

Research Brief

Transitional Justice and DDR: The Case of Sierra Leone

June 2009

Mohamed Gibril Sesay and Mohamed Suma

In Sierra Leone, the disarmament, demobilization, and reintegration (DDR) process and transitional justice initiatives, including both prosecutions and a truth commission, occurred in temporal proximity. Yet, any connections that existed between them were unintended. While the Lomé Peace Agreement (LPA) signed in 1999 stipulated the mandates for both DDR and the truth and reconciliation commission (TRC), no formal connections were made between the two processes.

Disarmament and demobilization were largely successful in Sierra Leone. Some research suggests, however, that accountability measures had a negative impact on the reintegration of certain ex-combatants, as members of armed factions known to have committed abuses against civilians faced numerous difficulties reintegrating.

Background

The eleven-year civil war in Sierra Leone led to the deaths of more than 50,000 people and horrific human rights violations. The LPA included a cessation of hostilities, a DDR program, the inclusion of the rebel force, the Revolutionary Armed Front (RUF), in government, and a blanket amnesty for all combatants, although it was understood that the amnesty and pardon provided by the agreement would not cover international crimes of genocide, crimes against humanity, and other serious crimes.

The progress made at Lomé was shattered in May 2000 when fighting resumed, although the conflict finally came to an end with the signing of the Abuja Protocols in 2001 and elections in 2002. The Abuja Protocols also marked an abrupt change in the national approach to accountability and justice, as the government formally requested the UN's help to establish a court to try members of the RUF involved in war crimes. As a result, the Special Court for Sierra Leone was set up in August 2002 with a mandate to try those who bear the greatest responsibility for the atrocities committed in Sierra Leone.

Research Project

Transitional Justice and DDR

This project examines the relationship between disarmament, demobilization, and reintegration (DDR) programs and transitional justice measures. It explores the manifold ways in which DDR programs may contribute to, or hinder, the achievement of justice-related aims. The project seeks not only to learn how DDR programs to date have connected (or failed to connect) with transitional justice measures but to begin to articulate how future programs ought to link with transitional justice aims. The project is managed by Ana Patel, Deputy Director of the Policymakers and Civil Society Unit at the ICTJ.

DDR

DDR began in earnest in 2001. Implemented by various agencies, combatants first assembled at reception centers where weapons were gathered and destroyed. They received reinsertion packages of US\$150 in cash and registered for reintegration assistance. The Reintegration Opportunity Program (ROP) offered skills, training, and tools to ex-combatants. Intended as an incentive for those returning to home communities, the ROP educational programs were delivered in the recipients' former hometowns. According to ROP records, a total of 51,122 ex-fighters participated in different programs categorized as apprenticeship, formal education, agriculture, and job placement. The National Commission for Disarmament, Demobilization and Reintegration provided general administrative oversight for reintegration assistance programs, but for the most part local or international NGOs implemented the programs.

When evaluated against the objectives of disarmament and demobilization, DDR in Sierra Leone was successful. The process disarmed and demobilized more than 75,000 combatants, a figure far higher than the initial estimate of 45,000 combatants. The process, however, had little impact on the reintegration of ex-combatants into society, and did not offer much support to women and girls.

Women associated with armed groups were medical care providers, spies, cooks, and active combatants. At the start of the DDR process, an estimated 45,000 ex-combatants were in need of support; 12 percent of this population was female. According to the UN Department of Peacekeeping Operations, at the end of 2002, more than 75,000 combatants demobilized, yet only 6.5 percent were women. One reason that women did not participate in the DDR program was related to the criteria for entry. In the first stages of DDR, the ability to receive benefits was based on weapon ownership. Most women combatants either did not possess weapons, or their commanders had ordered them to hand their weapons over to male colleagues before demobilization. Later, the program permitted group disarmament, meaning that a group of combatants could report to reception centers with a single gun, and more women entered the program.

Overall, there was far more investment, attention, and resources given to the disarmament and demobilization stages of DDR than to the reintegration stage. As a result, there were long gaps between the disarmament and demobilization of ex-combatants and the training offered through the ROP. Additionally, the six months of training offered were inadequate to provide people with an employable skill. Finally, Sierra Leone's desperate economic situation meant that there were no jobs for anyone, much less ex-combatants who continue to be discriminated against.

From the perspective of transitional justice, reforms have been marred by the lack of screening for past abuses.

Transitional Justice

Post-conflict Sierra Leone has engaged in various transitional justice measures: the TRC, the Sierra Leone Special Court, an extensive security sector and judicial sector reform process, the founding of a Human Rights Commission, and, most recently, the beginning of a reparations program for victims.

