

CHAPTER ONE

Executive Summary

This Executive Summary provides a cursory overview of the Report and its principal areas of analysis. Substantive detail is contained in the chapters that comprise the remainder of the Report. It is particularly important to read the Executive Summary in conjunction with the Findings and Recommendations chapters. 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 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 organisation styling itself the Revolutionary United Front (RUF) claimed responsibility 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 in Bomaru that day heralded the beginning of a decade of violence that devastated the country. As the conflict exploded into appalling brutality against civilians, the world recoiled in horror at the tactics used by the RUF, its allies and opponents. Reports emerged 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 as 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 nearby Togo, in July 1999. Although the Lomé Peace Agreement did not end the fighting entirely, it began a process that brought a fragile peace to the country. The subsequent presence of a sizeable United Nations peacekeeping force, the United Nations Assistance Mission in Sierra Leone (UNAMSIL), did much to ensure that conflict would not be renewed and that the components of a lasting peace, notably disarmament and demobilisation, would be effected.
4. Article XXVI of the Lomé Peace Agreement provided for the establishment of a Truth and Reconciliation Commission. The mandate of the Sierra Leone Truth and Reconciliation Commission (TRC or Commission) was then set out in several sections of the enabling legislation, the TRC Act, adopted in 2000 by the Parliament of Sierra Leone. According to Section 6(1) of the TRC Act:

[T]he 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 historical record, the Commission examined the following areas:
 - the historical antecedents to the conflict and other events that defined or shaped the evolution of the Sierra Leonean state;
 - the causes of conflict, with a particular focus on issues of governance;
 - the story of the conflict, including its military and political dynamics, its nature and characteristics, the role of external actors and factors that fuelled it, such as the exploitation of mineral resources;
 - the impact of the conflict on specific groups, particularly on women, children and youths;
 - the relationship between the TRC and the Special Court for Sierra Leone; and
 - efforts that can be made to help Sierra Leone reconcile with its past, including the prospect of a reparations programme and the development of a National Vision for Sierra Leone.
6. In making its findings and preparing its Report, the Commission took into account information gathered through a variety of means. Primary sources included: testimonies given by victims, witnesses and perpetrators at the Commission's hearings and during its statement-taking phase; the outcomes of investigation and research conducted by the Commission's staff; and the statistical or quantitative analysis derived from the Commission's database of human rights violations.

Historical Antecedents to the Conflict

7. How did a peace-loving nation become engulfed, seemingly overnight, in horror? What events occurred in the history of the country to make this conflict possible? Explanations put forward have varied from 'bad governance' and 'the history of the post-colonial period in Sierra Leone' to 'the urge to acquire the country's diamond wealth' and the roles of Libya or the Liberian faction leader Charles Taylor.¹ 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 crisis.²
8. In order to "compile a clear picture of the past"³ the Commission devoted considerable resources towards examining the pre-conflict history of the country. These efforts were intended to locate causes of conflict in Sierra Leone's past,

¹ Charles Taylor led the faction called the National Patriotic Front of Liberia (NPFL), which launched an insurgency in Liberia in December 1989. Taylor warned in a BBC radio interview in 1990 that Sierra Leone would "taste the bitterness of war" because of the country's membership and backing of the West African Intervention Force (ECOMOG) that was attacking 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.

³ This objective is contained in Section 1 of the Lomé Peace Agreement, as expounded in the 'Memorandum of Objects and Reasons', attached to the Truth and Reconciliation Commission Bill when it was tabled before Parliament in February 2000 by the then Attorney-General and Minister of Justice, Solomon Berewa.

place the conflict within its proper historical context and offer explanations for what went wrong.

