



# Report and Proposals for the Implementation of Reparations in Sierra Leone

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## Introduction<sup>1</sup>

Reparations to victims are a critical part of Sierra Leone's transitional justice process. As one of the primary tools for rebuilding national trust and encouraging reconciliation, they are vital to any effort to create and support an environment conducive to long-term peace and stability in Sierra Leone. Sierra Leone's Truth and Reconciliation Commission (TRC) recognized this fact when it provided extensive recommendations for reparations in its final report. Likewise, the United Nations and the Government of Sierra Leone recognized reparations as an acute area of concern when they undertook a one-year project, starting in August 2008, aimed at building the institutional capacity needed to implement the TRC recommendations. This Year One Project received a 3 million USD funding grant from the United Nations Peacebuilding Fund (PBF), and its recipient organization, the International Organization for Migration (the IOM), and was to be implemented through the National Commission for Social Action (NaCSA), a governmental organization.

In an effort to understand the current state of reparations in Sierra Leone and to evaluate the options, needs and challenges for future action, ICTJ undertook a review of the Year One Project, drawing upon lessons learned through first-hand observation of the NaCSA initiatives, through findings presented at an ICTJ workshop with civil society organizations, held in Freetown on April 22, and on comparative experiences from other countries implementing reparations. In particular, ICTJ assessed the victim registration process (conducted between December 1, 2008 and June 30, 2009) and initial efforts at service delivery. As this report shows, while the NaCSA has done good work on victim registration and policy development, none of the project's objectives was fully completed within the one-year time frame; nor was it ever likely or probable that they would be accomplished. The PBF grant came with some strict conditions that made it difficult to achieve its goals: The grant had to be used in one year and 75% of the amount had to be spent in direct benefits to victims. The emphasis on obtaining results in one year, especially by allocating most of the grant to the delivery of some measure of reparations to victims, affected the Program's overall capacity to effectively prepare the terrain for the comprehensive reparations program recommended by the TRC. It made it impossible to register all victims or to prepare a fully-conceptualized

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framework that could help policymakers move forward with a full program of reparations that might actually help change the living conditions of Sierra Leone's victims.

This report is intended to contribute to the work of NaCSA and of all other organizations involved in providing reparations to victims in Sierra Leone. Despite its shortcomings, the Year One Program has provided valuable and much-needed experience for all relevant stakeholders and has helped establish conditions for a further initiative. It is important to learn from the lessons of this project and to define what is needed now before continuing with the process of implementing reparations. This report tries to identify some of those lessons and to help define the next steps that Sierra Leone, with the assistance from the international community, should take to address the consequences that the civil war had on victims.

## **Brief Overview of the Year One Program**

The Year One Project was established largely as a capacity-building mechanism. Falling under the umbrella of a broader PBF strategic framework, it was “designed as a catalyst to kick-start critical interventions,” and was not intended to supplant “national ownership of a peace process.” At its core, it aimed to provide the foundations for an institutional structure and framework that would facilitate the implementation of reparations, setting specific staffing, logistical and measurable organizational targets within NaCSA, while also requiring NaCSA to develop a “five-year strategic plan for continued support for reparations.” At the same time, the Year One Project identified a set of additional “outputs:”

- 2.1 A database on profile of war victims established.
- 2.2 Government, Victims, Civil Society, donors and other stakeholders sensitized on the reparations program.
- 2.3 A Special Fund for War Victims established and operationalized.
- 2.4 Reparations sub-projects for War Victims implemented.

These tasks were broader in scope and by nature paralleled and overlapped with the longer-term objectives of the five-year program.

### **Initial Efforts to Register Victims**

Registration of victims started in December 2008 and was scheduled to finish on March 31, 2009. This period proved insufficient and a second phase of registrations was launched, ending on June 30. However, this too was adjudged inadequate; and other victims were incorporated into the registry later and a restricted open door policy continued for quite a while after the official registration period ended, allowing more victims, especially women, to register. The number of victims participating in the registration process increased at a rate of 50% - 100% each month. Below is the chart summarizing the registration effort month-by-month.