Truth-Telling

Civil society groups worked hard for the inclusion of accountability measures in the LPA. The TRC was mandated to create an impartial record of violations of international humanitarian law and human rights abuses from 1991 until the signing of the LPA. The TRC further aimed to give special attention to girls and women in its recommendations for securing peace. During its two years in operation (2002 to 2004), the TRC held more than 500 individual hearings, including public and closed sessions, addressing the experiences of victims and former combatants. The TRC gathered and analyzed approximately 9,000 personal statements, as well as nearly 200 written submissions from national or international institutions and NGOs. The commission's report found bad governance, corruption, human rights violations, and failure of leadership to be the factors that created conditions for conflict. It also identified the National Patriotic Front of Liberia and Libya as contributors to the war, and called for symbolic reparations from these states as well as funding for reparations within Sierra Leone.

Civil society played an important role in outreach between the commission and the public, as well as ensuring that the TRC remained a meaningful part of the transition. The TRC Working Group participated in the drafting of the TRC Bill of 2000, aided in the selection of commissioners, and conducted a series of community outreach events prior, during, and after the commission's work. At the conclusion of the TRC, the Working Group produced a simplified version of the commissioners' report in an effort to educate the population about the findings. It also held a series of meetings with parliamentarians to help them understand the commission's recommendations.

Prosecutions

The mandate of the Special Court for Sierra Leone (SCSL) is to try those who bore the greatest responsibility for the atrocities that were committed in Sierra Leone since November 30, 1996. Both Sierra Leonean and international law are applicable in the hybrid court, and Sierra Leonean judges serve alongside internationals. The SCSL has so far convicted three people, all of them former members of the Armed Forces Revolutionary Council. Each of these individuals received sentences of more than forty years in prison. The SCSL trial of Charles Taylor, former President of Liberia, is taking place at The Hague.

Reparations

The LPA included the establishment of a Special Fund for War Victims. The

About the Authors

Mohamed Gibril Sesay is a sociologist, university lecturer, researcher, civic educator, and political development professional based in Freetown, Sierra Leone. He currently teaches sociology at Fourah Bay College. He is also a poet whose works have been published nationally and internationally.

Mohamed Suma is currently Programme Director of the Sierra Leone Court Monitoring Programme. He holds a BA in History and Sociology and a Certificate in Social Development from the University of Sierra Leone.

There were few linkages between DDR and transitional justice mechanisms in Sierra Leone, and the linkages that did exist were unintended rather than purposeful.

government, however, paid little attention to the promised reparations program until recently. In 2008, the UN Peacebuilding Fund committed US\$3 million as a catalyst for the reparations program in Sierra Leone. The National Commission for Social Action, a government organization, is designated as the body that will be implementing the reparations. The reparations program is expected to start in 2009.

Institutional Reform

Reforming the national military presented a great challenge as there had been many cases of revolt and a complete lack of discipline. The United Kingdom took the lead in reforming the Ministry of Defense through the creation of a Military Reintegration Program (MRP). The MRP aimed mostly at recruiting former members of military and armed groups who wished to join the military as part of the DDR process, and has found success. However, from the perspective of transitional justice, these reforms have been marred by the lack of screening for past human rights abuses.

Conclusion

There were few linkages between DDR and transitional justice mechanisms in Sierra Leone, and the linkages that did exist were unintended rather than purposeful. This gap was largely a consequence of the Lomé Peace Agreement failing to connect DDR and transitional justice legally or operationally. Indeed, DDR was in its closing phases when the TRC started operations. There was, thus, no information sharing between the two. Furthermore, access to benefits provided by DDR were not made conditional on ex-combatants' participation in transitional justice processes, nor was funding for the two processes linked.

The shortcomings of DDR and transitional justice implementation strategies are felt all the more deeply in Sierra Leone due to a general sense that post-conflict transition processes have prioritized support for DDR, a program perceived to provide direct material support to ex-combatants. Yet there has been no such overarching, national program for victims. The renewed focus on reparations in Sierra Leone may change that perception.

The International Center for Transitional Justice (ICTJ) wishes to thank the Federal Public Service of Foreign Affairs of the Government of the Kingdom of Belgium, the Ministry of Foreign Affairs of the Republic of Finland, the Ministry of Foreign Affairs of the Kingdom of the Netherlands, and the Ministry for Foreign Affairs of the Kingdom of Sweden, whose financial contributions made this research project possible.

The International Center for Transitional Justice assists countries pursuing accountability for past mass atrocity or human rights abuse. ICTJ works in societies emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved. To learn more, visit www.ictj.org.

Research Brief Series

ICTJ Research Briefs summarize longer studies prepared as part of research projects conducted by the ICTJ's Research Unit. For the full Transitional Justice and DDR case studies, visit www.ictj.org/en/research/projects/ddr/index.html.