9. The Commission identified social trends that spawned division and confrontation between the various groups that make up Sierra Leone. It picked out fault lines and key events that created the structural conditions for conflict. It highlighted decisions on the part of the political elite that were designed to strengthen their grip on power at the expense of common benefit, progress and ultimately peace.
10. Central to the Commission's study of history was the social and political interaction among Sierra Leone's constituent groups. The nature and extent of such interaction – often negative and limited – influenced people's perceptions of the state in which they lived and their own places within it. These perceptions in turn presented the greatest challenge to the concepts of nationhood and citizenship. They undermined the positive sense of national identity needed to build a strong and unified independent nation.
11. The Commission examined the colonial period and the first few years of independence together under the section entitled 'The Historical Evolution of the Sierra Leonean State'. In this section, four distinct phases proved crucial to understanding the roots of the conflict and some of the challenges that the country still faces today:
 - The Colony and the Protectorate. Rather than constructing a unified Sierra Leonean state, the colonial government effectively created two nations in the same land. The colonial capital Freetown, known as the Colony, and the much larger area of provincial territory, known as the Protectorate, were developed separately and unequally. The colonial government formalised the common law practised in the Colony yet neglected the development of customary law in the Protectorate, thus producing two separate legal systems that persist to the present day. The impact of colonial policies and practices, including those relating to citizenship, ownership of land, land tenure rights and conflict of laws, was far-reaching. People in the Colony enjoyed vastly superior social, political and economic development and access to vital resources such as education. The divide between the two entities bred deep ethnic and regional resentment and destabilised the traditional system of Chieftaincy.
 - The Era of Party Politics. In 1947, a new Constitution was proposed in order to prepare Sierra Leone for independence. This Constitution amalgamated the Colony and the Protectorate into a single political entity, but divided their elite representatives into opposing factions, each dedicated to protecting the interests of its own people. In due course these factions formed themselves into narrow, regionally based political parties with little or no national agenda. Party politics became the greatest obstacle to national cohesion and identity. Party allegiance was just as divisive as ethnicity, class or regional prejudice in the battle over who should succeed the British. On the cusp of independence in 1961, the ten-year-old Sierra Leone People's Party (SLPP) was joined in the political arena by the All People's Congress (APC), which would become its main rival in contesting elections.

- The Sierra Leone People's Party (SLPP) in Power. The SLPP majority party formed the first post-colonial government in 1961. The 1962 elections then revealed the depths of ethnic and regional polarisation in Sierra Leone and the superficiality of the ideological differences between the opposing parties. The SLPP retained power by winning most of its seats in the South and East of the country, which were predominantly populated by Mende people. The SLPP government was therefore labelled as a Mende government. This image polarised public opinion in the country, introduced notions of cronyism in many state institutions and laid the foundations for military involvement in politics. The period had terrible, albeit foreseeable consequences on the unity of the young state and served to deepen existing cleavages.
 - The 1967 Elections and their Aftermath. The elections of 1967 were scarred by bitter power struggles based on ethnicity, personality and party affiliation. Although the APC won the most seats, the leadership of the SLPP stoutly refused to concede defeat. The resultant standoff signalled a watershed in the political fortunes of the country and ultimately led to the destruction of the multi-party system. The head of the Army sabotaged the swearing-in of the APC Prime Minister and declared martial law. When it became apparent that this move was engineered to favour the SLPP leadership, junior-ranking soldiers staged a coup. The consequent period of military rule served to narrow the political space in Sierra Leone and compelled others to seek alternative routes to power that did not depend on free and fair elections. It set the scene for multiple further coup attempts in the following decades.
12. In the second section of the chapter, the Commission focussed on the prolonged period in power of the All People's Congress (APC). The APC government used concerns about internal security as a pretext to stifle the nascent democratic culture. All the institutions of the state were subjected to strict party control and Siaka Stevens, the new President of the Republic of Sierra Leone, adopted an increasingly authoritarian approach.
 13. Under the APC, central government sustained itself through corruption, nepotism and the plundering of state assets. These practices were replicated at regional and local levels, where Chieftaincy became synonymous with power, patronage and control of resources. When Sierra Leone adopted a one-party constitution in 1978, any semblance of accountability or effective opposition had already been eliminated. Historical trends like economic decay and fragmentation of the national spirit were exacerbated under the one-party system and became key causes of the conflict.
 14. Neither the SLPP nor the APC made any genuine effort to attend to the debasement of the post-independence politics and economy of the country. On the contrary, history speaks of a systemic failure, whereby all the members of the political elite belonged to the same failing system. While they claimed to be ideologically different, in reality the two parties shared a brand of politics that was all about power and the benefits it conferred. Tragically these characteristics persist today in Sierra Leone.

15. The final section of this chapter traces past dynamics at District level in order to help explain the manner in which the war unfolded across the nation. There were undercurrents of conflict in many areas, from the border Districts that served as 'gateways' for the fighting forces, to the strategically located 'heartland' Districts that initially supported the insurgency to overthrow the APC. At local level as at national level, many of the answers as to why and how this conflict happened are to be found in its historical antecedents.

