (NPRC); the tactics of the various actors (including the trademark RUF 'false flag' attacks in which they were dressed in full SLA military uniforms); the breakdown in trust between the civilian population and the SLA; the 'Palace Coup' and the role of Julius Maada Bio in securing the transition from NPRC military rule to democratic elections in 1996; the new Sierra Leone People's Party (SLPP) Government headed by President Ahmad Tejan Kabbah; the cease-fire, the Abidjan Peace Talks in 1996 and the miscalculations made therein; the SLPP Government endorsement of the Civil Defence Forces (CDF) as an arm of the state security apparatus; as well as the role in the CDF of the Kamajors (militiamen of the Mende tribe from the South and East of the country) and the impact of their psychological and physical torturous initiation ceremonies.
25. Phase III reviews the May 1997 coup and the appointment as Head of State of Major Johnny Paul Koroma; the large-scale shift in allegiance away from the SLA towards a 'new' fighting force known as the Armed Forces Revolutionary Council (AFRC); the military and political alliance between the AFRC and the RUF resulting in the 'People's Army' with its brutal and systematic violations of human rights; the efforts of President Kabbah's War Council in Exile in Guinea to mobilise a military force led by Deputy Minister of Defence Chief Samuel Hinga Norman to oppose the AFRC military junta; the February 1998 forceful intervention to restore the exiled SLPP Government led by West African 'peacekeeping' troops under the banner of ECOMOG; the four-year State of Public Emergency declared by the reinstated SLPP government and the illegal acts carried out by private and public actors on the premise of pursuing 'justice'; the impact on the ongoing conflict of the execution of the 24 SLA soldiers in contravention of international human rights standards; the January 1999 devastation of Freetown by the AFRC-led attackers; and the Lomé Peace Agreement of 7 July 1999, which was cast as a military (the disarmament of combatants) and political solution (the implementation of a political power-sharing arrangement) to the conflict; the AFRC's perceived marginalisation resulting from its inadequate representation at the Lomé talks; the failure of all parties to the Lomé Peace Agreement to fully comply with its terms; and, the particular role of the RUF combatant cadre in breaching the cease-fire, their outward contempt for the ethos of the peace process and their unjustifiable hostage taking of several hundred UNAMSIL peacekeepers.

26. Phase III and the chapter on military and political history closes with a description of the decisive enforcement actions by the state security apparatus against the RUF in May 2000 through the so-called 'Peace Task Force', a force of armed vigilantes tasked to raid, arrest and detain members of the RUF. As part of its analysis, the Commission notes that many of those arrested in May 2000 remain in detention today. In the Commission's view, this ongoing detention is tantamount to a continuation of the conflict itself, is corrosive to the prospect of national reconciliation and is evidence of the continuing struggle for justice in Sierra Leone.

NATURE OF THE CONFLICT

27. In analysing the nature of the conflict, the Commission examined various factors including: the violations themselves; their characteristics and patterns; the victims of the conflict; evidence of targeting; the profiles of the perpetrators; and, the general trends underlying the conflict. The Commission examined sixteen specific types or categories of violation, although the scope of analysis for each of these was broad. For example, acts of rape were considered in the context of abduction, sexual slavery, during attacks on villages, and as part of encounters at checkpoints or in the bush.
28. Some violations were discussed separately (such as amputations and forced displacement) while others were divided into three violation categories: 1) violations perpetrated in the context of abduction and outside abduction, 2) mistreatment violations and 3) economic violations. The violations discussed include: amputation; forced cannibalism; abduction; mistreatment violations (forced labour, assault, physical torture, and rape); arbitrary detention; economic violations (looting and extortion); forced displacement; killing; and, cannibalism among others.
29. From the Commission's review emerged the devastating impact of the nature of the conflict. Most notably, it had a destructive impact on families and communities, people's belief systems and cultural heritages. Faith and community meeting spaces and institutions were destroyed and desecrated as people were forced to commit sacrilege against religious and community symbols. Certain groups were targeted (such as property owners, chiefs, figures of traditional authority, representatives of government institutions, etc.) for revenge, economic appropriation, and because of their ethnicity.
30. The link between the conflict and ethnicity lies in the use of ethnicity by local leaders against perceived opponents or groups. Because of their ethnicity, people of Northern origin were targeted in the Southern and Eastern regions

during the war. The Kamajors targeted victims from such ethnic groups as the Temne, Koranko, Loko, Limba, and Yalunka. There were other cases of targeting in the conflict as well, such as the RUF targeting the Lebanese, Fullahs, Mandigos, Nigerians and Marrakas.