Chart 1: Summary of Registrations Every Month

Dec 08	1,382
Jan 09	4,323
Feb 09	10,417
March 09	14,017
April 09	14,502
May 09	16,679
June 09	17,250
Sub-total	27,992
July-November	29,733

Chart 2: Summary of Registrations per Region

Region	District	Victims registered	
		Number	%
<b>Western</b>			
	Freetown	5,446	18
	Freetown Rural	1,400	5
<b>Southern</b>			
	Bo	2,390	8
	Bonthe	1,124	4
	Moyamba	1,413	5
	Pujehun	733	2
<b>Eastern</b>			
	Kenema	3,443	12
	Kono	2,056	7
	Kailahun	1,406	5
<b>Northern</b>			
	Koinadudgu	1,905	6
	Port Loko	1,861	6
	Tonkolili	2,915	10
	Bombali	1,877	6
	Kambia	1,764	6
<b>Total</b>		29,733	100

Chart 3: Summary by Region and Category

	Children	Amputees	Other War Wounded	War Widow	Victim of Sexual Violence	Total
<b>Freetown Urban</b>	2,206	220	873	2,126	1,036	<b>6,461</b>
<b>Rural</b>						
<b>Northern</b>	3,513	350	1,548	3,835	1,359	<b>10,611</b>
<b>Eastern</b>	1,368	465	1,460	3,648	544	<b>7,515</b>
<b>Southern</b>	2,308	250	794	1,552	242	<b>5,146</b>
<b>TOTAL</b>	<b>9,431</b>	<b>1,285</b>	<b>4,675</b>	<b>11,161</b>	<b>3,181</b>	<b>29,733</b>

Chart 4: Differences between Estimations of Victims and Victims Registered

	Estimated <sup>2</sup>	Registered	Difference
Children	38,000 <sup>3</sup>	9,431	28,569
Amputees	1,500	1,285	215
Other war wounded	3,000	4,675	<b>-1,675</b>
War widows	5,000	11,161	<b>-6,161</b>
Victims of sexual violence	5,000	3,181	1,819
Spouses of amputees and war wounded	3,000	0	3,000
<b>Total</b>	<b>55,500</b>	<b>29,733</b>	<b>25,767</b>

To fully evaluate the significance of these numbers, a district-by-district review of population statistics and patterns of migration and displacement during and after the war would be required. However, certain helpful conclusions can be drawn:

#### *Findings*

- The registration process was conducted hurriedly and under tight time restraints, without the capacity for implementing sufficient outreach, with limited capacity to include the participation of victims' organizations and without allowing a more strict screening and verifications process. Although during the second phase of registrations, NaCSA intensified its engagement with district stakeholders by organizing stakeholders' meetings in the various regions, even these additional efforts did not remedy all the problems experienced in the first

<sup>2</sup> Based on the estimations made by NaCSA for a 5 years reparations plan in March 2009

<sup>3</sup> Includes 3,000 children as direct victims and 35,000 children of victims.

phase. As a result, it is likely that many victims have not been included in the registry, and are not receiving the relief payment.

- While far from dispositive, the numbers seem to reflect low levels of registration in rural districts, such as Kailahun, that were heavily affected by the conflict.
- The registration of amputees and victims of sexual violence is notably lower than the other categories. In the case of amputees, this apparent disparity is explained quite simply by the lower number of actual victims. However, in the case of victims of sexual violence, the figures are symptomatic of problems inherent in reaching and registering this population of victims, despite the significant effort made in the last months by NaCSA to reach out to and reassure these women and to improve its coordination with women's organizations.
- Despite a public awareness campaign, only limited information about registration was available in remote areas of the country where the majority of victims reside. Oftentimes, information came too late to allow victims to travel the long distances required. During the first phase, this was largely because of the limited funds made available for public announcements on commercial radio stations. Registrars were forced to rely too heavily on the UN Peacebuilding office's radio station, which though free of charge, is not necessarily the station preferred in most communities where local stations broadcast in local languages. Information dissemination is critical to the success of a reparations program. Persistent efforts must be made to communicate information to victims accurately and as universally as possible.
- Mobile registration teams, though assuredly dedicated, were hampered by logistical problems and the difficulties inherent in covering vast distances.
- According to the estimation of victims done by NaCSA for the strategic plan of a five years reparations program, the number of victims registered varied significantly from the total of victims anticipated, especially in regards to children and victims of sexual violence. The negative difference in regards to war widows and other war wounded could be indicative of general problems inherent in the process of estimating victims; something expected and reasonable given the difficulties that such estimation represents. However, it might also be also explained by specific difficulties common to categorizing or registering these types of victims. Some war wounded could have suffered wounds because of other reasons or were actually combatants who tried to pass as victims. Women victims of sexual violence who are also war widows may have preferred to be registered as widows to avoid any attendant stigma.
- The verification process was performed by a group of staff recruited and trained in the use of the verification framework developed with IOM. All registration files from the provinces were transported to Freetown for the initial verification exercise. The verification officers