Governance

16. The Commission heard submissions from a variety of authoritative sources that the war in Sierra Leone was largely the result of failures in governance and institutional processes in the country.⁴ Successive governments diminished the state's capacity to meet such critical challenges as the security and livelihood of its citizens, let alone to provide for democratic participation in decision-making processes. The Commission shares the view that unsound governance provided a context conducive for the interplay of poverty, marginalisation, greed and grievances that caused and sustained the conflict. The Commission hopes its treatment of issues of governance – by identifying past distortions, evaluating the adequacy of current remedies and making recommendations to fill the gaps – will enhance efforts towards national recovery, stability and reconciliation.
17. The instruments of proper governance include laws, institutions, due processes and humane practices that lead to such desired ends as security, justice, enhanced livelihoods and democratic participation. The perceptions adduced by the Commission during its hearings indicate that Sierra Leoneans yearn for a principled system of governance. They want a system that upholds the rule of law over the rule of strong patrons and protects the people from the abuse of rulers through a system of checks and balances. They wish to see horizontal and vertical accountability through the effective operation of such institutions as the judiciary, the auditor general's office, the electoral commission, the media and civil society.
18. The Commission looked at the record of each of the post-independence governments on the following critical 'indicators': separation of powers; decentralisation; political participation; independence of the judiciary; the rule of law; and the existence and effective operation of oversight bodies and institutions of accountability. The Commission analysed approximations towards or deviations from proper governance on two levels. First, it reviewed the basic legal documents of the land, such as Constitutions and the evolving body of laws, to assess whether 'indicators' of proper governance were enshrined and guaranteed. Second, it assessed the manifestation of these 'indicators' in practice.
19. The Commission concluded that all the administrations of the post-independence period contributed to the structural and proximate contexts that led to the conflict in 1991. The duality of the country's administrative and judicial structures made them vulnerable to manipulation, which the regimes of Sir Milton Margai, Sir Albert Margai and Dr. Siaka Stevens duly utilised to their respective advantages.

⁴ See United Nations Development Programme (UNDP); Submission to the Commission on the Causes of the Conflict, 7 May 2003, pages 7-11. See also Mrs. Olayinka Creighton-Randall, Campaign for Good Governance; Submission to the Commission, 5 May 2003, pages 1-3. See also UNAMSIL; Submission to the Commission, 1 March 2003, pages 2-5.

In the provincial areas, for example, local courts and Chieftaincy structures were used to clamp down on opposition activities and to entrench the authority of whichever traditional ruling houses were allied to the party in power. Meanwhile the continual assault on the rule of law weakened the capacities of state institutions to perform. The judiciary was subordinated to the executive, parliament did little more than 'rubber-stamp', the civil service became a redundant state machine and the Army and police force became vectors of violence against the very people they were established to protect. Non-state bodies that ought to ensure accountability – like media houses or civil society groups – were thoroughly co-opted. Opposition political parties were suppressed and eventually banned by President Stevens' One Party Constitution of 1978.

20. The successor to Stevens, President J. S. Momoh, attempted to decelerate the economic and political decline through the promulgation of an economic state of emergency and a multi-party constitution. These measures were, however, managed in a dictatorial and abusive fashion, which rendered them 'too little, too late' to salvage the situation. Against this backdrop, Sierra Leoneans became increasingly disgruntled and aggrieved with the malaise in governance and their inability to do anything to alleviate it. Many citizens, particularly the poor, marginalised youths of the provinces, became open to radical means of effecting change: they would readily answer the call to arms when the so-called 'revolution' began to enter the country in 1991.
21. Today, proper governance is still an imperative, unfulfilled objective in Sierra Leone. Corruption remains rampant and no culture of tolerance or inclusion in political discourse has yet emerged. Many ex-combatants testified that the conditions that caused them to join the conflict persist in the country and, if given the opportunity, they would fight again. Yet, distressingly, the Commission did not detect any sense of urgency among public officials to respond to the myriad challenges facing the country. Indeed, the perception within civil society and the international community is that all efforts at designing and implementing meaningful intervention programmes, such as the National Recovery Strategy, the Poverty Reduction Strategy Paper (PRSP) or 'Vision 2025', are driven by donors rather than the national government. This is lamentable.
22. The state is an abstract concept to most Sierra Leoneans and central government has made itself largely irrelevant to their daily lives. In order to correct this deficit in engagement, an overhaul in the culture of governance is required. The executive needs to prove that it is different from its predecessors in the post-independence period. It needs to demonstrate ownership, leadership, imagination and determination in developing and implementing programmes for change. Strong and independent monitoring institutions must hold the government accountable in this exercise. Only then will Sierra Leoneans believe that the necessary lessons have been learnt from the decades of rotten governance that culminated in the tragedy of conflict.