31. Understanding the violations committed during the war requires understanding those who perpetrated them. The Revolutionary United Front (RUF) was behind the majority of violations and abuses committed during the conflict. The RUF pioneered the concept of forced recruitment in the conflict (including of child combatants) and bears overwhelming responsibility for the widespread use of drugs by its combatants.
32. While most of the violations were attributed to the RUF, other significant perpetrators include the AFRC and the CDF. They committed violations that included amputations, abduction, forced labour, assault, physical torture, and rape. The second highest perpetrator of violations and abuses was the AFRC, most notably committing atrocities on a massive scale in the Northern region and in Kailahun. The AFRC also demonstrated a specialisation in amputations in the period from 1998 to 1999.
33. Of the various groups that comprised the CDF, the Kamajors received the most scrutiny by the Commission as they were responsible for largest number of violations committed by the CDF after 1996. Forced cannibalism is attributed only to the Kamajors. A defining characteristic of the CDF is the initiation ceremony, described by many witnesses before the Commission as entailing gross abuses and violations of human rights.
34. Perhaps most notably, the Commission found certain characteristics and tendencies spanned across all factions in the conflict. There existed an astonishing factional fluidity among the different militias and armed groups. Overtly and covertly, gradually and suddenly, fighters switched sides or established new units on a scale unprecedented in any other conflict. Another common feature was the almost identical composition of the ground forces: impressionable, disgruntled young men eager for an opportunity to assert themselves, either to ensure that no harm was done to their own people, to fight against perceived injustice, or for personal and group aggrandizement.

MINERAL RESOURCES, THEIR USE AND IMPACT ON THE CONFLICT AND THE COUNTRY

35. The management of state resources is central to the quality of governance in any country. This is particularly the case in Sierra Leone. Despite its huge mineral resources (primarily, extensive alluvial and kimberlite diamond deposits, bauxite, rutile, iron and gold), Sierra Leone has remained one of the poorest countries in the world.⁴ Because Sierra Leone's economy depends essentially on revenues from its mineral resources, it was important to examine how the mineral resources were used by successive governments, how they may have contributed to the war and the extent to which combat groups exploited mineral resources to sustain and replenish their activities.
36. There is a widely held belief in the Western World that the conflict in Sierra Leone was initiated and perpetuated because of diamonds, the country's most important mineral resource. According to this version, the RUF (backed by Charles Taylor and the NPFL) initiated an armed rebellion in Sierra Leone to gain control of the diamond resources. In the years following the initial attack, the proceeds from the diamond trade enabled the RUF to finance its war effort through the purchase of weapons abroad.
37. In the Commission's view, this version of the conflict is simplistic. It fails to capture numerous complexities, the reasons for the failure of the state in Sierra Leone, and the role minerals played prior to and during the conflict. It also does not reflect what unfolded on the ground in Sierra Leone. There were many causes of the conflict and reasons for the involvement of Liberian and other foreign actors. Although it is true the RUF partly financed its war effort through diamond trafficking, diamonds did not represent significant revenues for the movement before 1997.
38. Simply put, diamonds were both indirect causes of the war in Sierra Leone and fuelling elements. As indirect causes, the misapplication of the diamond resources in a country with a single-product economy (diamonds) created huge disparities in the socio-economic conditions of people. While the elite and their business cohorts in the diamond industry lived in grandeur and affluence, poor people in the communities rued how the collective common wealth had been appropriated by a few in the name of the many.

