

## **Sierra Leone: A Way Forward**

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For Sierra Leone, the Lomé peace agreement of 1999 was the most critical step towards ending a devastating 11-year war, and committing the country to a number of accountability measures, including a truth and reconciliation commission. When rebels later attacked, killed and abducted UN troops, the reestablished democratic leadership requested help from the United Nations to create a Special Court to try those most responsible for the war.

The ICTJ began work in Sierra Leone in 2001 and aided the truth and reconciliation commission (TRC) from the commission's first days to the end of its work. The TRC had a mandate to address impunity, break cycles of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their story, and prevent future conflict. The ICTJ helped it devise an approach to reparations and provided advice on the relationship with the Special Court for Sierra Leone. More recently the ICTJ has worked closely with national partners in Sierra Leone to use the opportunity of the Peacebuilding Commissions' engagement in the country to re-energize efforts to implement the commission's recommendations.

The TRC Report, released in 2004, is strikingly comprehensive, identifying the conflict's underlying causes as "bad governance, endemic corruption and the denial of basic human rights." The report not only provides a detailed history of the conflict and Sierra Leone's decline but also lists the names and fates of many of the victims, and identifies many of the high level perpetrators—and offers a vision for the future of Sierra Leone.

It is, in fact, a blueprint for peacebuilding, including 236 recommendations, ranked by their priority.

The Truth and Reconciliation Act signed by the Government of Sierra Leone in 2000 requires the Government to carry out the recommendations directed to state bodies, and to encourage other parts of society to take other recommended steps.

### **The Present**

While progress has been slow, the government is to be applauded for moving forward on a number of the TRC recommendations: A Human Rights Commission was established in 2006; critical legislation on gender equality, including bills on inheritance, child rights, matrimonial rights of women, and land access, were passed in 2007; legislation on child rights in Sierra Leone came into force; and advances have been made in security sector review and reform and in the management of mineral resources.

As the Officer in Charge of the United Nations Integrated Office in Sierra Leone said in May, "Almost everything we are doing in this country is related to the TRC

recommendations.” The international community, most notably the United Kingdom, the US, and the UN, has been instrumental in supporting and facilitating these relief and recovery efforts in Sierra Leone.

The engagement of the Peacebuilding Commission in Sierra Leone since 2006 has been a galvanizing force for redirecting international attention to Sierra Leone. By working with the government to develop a framework for peace building priorities and actively advocating with donor countries to support the framework, the Peacebuilding Commission has taken critical steps towards fulfilling its mandate.

The \$35 million committed to Sierra Leone by the Peacebuilding Fund is meant to be a catalyst for further funding as well as a demonstration of the commitment of the international community. For example, the commission – thanks to the Peacekeeping Fund – is credited for helping to turning on the lights in Freetown. After an initial lack of enthusiasm, the PBC recognized that the government’s inability to provide electricity was a peacebuilding and national security issue.

But the situation remains dire: Sierra Leone is at the bottom of the Human Development Index. It has the highest child mortality rates in the world. Capacity in critical areas of governance is extremely low—in the justice sector, for example, there are 11 prosecutors for the entire country of approximately 4.9 million.

There are also new threats to security in Sierra Leone, including regional threats exemplified by the country’s complicated relationship with Guinea, and the growing threats of food and fuel insecurity. In December, a bag of rice cost about 68,000 Sierra Leonean leones (\$23 dollars U.S.) in Freetown; today it costs about 120,000 Sierra Leonean dollars (\$41 U.S. dollars) – almost a 100% increase.

## **Challenges**

Important steps have been taken, but how will these steps transform from commitments to actions that have positive effects?

In May, ICTJ and the Sierra Leone Court Monitoring Programme, together with the Human Rights Committee of the Sierra Leonean Parliament and Civil Society Peacebuilding Engagement Committee organized meetings that gave members of parliament an opportunity to comment on the plans and progress in the key peacebuilding areas.

From these meetings, and together with members of parliaments and civil society representatives, we have identified three broad challenges. These challenges very much support those identified by Ambassador Frank Majoor of The Netherlands on the occasion of his recent trip to Sierra Leone.

### **Lack of strategies and government capacity**

In most priority areas, ministries have not outlined a national strategy. Even where a strategy has been developed, for example for Youth Capacity Building and Employment, and in Justice and Security Sector Reform, there is no-one considering how these strategies may overlap or be in tension with each other. The new government has yet to unveil a coherent approach showing how it intends to coordinate these strategies,

although there are discussions of an oversight body attached to the Office of the Vice President that would play this role.