The Military and Political History of the Conflict

23. The Commission recounts the story of the eleven-year conflict by charting its 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) covers the early period defined by inter-factional fighting and the capture of territory. Phase II ('Guerrilla' Warfare: 1994-97) describes the shifts in tactics as attacks spread through the country. Phase III (Power Struggles and Peace Efforts: 1997-2000) reviews various military and political alliances, moves towards peace and the resumption of hostilities, before the conflict was finally declared over in 2002. Although each 'phase' assumed a slightly different character, they all shared one devastating characteristic: gross violations of human rights and international humanitarian law by all warring factions.
24. 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 struck the town of Bomaru, Kailahun District. This attack sparked a conflict that was unprecedented in its intensity and nature.
25. Phase I describes the initial 'war on two fronts' and the inclusion of civilian settlements within the scope of NPFL and RUF assaults. It assesses the role of the Sierra Leone Army (SLA) and the APC Government's failure properly to supply it at the outset of the conflict, which contributed to the April 1992 coup forming the National Provisional Ruling Council (NPRC). It explains how an expanded Army then gained ascendancy over a divided insurgent force in 1993, reducing the RUF to a confined area of forest territory on the Liberian border. Nevertheless, there came no decisive thrust from pro-Government forces to end the conflict.
26. Phase II began when the RUF launched a 'guerrilla' strategy, becoming less visible, less predictable, less consistent and less distinguishable. It expanded the scope and coverage of combat operations into every District of Sierra Leone. An RUF trademark was to carry out 'false flag' attacks dressed in full SLA military uniforms. This tactic, combined with increased human rights violations by soldiers, led to the breakdown in trust between the civilian population and the SLA. A 'Palace Coup' saw a change in the leadership of the NPRC and eventually secured a transition to democratic elections in 1996. Although marred by violence, the elections ushered in a new Sierra Leone People's Party (SLPP) Government headed by President Ahmad Tejan Kabbah. The Abidjan Peace Talks of 1996 were a false dawn and the SLPP Government endorsement of the Civil Defence Forces (CDF) as an arm of the state security apparatus further

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

27. Phase III started with the bloody military coup of May 1997 and the appointment of Major Johnny Paul Koroma as Head of State. It heralded a large-scale shift in allegiance away from the SLA to a 'new' fighting force known as the Armed Forces Revolutionary Council (AFRC). The AFRC forged a military and political alliance with the RUF, creating the 'People's Army', a band of brutal and systematic violators of human rights. President Kabbah established a War Council in Exile in Guinea, while Deputy Minister of Defence Chief Samuel Hinga Norman mobilised a vast but untrained force of Kamajors to oppose the AFRC military junta. In February 1998, a forceful intervention was led by West African 'peacekeeping' troops under the banner of ECOMOG, dividing the country along starkly factional lines. ECOMOG was the surrogate national Army in all but name, but its defence of strategic areas would prove disgracefully weak. The State of Public Emergency declared by the reinstated SLPP government encompassed four years and numerous illegal acts carried out on the premise of pursuing 'justice'. 24 SLA soldiers were executed by the state in 1998, which had a telling impact on the ongoing conflict. An AFRC-led wave of atrocities against the civilian population swept through the North of the country and met with no robust government response. The descent of the AFRC-led attackers onto Freetown in January 1999 wreaked havoc and horror in the city, constituting the nadir of the third phase.
28. The Lomé Peace Agreement of 7 July 1999 was cast as a solution to the conflict with two components: military resolution, through the disarmament of combatants; and political settlement, by implementing a power-sharing arrangement. In reality neither the RUF nor the Government complied in full with its terms. The RUF combatant displayed particular contempt for the ethos of the peace process and their hostage taking of several hundred UNAMSIL peacekeepers was unjustifiable. In May 2000, the state security apparatus carried out decisive enforcement actions through its so-called 'Peace Task Force', a squad of armed vigilantes from various factions tasked to raid, arrest and detain anyone associated with the RUF. As part of its analysis, the Commission notes that many of those rounded up in May 2000 remain in prison today. In the Commission's view, this ongoing detention is tantamount to a continuation of the conflict itself. It is corrosive to the prospect of national reconciliation and testifies to the continuing struggle for justice in Sierra Leone.

Nature of the Conflict

29. In compiling its chapter on the nature of the conflict, the Commission used quantitative and qualitative analytical techniques to shed further light on particular patterns and trends. Areas of analysis included the types and frequencies of the violations committed, the profiles of the perpetrators, the identities and demographics of their victims and any evidence of targeting. The Commission examined sixteen specific categories of violations, although within each of these the scope of analysis was broad. For example, acts of rape were considered in multiple contexts, including abduction, sexual slavery, during attacks on villages, or when the victim was encountered at a checkpoint or in the bush.