⁴It ranked last on the UNDP Human Development Index for 2002.

⁵See Kandeh, J. Political Economy of Democratisation. Unpublished manuscript, p. 3.

39. From the outset of the post-colonial period, the state and its resources were for the plunder and aggrandisement of those in power, without any form of real development or accountability. Political power became a means to economic wealth and the predatory accumulation of the political elite led to the appropriation of state offices and resources for personal gain. This led to their functional contraction as they could no longer provide services to the people.⁶ In no time, questions began to be asked by the people as to the role and mission of the new political elite.
40. Successive post-colonial governments of Sierra Leone mismanaged the diamond industry and placed its effective control in the hands of outsiders in a way that has not benefited the Sierra Leone economy. An entrenched culture of diamond smuggling by key members of the political elite exists, as do appalling labour conditions in mining operations with children today still being used as miners.
41. In the conflict, diamonds were highly coveted because they yielded tremendous revenues, which enabled armed factions to procure arms and ammunition. Possession of arms conferred power as the parties could control large areas of the country, which could be further exploited for economic purposes. The desire to capture more territory for exploitation subsequently became the motivating factor for the armed groups and some of the local commanders, thus triggering further conflict in those parts of the country, and fuelling conflict in areas already engulfed by it.
42. The international diamond industry was largely indifferent to the origin of 'conflict diamonds', even when reports of atrocities relating to the conflict in Sierra Leone were widely disseminated in the global media. This indifference promoted the trade in illicit conflict diamonds and thereby encouraged the prolongation of the conflict.
43. Although the government of Sierra Leone has recently made progress at tackling diamond smuggling, largely due to the introduction of the new international Kimberley Certification Process (KCP), smuggling is far from eradicated. The KCP has two major weaknesses: there is no global monitoring of each country member's own certification system and countries with no diamond resources have been accepted as members.

EXTERNAL ACTORS

44. Although the armed conflict was not a war imposed from outside, it did receive substantial support from external actors. There were essentially two main parties

⁶ Kandeh J. political economy of democratisation unpublished manuscript page 3

to the conflict in Sierra Leone, the government and the Revolutionary United Front (RUF). All the factions that took part in the conflict were affiliated to one of these two entities, each of which received external support during the course of the war.

45. External support to either the government or to the RUF came from countries, non-state actors such as private security groups, regional organizations, and international organizations. Countries that provided external support included Libya, Liberia, Guinea, Burkina Faso, Nigeria, Cote d'Ivoire, and the United Kingdom. Mercenary groups involved in the conflict included private security forces, such as the Ghurkas Security Group, Sandline, and Executive Outcomes. ULIMO (United Liberation Movement), a group of Liberians living in refugee camps and in other parts of Sierra Leone who were organized into a fighting force to fight alongside the government, was also involved. There were various international organizations lending humanitarian and other assistance throughout the war, including the International Committee of the Red Cross (ICRC) whose actions were not without controversy. Finally, international organizations also intervened in the conflict, primarily ECOWAS and the United Nations.
46. The involvement of the United Nations can be traced back to 1994, when it sent an exploratory mission to Sierra Leone in December 1994. However, the presence of a UN Special Envoy in Sierra Leone did not stop the RUF's terror campaign. In July 1998, the UN Security Council established the UN Observer Mission to Sierra Leone to monitor the security situation and to advise on the disarmament and demobilization of former combatants. The Mission never achieved full strength and is remembered more for its lack of impact. On 22 October 1999, the UN Security Council authorized the establishment of the UN Mission in Sierra Leone (UNAMSIL) whose robust mandate contributed significantly to the return of peace following the Lomé Peace Agreement.