Capacity to absorb international assistance is also a problem. Projects funded by the Peacebuilding Fund are meant to last 12 months. But various projects have taken 12 to 18 months between the approval of projects to the actual disbursement. UNDP is ultimately responsible for the slow disbursement, but the program is overextended in Sierra Leone and requires dedicated staff and additional resources to keep things moving.

The inability of the government to provide a coherent vision is exacerbated by the lack of coordination within the international community. The government is required to meet the benchmarks of a dozen or more donors and international organizations—all with different systems of reporting. Given the low capacity of the state, members of the international community working in Sierra Leone must work together to find ways to lessen the burden of meeting the various donor requirements.

Finally, the delay in appointing an Executive Representative of the Secretary General to lead the international community's effort in the implementation of the Peacebuilding Fund on the ground leaves a vacuum at the top.

## **Reconciliation**

Peacebuilding does not only depend on rebuilding the institutions of governance; it also involves building bridges across societies and communities that have been divided by hatred as a result of violent conflict and marginalization. The post-conflict peacebuilding regime cannot forget the victims.

It is over five years since the war was declared over and the disarmament, demobilization and re-integration process declared complete. Victims of the atrocities, however, often compare their situation with that of the ex-combatants. While the victims' needs remain unaddressed by the government, the perpetrators have benefited from well-financed programs.

The TRC offers a strategy for reparations that is acceptable to most victims. As suggested by the TRC, part of the program's cost could be defrayed by Sierra Leone's mineral wealth. Last year, Sierra Leone exported \$140 million worth of fine gems, but with an export tax of only 3 per cent. Since diamond sales helped fund the war, they could, at the least, be made to bear some of the costs of reparation to its victims.

Furthermore, recent elections left many communities divided. The government has an opportunity now to take the lead in reconciling communities by offering public programs and political appointments that transcend ethnic and regional lines.

Another potential contribution for reconciliation is the legacy of the Special Court. The international community is spending millions of dollars each year to try nine defendants. At the least, the Special Court should contribute to a national justice system that respects human rights and delivers justice to all instead of a few Sierra Leoneans. There is still time to make sure that proposals for the transfer of the Special Court's facilities to the government are carried out in a way that increases a sense of ownership over its resources and facilities.

## **Accountability**

In order for peacebuilding efforts in Sierra Leone to take firm root, all stakeholders in the peacebuilding processes and especially those handling financial and other programmatic issues should offer transparency and accountability to partners and beneficiaries of the programs.

Our recent seminars for parliament and civil society helped identify a large number of problems in this area. Members of parliament acknowledged a lack of understanding about the workings of the Peacebuilding Commission and the Peacekeeping Fund. They are not aware of the content of the various programs and projects being supported by the fund.

Given that they have oversight responsibility on government programs and in order for them to effectively perform that function, it is important that they are fully informed and kept with program development. Members of Parliament stated their interest in being part of the process, not merely rubberstamping the final bill.

An indispensable and indefatigable partner of the peacebuilding process is civil society. While civil society in Sierra Leone is poorly organized, it has shown willingness to come together over particular issues and for capacity building opportunities, and in the past, demonstrated a strong commitment to democracy and good governance. We must continue to invest in a vibrant civil society that can enhance legitimacy and local ownership of the peacebuilding process.

## **Conclusion**

These challenges can be met only with government commitment, government leadership, investment, and transparent, accountable processes. Upcoming opportunities for the government to move this agenda forward and demonstrate its commitment to its people include these:

- A draft bill focused on the Anti-Corruption Commission, seeking to strengthen the commission's independence and its effectiveness. The legislation would give the commission prosecutorial powers; allow it to prosecute without approval from the attorney general and minister of justice, guarantee the commissioner tenure in the post; and require public officials to declare their assets. President Ernest Bai Koroma renewed his commitment to the revised National Anti-Corruption Bill Parliament will soon get a chance to reaffirm its own commitment to anti-corruption.
- Making a commitment to enact legislation on reparations as a matter of urgency.
- Holding orderly, peaceful local elections on July 5. Local government elections that increase local participation in governance will both strengthen the decentralization process and enhance peacebuilding.

These measures are important, but Sierra Leone still presents special challenges to the international community. Due to prolonged conflict and history of bad governance, Sierra Leone remains a degraded state. Sustained commitment by the international

community is necessary for these measures to be transformed into practical efforts that make a serious difference in the lives of Sierra Leone's people. And only those efforts will guarantee sustained peace and a commitment to human rights and dignity.