30. Some violations, such as amputations and forced displacement, were discussed separately in their own right. Others were divided into three overarching categories, as follows: 1) violations perpetrated in the context of abduction and outside abduction; 2) mistreatment violations; and 3) economic violations. The violations discussed under these categories include killings; forced recruitment; cannibalism or forced cannibalism; forced labour, assault, physical torture and rape; arbitrary detention; looting and extortion; and destruction of property.
31. From the Commission's review emerged the devastating impact of this conflict. It destroyed individual lives, families and communities, people's belief systems and cultural heritages. Traditional and community meeting spaces and institutions were demolished and desecrated. People were forced to commit sacrilege against symbols of their religion or faith. Certain groups like property owners, chiefs, figures of traditional authority and representatives of government institutions were targeted on the basis of revenge, economic appropriation and because of their ethnicity.
32. The link between the conflict and ethnicity lies in the way in which certain factions turned ethnicity into an instrument of prejudice and violence against perceived opponents or those who did not 'belong'. People of Northern origin were found to have been targeted in the Southern and Eastern regions during the latter part of the war. The Kamajors committed disproportionate levels of violations against such ethnic groups as the Temne, Koranko, Loko, Limba and Yalunka. Other reported instances of 'targeting' included RUF violations against, variously, the Lebanese, Fullahs, Mandingos, Nigerians and Marakas.
33. Understanding the violations committed during the war requires an understanding of those who perpetrated them. Those affiliated to the Revolutionary United Front (RUF) carried out the majority of violations and abuses over the conflict as a whole. The RUF pioneered the concept of forced recruitment, including the enlistment of child combatants. It also bears overwhelming responsibility for the widespread use of drugs by its members, which precipitated spates of crazed violence and compounded the prevailing general sense of oppression and hopelessness.
34. While most of the violations and abuses were attributed to the RUF, other significant perpetrators included the AFRC and the CDF. The second highest institutional count was attributed to the AFRC, whose fighters most notably committed atrocities on a massive scale in the Northern region and in Kono District. The AFRC demonstrated a 'specialisation' in the practice of amputations in the period from 1998 to 1999.
35. Of the various groups that comprised the CDF, the Kamajors received the most scrutiny, as they were responsible for almost all the CDF violations reported after 1996. Forced cannibalism is attributed only to the Kamajors. A defining characteristic of the CDF became its ceremony of 'initiation', described to the Commission by many witnesses as entailing physical and psychological torture as well as other gross abuses of human rights.

36. Perhaps most notably, the Commission identified some characteristics and tendencies that 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 aggrandisement.

Mineral Resources

37. The management of state resources is central to the quality of governance in any country. This is particularly the case in Sierra Leone, which despite its huge mineral resources (primarily, extensive alluvial and kimberlitic diamond deposits, bauxite, rutile, iron and gold) has remained one of the poorest countries in the world.⁵ Since Sierra Leone's economy depends essentially on revenues from its mineral resources, the Commission deemed it important to examine how mineral resources were used by successive governments, how they may have contributed to the war and the extent to which combat groups exploited them to sustain and replenish their activities.
38. 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 its diamond resources. In the years following the initial attack, it is alleged, the proceeds from an illicit diamond trade enabled the RUF to finance its war effort through the purchase of weapons abroad.
39. In the Commission's view, this version of the conflict is simplistic. It fails to capture numerous complexities, the reasons for the decay 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 multiple causes of the conflict and reasons for the involvement of Liberian and other foreign actors. Although it is true that the RUF partly financed its war effort through diamond trafficking, diamonds did not yield significant revenues for the movement before 1997.
40. Simply put, diamonds were both an indirect cause of the war in Sierra Leone and a fuelling factor. As an indirect cause, the misapplication of the diamond resources in a country with a practically '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 enjoyed grandeur and affluence, poor people living in deprived communities rued how the collective common wealth had been appropriated by a few in the name of the many.

⁵ Sierra Leone has ranked last out of more than 170 countries on the UNDP Human Development Index for the last three successive years from 2002 to 2004.

41. From the outset of the post-independence period, those in power plundered the state and its resources, putting self-enrichment before any form of real development or accountability. Political power became a means to economic wealth and the predatory accumulation of the ruling elite led to the acquisition of state offices and resources for personal gain. This led to the 'functional contraction' of Sierra Leonean leadership, as it could no longer provide services to the people.⁶ The dispossessed and disenfranchised masses quickly began to ask questions as to the role and mission of their new political elite.
42. Successive post-colonial governments 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. A culture of diamond smuggling and embezzlement has been entrenched among key members of the political elite. Meanwhile, labour conditions in the mines are appalling, with many children still being used as miners.
43. During 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 on the factions, allowing them to control large areas of the country and thus further exploit resources for economic purposes. The desire to capture more territory for exploitation subsequently became a major motivating factor for the armed groups and their commanders, triggering intense fighting in resource-rich parts of the country and fuelling the conflict in areas already engulfed by it.
44. 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 enabled the illicit trade in Sierra Leonean diamonds to flourish and thereby encouraged the prolongation of the conflict.
45. Although the government of Sierra Leone has recently made progress in tackling diamond smuggling, largely due to the international introduction of the new Kimberley Certification Process (KCP), the problem is nowhere near to being eradicated. The KCP has two major weaknesses: there is no global mechanism to monitor each member's national certification system and countries with no diamond resources have been accepted as members.