WOMEN

47. Women and girls became the targets in the brutal conflict in Sierra Leone. They suffered abductions and exploitation at the hands of their perpetrators. Their vulnerability was deliberately exploited in order to dehumanise them. Women and girls were raped, forced into sexual slavery and endured other acts of sexual violence, including mutilations, torture and a host of other cruel and inhumane acts. They were taken from their homes and villages by force. Refusal often met with death. For those fortunate enough to escape, displacement followed either in exile or camps inside or outside the country. They were not safe even in these

camps as humanitarian workers meant to protect them also violated their rights. Women and girls were compelled to barter their bodies in order to survive and access aid to which they were rightfully entitled. Girls as young as 12 were forced to pay for aid with sex in order to gain assistance for their families.

48. The Commission was enjoined by statute to give special attention to the needs of women and girls particularly in regard to sexual violence. Why was so much violence perpetrated against women? Did the origins lie in the cultural and traditional history of Sierra Leone? Did the fact that women enjoyed such a lowly status in the socio-political life make them easy targets? Is it because men perceived women to be mere chattels symbolizing their honour that made them the deliberate target of an enemy determined to destroy the honour of the other?
49. In seeking answers, the Commission reviewed the role of women in the armed conflict, recognizing that women often took on the role of perpetrator and/ or collaborator usually out of conviction and/ or the need to survive. It also assessed the impact of the conflict on women, notions of honour and the breakdown of the traditional extended African family structures and social fabric; the extent to which women's issues were addressed by disarmament, demobilization and reintegration efforts; their access to education and the impact of the practice of early and forced marriages on the education of girls; and, areas in which women suffer discrimination (both under common and customary laws), including marriage, divorce, inheritance, property rights, domestic violence and political participation. Overall, it captures the gendered experiences of women and girls at a political, legal, health and social welfare level. The significant role women played in peacemaking was noted as well as the fact they are beginning to play a bigger role in the public life of Sierra Leone.
50. The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Civil Defense Forces (CDF), the Armed Forces Ruling Council (AFRC), the Westside boys and the Sierra Leone Army (SLA).
51. While peace has returned to Sierra Leone, many of the wounds still remain open. Women and girls bear the scars of their horrible experiences. Many have borne children as a result of rape and sexual slavery. These women are shunned and punished by society for giving birth to children of 'rebels'.
52. The Commission believes that it is only when the legal and social political system treats women as equals with men, giving them full access to economic opportunities so as to enable them to participate freely in both public and private life that they will realize their full potential. Developing accountability

mechanisms for those who perpetrate gender crimes is a necessary part of this evolution in order to ensure that women are not dehumanised. The Commission is of the view that an opportunity exists in the post-conflict period to address the plight of women and girls and to give effect to the provisions of the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) and of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in order to improve the quality of life for women and children.

CHILDREN

53. Like women, children were violated by all of the armed factions involved in the Sierra Leonean conflict. They suffered abductions, forced recruitment, sexual slavery and rape, amputations, mutilations, displacement, drugging and torture. Children were also forced to become perpetrators and were compelled to violate the rights of others. Thousands of children were killed during the conflict in Sierra Leone. In addition, the Ministry of Social Welfare, Gender and Children Affairs (MSWGCA) has estimated that more than 15,000 children suffered separation from their families and communities during the ten-year war. This resulted in them becoming refugees in countries such as Liberia, Guinea, Gambia, Ivory Coast and Nigeria. Many became internally displaced persons within the country. Many children were used as soldiers and forced labour by the armed groups. Although the RUF was the first to abduct and forcibly recruit children as soldiers and forced labour, all the armed factions recruited children and deployed them to such ends.
54. The Lomé Peace Agreement provides that the government of Sierra Leone shall accord particular attention to the issues of child soldiers and that the special needs of children should be addressed in the disarmament, demobilization and reintegration process. In addition, the Truth and Reconciliation Commission Act directed the Commission to give special attention to the experiences of children in the armed conflict.
55. The Commission examined the experiences of children prior to the conflict in the economic, social and political spheres. It dealt with issues of education, health, law, tradition and customs and how they impact on the rights of children. It also examined the impact of the armed conflict on children and their experiences at the hands of different armed groups. The status of children following the conflict was considered together with measures taken by state and non-state actors in responding to their needs.