External Actors

46. Although the armed conflict in Sierra Leone was not a war imposed from outside, the Commission did identify substantial involvement from external actors. There were essentially two main parties to the conflict in Sierra Leone: the government and the Revolutionary United Front (RUF). Each of the external actors that took part in the conflict was affiliated in some way to one of these two entities.
47. External support either to the government or to the RUF came from nation states, regional organisations, international organisations and non-state actors such as private security firms.

⁶ See Kandeh, J.; 'Political Economy of Democratisation'; unpublished manuscript, at page 3.

48. Countries that provided unilateral support included Libya, Liberia, Guinea, Burkina Faso, Nigeria, Côte d'Ivoire and the United Kingdom. Regional intervention came from the Economic Community of West African States (ECOWAS), while a large multilateral intervention was rendered latterly by the United Nations. 'Mercenary' groups involved in the conflict included the Ghurkhas Security Group, Sandline International and Executive Outcomes. The United Liberation Movement of Liberia (ULIMO), which began when a group of Liberians living in refugee camps and other parts of Sierra Leone were organised into a fighting force to assist the government, also evolved into a significant player. A variety of international humanitarian organisations delivered medical assistance and food aid throughout the war, including the International Committee of the Red Cross (ICRC) and Médecins sans Frontières (MSF).
49. The involvement of the United Nations can be traced back to December 1994, when it sent its first exploratory mission to Sierra Leone. However, the subsequent presence of a UN Special Envoy to Sierra Leone did not abate the fighting and the commission of atrocities against civilians. In July 1998, the UN Security Council established the UN Observer Mission to Sierra Leone (UNOMSIL) to monitor the security situation and to advise on the disarmament and demobilisation of former combatants. This Mission never achieved full strength and is remembered more for its lack of impact. On 22 October 1999, the UN Security Council authorised the establishment of the UN Assistance Mission in Sierra Leone (UNAMSIL), which contributed significantly to the achievement of stability and rebuilding of the nation following the signing of the Lomé Peace Agreement in July 1999.

Women

50. Women and girls became the targets in the brutal conflict in Sierra Leone. They suffered abduction and brutality 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 treatment. They were taken from their homes and villages by force. Refusal to comply with their captors often met with death. For those fortunate enough to escape, displacement invariably followed, either in exile or in 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 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.
51. The Commission was enjoined by statute to give special attention to the needs of women and girls, particularly with 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 endured such a lowly status in the socio-political life make them easy targets? Is it because men perceived females to be mere chattels symbolising male honour that made women the deliberate target of an enemy determined to destroy the honour of the other?

52. In seeking answers, the Commission reviewed the multiple roles of women in the armed conflict, recognising that women often took on the role of perpetrator and / or collaborator usually out of conviction and / or the need to survive. The Commission assessed the impact of the conflict on women, notions of honour and the breakdown of the traditional extended African family structures and social fabric. It looked at the extent to which women's issues were addressed by disarmament, demobilisation and reintegration efforts; their level of 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, this chapter captures the gender-specific experiences of women and girls at a political, legal, health and social welfare level. The Commission noted the significant role women played in making peace, along with the fact that they are starting to feature more prominently in the public life of Sierra Leone.
53. The main armed groups accused of perpetrating sexual violence against women and girls during the conflict were the Revolutionary United Front (RUF), the Armed Forces Revolutionary Council (AFRC), the Civil Defence Forces (CDF), the Westside Boys and the Sierra Leone Army (SLA).
54. While peace has returned to Sierra Leone, many of the wounds of war 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 mothers are shunned and punished by society for giving birth to 'rebel' children.
55. The Commission believes that it is only when the legal and socio-political system treats women as equals to men, giving them full access to economic opportunities and enabling them to participate freely in both public and private life, that they will realise 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. An opportunity exists in the post-conflict period to address the plight of women and girls in Sierra Leone and improve their quality of life. The Government should 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 (ACHPR) on the Rights of Women in Africa.

Children

56. Like women, children were violated and abused 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) estimates that more than 15,000 children suffered separation from their families and communities during the eleven-year war. This resulted in their becoming refugees in countries like Liberia, Guinea, Gambia, Côte d'Ivoire and Nigeria. In addition, many became internally displaced persons. Children were used as fighters and forced labour by the armed groups. Although the RUF was the first to abduct and forcibly enlist children as soldiers and porters, all the armed factions recruited children and deployed them to such ends.

57. The Lomé Peace Agreement provides that the government of Sierra Leone shall accord particular attention to the issue of child soldiers and that the special needs of children should be addressed in the disarmament, demobilisation 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.
58. 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.
59. 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 psycho-socially. These effects are enduring and far-reaching. A number of ex-combatant children are still bearing the brunt of their forced participation in the war. Their families and communities have in many cases rejected them because of their former affiliations. Girls especially have experienced both derision and rejection because they were forced to become 'bush wives' or sexual slaves.
60. 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 of all factions 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

61. Forty-five percent of Sierra Leone's estimated population of 4.5 million are youths, falling within the age bracket of 18 to 35 years. Members of this age group were major perpetrators and victims of violations and abuses during the conflict. The Commission examined the nature, causes and extent of the acts perpetrated and suffered by youths; the impact of these acts on them; and the current interventions geared towards addressing the youth question in Sierra Leone.
62. During the years of APC one-party rule, youths constituted the only viable opposition to the government. The 1970s and 1980s saw an emergence of radical groups and study clubs on university campuses, galvanising students to stage demonstrations against the APC. Acts of dissent and disobedience by students at Fourah Bay College in 1985 led to the expulsion of their perceived leaders, some of whom sought to complete their studies in Ghana. Gradually, contacts and ties from both Sierra Leone and Ghana were developed with the Revolutionary Council of Libya and a nascent movement geared towards revolutionary change in Sierra Leone took root.

63. When the Sierra Leonean delegation to Libya became divided by internal ideological and strategic differences, Foday Sankoh exploited the vacuum in leadership and devised a plan for his own, more militant revolutionary project. While in Libya, Sankoh met Charles Taylor and the two men formed an alliance. Sankoh would help Taylor 'liberate' Liberia, after which he would be provided with support to launch an insurgency in Sierra Leone.
64. 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. Upon entry into Sierra Leone, the RUF was essentially dominated by youths who were less educated and less ideologically conscious than their predecessors in the Sierra Leonean 'revolutionary' groups of the 1980s. Sunk in the abyss of unemployment and despair, the prospect of joining the RUF offered a viable alternative to many youths; for others, it was not a choice as they were forcibly abducted into the ranks of an armed group. In both cases, the conflict had a marginalising effect, as youths were alienated from their communities when forced to commit atrocities against their own people. The conflict further compounded their prior plight and has had negative consequences on their overall development, in particular vis-à-vis educational opportunities. A whole generation lost its childhood and youth. Many young people have lost all stabilising ties and emotional support due to the death of, or rejection by, their families.
65. 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 efforts undertaken by the ministry was the publishing of the National Youth Policy, approved and launched by the government in July 2003. The policy ought to be translated into projects, which can be undertaken by NGOs and youth agencies. This well-intentioned initiative is constrained, however, by a dearth of financial resources and of well-trained people experienced in working with youth.
66. Another programme to assist the youths of Sierra Leone was the National Commission for Disarmament, Demobilisation and Reintegration (NCDDR) Programme. NCDDR was established in July 1998 to disarm and demobilise 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 translation of these skills into means of sustaining a livelihood. In addition, many ex-combatants have left their programmes inadequately trained.

The TRC and the Special Court for Sierra Leone

67. 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. It also highlighted the need for harmonisation and an operational model designed to mitigate inherent tensions and avoid potential pitfalls in future instances where a TRC and criminal court work are supposed to work in tandem.

68. 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 tribunal to bring prosecutions against members of the RUF and its allies, following the hostage taking of hundreds of UN peacekeepers and the resumption of violence in 2000.
69. The Special Court was created, however, by abandoning certain amnesty provisions reached at Lomé, on the basis that certain elements within the RUF had breached 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.
70. 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 they 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.
71. Operational difficulties between the mechanisms arose out of their different approaches to addressing impunity and because they also share many objectives. Both institutions 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 their 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.
72. Harmonisation of objectives means that each of the transitional institutions should not operate in a manner that is incompatible with the aims and objectives of the other. It requires the development of a framework, which allows the pursuit by each body of its 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.
73. 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