56. While the full impact of the conflict has yet to be measured, children have been affected at all levels of their development, in particular their education and health. During the conflict, children in Sierra Leone were denied their childhood. A major area of concern is the child-headed household, a direct result of children having lost parents or guardians in the war. The breakdown in family and community structures and the loss of social values have affected children materially and psychosocially and their effects are far reaching. A number of ex-combatant children are still bearing the brunt of their forced participation in the war as their families and communities have rejected them because of their former armed affiliations. Girls particularly have experienced both derision and rejection because they were forced to become 'bush wives' or sexual slaves.
57. The Commission has found that the abduction of children and their forcible recruitment as child soldiers constitutes a grave violation of international law for which the leadership must be held accountable. In addition, The Commission is of the view that the Child Rights Bill needs to be passed into law as a matter of urgency.

YOUTH

58. Forty-five percent of Sierra Leone's 4.5 million estimated population in 2002 are youths, falling within the age bracket of 18-35 years. Members of this age group were major perpetrators and victims of abuses and violations during the civil war. The Commission examined the nature, causes, and extent of the abuses and violations perpetrated and/or suffered by youths; the impact of these violations on them; and, the current interventions geared towards addressing the youth question in Sierra Leone.
59. During the years of the APC dictatorship, youths constituted the only viable opposition to the government. The 1980s saw an emergence of radical groups and study clubs on university campuses that carried out demonstrations against the APC. Student demonstrations in 1984 and 1985 led to the dismissal of students who later sought asylum in Ghana. There, contacts and ties were eventually developed with the Revolutionary Council of Libya and the nascent movement geared towards revolutionary warfare in Sierra Leone took root.
60. When the Pan African Movement (the coordinating body for the youth resolved to change the government by revolutionary warfare) became engulfed in internal ideological and strategic differences, Foday Sankoh exploited the vacuum in the leadership of the revolutionary project. While in Libya, Sankoh met Charles

Taylor. They struck a deal: Sankoh and his group would help Taylor liberate Liberia after which he would be provided with a base to launch his revolution in Sierra Leone.

61. Sierra Leonean youths were recruited (either by force or by persuasion) from Liberia, Ivory Coast, and parts of Sierra Leone for the rebellion in 1991. At the launch of the rebellion, the RUF was essentially dominated by youths less educated and less ideologically conscious than those who had in the mid 1980s toyed with the idea of an armed struggle. Sunk in the abyss of unemployment and despair, the war was a viable alternative to many youths; for others, it was not a choice as they were forcibly abducted into the conflict. In both cases, the rebellion was a marginalizing process as youths were alienated from their communities when forced to commit atrocities against their own people. The ten-year conflict further compounded their problems and has had negative consequences on their overall development, particular vis-à-vis educational opportunities. Simply put, they lost their childhood and youth and many have become bereft of stabilizing ties of emotional support through the loss of, or rejection by, family.
62. In an effort to address the problems facing youth in Sierra Leone, the Ministry of Youth and Sports was established in 2002. One of the initiatives taken by the ministry is the publishing of the Sierra Leone National Youth Policy, approved and launched by the government in July 2003. The policy will be translated into projects, which can be undertaken by NGOs and youth agencies. This initiative, however, is constrained by a lack of financial resources and of well-trained people experienced in working with youth.
63. Another programme to assist the youths of Sierra Leone is the National Commission for Disarmament, Demobilization, and Reintegration (NCDDDR) Programme established in July 1998 to disarm and demobilize combatants and to support their reintegration into society through the learning of trade skills. Unfortunately, the poor state of the country's economy is hindering the translations of these skills into livelihood sustaining ones. In addition, many ex combatants leave these programmes inadequately trained.

THE COMMISSION AND THE SPECIAL COURT FOR SIERRA LEONE

64. The Commission worked alongside an international criminal tribunal, the Special Court for Sierra Leone. The Special Court was tasked with prosecuting those persons who bore the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra

Leone since 30 November 1996. The Special Court impacted upon the work of the Commission. The simultaneous operation of the two bodies brought into sharp focus their different roles, as well as the need for harmonisation and an operational model designed to mitigate inherent tensions and avoid potential pitfalls in future instances where both a TRC and criminal court work in tandem.

65. Most truth commissions have operated as an alternative to criminal prosecution. Given the pardon and amnesty provisions of the Lomé Peace Agreement, the Sierra Leone TRC was proposed as a substitute for criminal justice in order to establish accountability for the atrocities that had been committed during the conflict. The creation of the Special Court stemmed from President Kabbah's request to the UN Security Council to establish a special court to bring prosecutions against members of the RUF, following the taking hostage of hundreds of UN peacekeepers and the outbreak of violence in 2000.
66. The Special Court was created, however, by abandoning certain amnesty provisions reached at Lomé due to breaches by certain elements within the RUF of the Lomé Peace Agreement. In the Commission's view, the international community has signalled to combatants in future wars that peace agreements containing amnesty clauses ought not to be trusted and, in so doing, has undermined the legitimacy of such national and regional peace initiatives.
67. Although the relationship between the Commission and the Special Court was mostly cordial, tensions arose following the refusal of the Special Court to permit the Commission to hold public hearings with the detainees held in its custody. The President of the Appeals Chamber denied the hearings because of their public character and because it would appear to mete out justice by reaching findings of fact, which was, according to Judge Robertson, the 'special duty' of the Special Court. The decision rejected the right of the detainees to testify in an open and transparent manner before the TRC and denied the right of the Sierra Leonean people to see the process of truth and reconciliation done in relation to the detainees. The Commission disagrees with Judge Robertson's conclusion, and considers that it does not sufficiently take into account the special role and contribution of truth commissions in building accountability and in the search for peace and reconciliation.
68. The operational difficulties that arose stem from the different approaches to addressing impunity each mechanism represents and because they also share many objectives: both seek truth about a conflict, although in different forms; both

attempt to assign responsibilities for atrocities; both work with similar bodies of law; both are aimed at establishing peace and preventing future conflict. Where there is no harmonisation of objectives, a criminal justice body will have largely punitive and retributive aims, whereas a truth and reconciliation body will have largely restorative and healing objectives. Where the two bodies operate simultaneously in an ad hoc fashion, conflict between such objectives is likely and public confusion is inevitable.

69. Harmonisation of objectives means that the two transitional institutions should not operate in a manner incompatible with the aims and objectives of the other. It requires the development of a framework which would allow the pursuit by both bodies of their objectives in a manner that is respectful of the other's mandate and which ultimately leads to the same goals of achieving justice and peace.
70. The Commission holds that the right to the truth is inalienable. This right should be upheld in terms of national and international law. It is the reaching of the wider truth through broad-based participation that permits a nation to examine itself honestly and to take effective measures to prevent a repetition of the past.

RECONCILIATION

71. The Commission recognizes that the term reconciliation evolves from a notion of restorative justice. A system based on restorative justice focuses on restoring relations, as far as possible, between victims and perpetrators and between perpetrators and the community to which they belong. Helping to restore relations between these various actors is a long-term process that entails a number of measures. These measures include accountability, acknowledgment, truth-telling, and reparations. To be effective, reconciliation must occur at the national, community, and individual level.
72. National reconciliation begins with creating the conditions for an immediate cessation of the armed conflict and the return of the country to peace. Then, the state and other stakeholders must work towards the prevention of new conflict, which is dependent on a number of factors: the improvement of the socio-economic living conditions of the people; good governance; strong and functional oversight institutions; and the implementation of a reparations programme. The Commission believes the leadership of Sierra Leone must make more of an effort to promote reconciliation at the national level, particularly as national reconciliation is a long-term project. The government must commit itself to the process of reconciliation and it can do this by ensuring that the recommendations made by the Commission are carried out.