74. The Commission recognises 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 communities 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 levels.
75. National reconciliation begins by creating the conditions for an immediate cessation of the armed conflict and the return of the country to peace. The state and other stakeholders must then 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.
76. 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 particular wrong or wrongs done. Like national reconciliation, community reconciliation is a long-term project. The Commission noted that 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.
77. Individual reconciliation requires that the victim and perpetrator meet. It is not imperative either for the victim to forgive the perpetrator or for the perpetrator to express remorse.
78. In attempting to restore relations between victims and perpetrators, as well as between perpetrators and their communities, the Commission has been guided by the mandate of the TRC. The mandate called upon the Commission to base its reconciliation activities on the country's own culture, tradition, and values. For this reason, religious and other traditional leaders were to be used as much as possible in the process. The TRC was also mandated to use existing structures as much as possible so as not to 'reinvent the wheel'. Recognising the short life-span of the Commission, provisions were made for the continuation of reconciliation activities after the closure of the Secretariat. In 2003, 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.
79. The Commission's activities on reconciliation have been varied. They have often begun with sensitisation activities, targeted at specific groups of victims and perpetrators to encourage them to partake in reconciliation activities. They have included reconciliation ceremonies (bringing together victims and perpetrators or perpetrators with their communities) and memorial ceremonies (naming victims who died during the conflict and establishing monuments or memorials).

Towards the end of its operations, the Commission also organised a large-scale National Reconciliation March (with participants from the various political parties, the police, Army and war-affected groups) and a series of workshops and consultations with civil society, involving discussion of factors that help and impede reconciliation.

Reparations

80. Section 15(2) of the TRC Act mandates the Commission to make recommendations to help: 1) prevent repetition of the violations or abuses suffered; 2) respond to the needs of the victims; and 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. The needs of the victims can be used to determine what benefits they should be accorded in such a programme.
81. Reparations are the primary responsibility of the government. The government must ensure the implementation of a reparations programme. It is an accepted principle of international law that states may be held liable for human rights violations committed either by them or their agents. A violation of international human rights law or international humanitarian law imposes a duty 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.
82. In devising its recommendations on reparations, the Commission took into account the resources available to the state to ensure that its recommendations would be feasible. This determination proved problematic given the inability of the Commission to determine the potential universe of victims eligible for specific benefits under its programme.
83. For a victim of the conflict to be eligible for reparations, the Commission determined that the event or injury in question had to have occurred between 23 March 1991 and 1 March 2002.
84. In determining the categories of beneficiaries for the reparations programme, the Commission first considered those victims who have become vulnerable as a result of having suffered human rights violations. Subject to practical limitations relating to state resources, the Commission recommends that 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 fit specific parameters and conditions. For example, child 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, the benefits of particular reparations measures may also confer upon various categories of 'indirect beneficiaries', such as wives and children of the eligible victims.

85. In determining what reparations should be accorded to victims, the Commission relied on the needs expressed by victims, 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; pensions; education; skills training and micro-credit; community reparations; and symbolic reparations.
86. The Government of Sierra Leone should carry out symbolic measures of reparations that encompass the entire universe of victims of the conflict.
87. 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 administering the Special Fund for War Victims. NaCSA should work closely with different ministries in ensuring the decentralisation of reparations programmes. A dedicated Advisory Committee should assist NaCSA in its task.
88. The ability of reparations to foster reconciliation need 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 the conditions necessary for reconciliation.

National Vision for Sierra Leone

89. The Commission looked not only to the past but also to the future, in order to describe the society that its recommendations were designed to achieve. This strategy 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.
90. 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 men, women and children of all ages, reflecting a wide variety of social and educational backgrounds. They included ex-combatants, artists and artisans, teachers, students and prisoners. The contributions included written and recorded essays, slogans, plays, poems and songs; paintings, etchings and drawings; sculptures, installations and a boat. Common themes included references to the country's violent past, justice, peace, unity and love.
91. 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 several thousand have visited the Exhibit in various locations since.
92. The National Vision has been praised by the Government of Sierra Leone, receiving a personal endorsement from President Kabbah, who also attended a televised tour of the Exhibit. It has also been endorsed and praised by a variety of international figures, including Archbishop Desmond Tutu of South Africa.

93. Through the National Vision, Sierra Leoneans of all ages and backgrounds have claimed their own civic 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 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 and 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.
94. 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 relating to the past, present and future.
95. 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.
96. The National Vision has emphasised 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

97. Building a lasting peace in Sierra Leone can only begin with a comprehensive knowledge and understanding of the country's past. The past holds many lessons that will aid in forging a politically and economically healthy Sierra Leone. Knowledge and understanding are the most powerful deterrents to the recurrence of conflict as Sierra Leone strives to give meaning to the sentiments of 'never again'. In closing, therefore, the Commission reiterates its call to readers to take the time to study and widely discuss with others as many of the other volumes and chapters of the Report as possible.