73. Community reconciliation entails restoring relations between the community and the perpetrator. It is fostered by understanding and sharing experiences and by creating the conditions for community acceptance of the wrong done. Like national reconciliation, community reconciliation is a long-term project. The Commission noted some chiefs have been discredited for perpetrating violations and many did not appear before the Commission. In order for community reconciliation to foster, it is essential that chiefs commit themselves to the process.
74. Individual reconciliation entails that the victim and perpetrator meet. It is neither imperative for the victim to forgive the perpetrator nor for the perpetrator to express remorse.
75. In attempting to restore relations between victims and perpetrators as well as perpetrators with their communities, the Commission is guided by the mandate of the TRC. The mandate calls upon the Commission to base reconciliation activities on the country's own culture, tradition, and values. For this reason, religious and other traditional leaders are to be used as much as possible in the process. The TRC is also mandated to use existing structures as much as possible so as not to reinvent the wheel. Recognizing the short life-span of the Commission, provisions were made for the continuation of reconciliation activities. District Reconciliation Committees were established in partnership with the Inter-Religious Council of Sierra Leone in order to continue the Commission's long-term activities on reconciliation.
76. The Commission's activities on reconciliation have been varied. They include: sensitisation activities (targeted at specific groups of victims and perpetrators so they partake in reconciliation activities); reconciliation ceremonies (bringing together victims and perpetrators and perpetrators with their communities); memorial ceremonies (the naming of victims who died during the conflict and the establishment of monuments and memorials where the hearing was held or at the site of a mass grave); national activities (the National Reconciliation March, with participants from the various political parties, the police, army, and victim organizations); and, workshops and consultations with civil society (with various stakeholders discussing factors that help and impede reconciliation).

REPARATIONS

77. Section 15(2) of the TRC Act mandates the Commission to make recommendations to help: 1) prevent the repetition of the violations or abuses suffered; 2) respond to the needs of the victims; and to 3) promote healing and

reconciliation. To achieve these objectives, the Commission recommended the implementation of a reparations programme for Sierra Leone. The specific purpose of a reparations programme is to provide redress to the victims of human rights violations and the needs of the victims can be used to determine what benefits to accord them in a programme.

78. Reparations are the primary responsibility of the government and it must ensure the implementation of a reparations programme. It is an accepted principle in international law that states may be held liable for human rights violations either committed by them or their agents. A violation of international human rights law or international humanitarian law imposes on a state to afford adequate reparations. The state may also be responsible in certain circumstances for providing reparations for violations by non-state actors. In addition, the 1991 Constitution of Sierra Leone mandates the provision of redress for the violation of fundamental human rights.
79. In devising its recommendations on reparations, the Commission considered the feasibility of implementing these recommendations based on the state's available resources. This determination proved problematic given the inability to determine the potential universe of victims eligible for specific benefits of this programme.
80. For a victim to be eligible for reparations, the Commission determined that the event or injury had to have occurred between 23 March 1991 and 1 March 2002.
81. In determining the categories of beneficiaries for the reparations programme, the Commission first considered those victims who have become vulnerable after suffering human rights violations. Subject to practical limitations relating to state resources, the Commission recommends, the following list of victims be considered beneficiaries of the reparations programme: amputees and other war wounded, victims of sexual violence, children and war widows. Each category should be carefully defined to specific circumstances and conditions. For example, children beneficiaries should include those who, as a result of the conflict, suffered physical injuries or psychological harm, were abducted or forcibly conscripted, lost parents as a consequence of a violation as described in the Report or were born out of sexual violence and whose mother is single. In certain cases, various categories of indirect beneficiaries should also benefit from certain reparations measures, such as wives and children of the eligible victims.

82. In determining what reparations should be accorded victims, the Commission relied on the needs of the victims as expressed by them as well as on extensive research and consultations with a large number of international organisations and NGOs with relevant experience. The Commission's recommended measures deal with the needs of victims in the following areas: health; housing; pensions; education; skills training and micro-credit; community reparations; and symbolic reparations.
83. The Government of Sierra Leone should carry out symbolic measures of reparations that include the entire universe of victims of the conflict.
84. The Commission proposes that the reparations programme be co-ordinated by the National Commission for Social Action (NaCSA), which would also serve as the implementing body for the programme and be entrusted with governing the Special Fund for War Victims and ensuring the decentralization of programmes in conjunction with different ministries. The NaCSA should be assisted by an Advisory Committee.
85. The ability of reparations to foster reconciliation must not be underscored. A reparations programme has the potential to assist those victims whose lives have been most devastated to move beyond the position they are currently in as a consequence of the conflict. Providing victims with the assistance they urgently need also serves to restore their dignity which, in turn, helps foster conditions necessary for reconciliation.

NATIONAL VISION FOR SIERRA LEONE

86. The Commission looked not only to the past but also to the future in order to describe the future society that its recommendations were designed to achieve. This strategy then required the Commission to get a sense of the expectations, hopes and aspirations of the people of Sierra Leone. Instituted by the Commission as a complementary project to reconciliation, the National Vision for Sierra Leone (National Vision) invited the public to supply individual 'visions' for a future 'roadmap' for Sierra Leone.
87. The collection of 'visions' began in September 2003 with a call for contributions. During the following two months hundreds of contributions poured in. Among the contributors were adults and children of different backgrounds, religions and regions, artists and laymen, amputees, ex-combatants and prisoners. The contributions include written and recorded essays, slogans, plays and poems; paintings, etchings and drawings; sculptures, wood carvings, installations and

even a sea-worthy boat. Common themes included references to the country's violent past, justice, peace, unity, and love. The contributions form part of the national heritage of Sierra Leone.

88. The contributions were displayed in the National Vision Exhibit launched in December 2003 and remained on display at the National Museum in Freetown until May 2004. Over 400 people attended the launch and many more have visited the Exhibit at the National Museum.
89. The National Vision has been praised and endorsed by the Government, receiving a personal endorsement by President Kabbah who also attended a nationally televised tour of the Exhibit. It has also been endorsed and praised by others, including Archbishop Desmond Tutu of South Africa.
90. Through the National Vision, Sierra Leoneans of all ages and backgrounds have claimed their own citizenship space in the new Sierra Leone and made their contributions to the country's cultural and national heritage. The National Vision for Sierra Leone uniquely and effectively complements the Vision 2025. Vision 2025 is a government policy document that outlines implementing strategies for the development of Sierra Leone over the next 21 years. As the National Vision for Sierra Leone serves as a non-partisan intergenerational forum for dialogue, it raises awareness around the existence of such dialogue, encourages individual Sierra Leoneans, especially the youth, to participate in this dialogue. The National Vision has great potential to serve as a vehicle for continuing popular input into Vision 2025.
91. The Commission decided that the momentum generated by the National Vision should be nurtured even after the closure of the Commission. The Commission accordingly recommended that the National Vision should become a permanent open, interactive civic space for all stakeholders in Sierra Leone to engage in dialogue through artistic and scholarly expression on political, moral and social issues of the past, present and future.
92. The National Vision for Sierra Leone must remain true to the founding principles underlying the Truth and Reconciliation Commission. As such all future National Vision activities must serve the preservation of peace, strive for unity and promote healing and reconciliation. In order to achieve these objectives the National Vision must remain independent and non-partisan.
93. The National Vision has emphasized the significance of each individual contributor to Sierra Leone. The work of building a new and better Sierra Leone

belongs to every stakeholder in Sierra Leone. The individuals who have lent their hopes and dreams for Sierra Leone are vehicles for change.

CONCLUSION

94. Building a lasting peace in Sierra Leone can only begin with a comprehensive understanding of the country's past and the many lessons it holds for forging a politically and economically healthy Sierra Leone. The Commission hopes the adage 'history repeats itself' will never be able to be said in relation to Sierra Leone's decade-long tragedy unleashed in March 1991. In closing, therefore, the Commission reiterates its call to readers to take the time to read and widely discuss with others as many of the other volumes and chapters of the Report as possible.