revised each document and referred those that are suspected of having problems to their districts of origin. The next step consists of working with local civil society groups, local and religious leaders and women's groups to verify the accuracy of these cases. Once their authenticity is confirmed, eligible victims will be registered. Given that victims are required to produce a medical report or a letter of certification from local authorities attesting to their victimhood, there is concern that some of the recommendations were not given to actual victims.

- Many victims can be verified through the list and information contained in the report of the TRC, by other public registries or the registries of the main human rights and civil society organizations. This would require cross-referencing the available information. However, a significant number of victims, especially those located in the rural areas of the provinces, may not be included in the registries of the TRC or human rights or victims organization. These are likely to be the most vulnerable and marginalized among victims. Thus the verification process should also consider contextual information, including how the conflict affected the area and the time of the alleged violation. Analyses of any patterns in how violations occurred may also help with the verification process when other forms of verification are lacking. Local leaders and civil society organization could contribute effectively to this kind of verification.

### **First Efforts to Deliver Urgently Needed Services to Victims**

The pressure to implement urgent measures as part of the Year One Project has been enormous. The measures originally selected covered a number of victim classes and types of reparative measures, including (1) educational support to children that were amputees, war wounded, victims of sexual violence, and abducted, conscripted, born out of rape or orphaned (excluding those benefited by the DDR program); (2) free fistula surgery and HIV/AIDS and sexually transmitted infections (STI) testing and treatment for those women raped according to their need; (3) free health care for all direct victims (excluding children of victims and war widows); and (4) counseling and psychosocial support for all categories of victims. This ambitious array of measures was directly linked to a broader five-year program, and was appropriate as a first gesture of the Government's commitment to reparations. However, in practice, the actual urgent measures have been mostly limited to the payment of relief money, without enough consideration about the need of more comprehensive approaches to provide effective redress. This seriously affects the ability of the project to constitute a first stage that could help further process of the comprehensive reparations program implemented. That is why it is so important for the Government to take the lead on defining a mechanism for continuing the program, which could include a new process of registration and a comprehensive approach of sustainable reparations.

## 1. Interim Payments to Victims

The Year One Project included a Le 300,000 (\$100) grant to amputees, war wounded victims that have 50% or more incapacity, and victims of sexual violence. The TRC Report did not provide for the issuance of a one-time payment of money, but instead for pensions and social services. However, the process of putting modalities in place to implement service delivery takes time. As the program is still in the planning stage, NaCSA devised this payment to create a kind of relief to victims. Only principal applicants approved by NaCSA are eligible for payment, meaning no dependant of the victims will benefit except indirectly through what the victims receive. This is an interim measure and is an important source of immediate support to those in most need. But these grants will at best serve as a preliminary stipend, lasting for six months to one year, so it is necessary that a permanent measure of financial reparations be implemented soon.

The payment period lasted from September 22 to October 16, 2009. Victims were required to present acknowledgment receipts issued by NaCSA after completion of registration as a means of identification and verification. Before the payment started, NaCSA held a press conference and also engaged various groups in the provinces to inform communities about the pending payment. A list of victims, bearing the special ID numbers from the acknowledgment receipts, was displayed at various points to alert those who were eligible for payment. Initially, this listing created some confusion as it contained only the names of 19,000 beneficiaries instead of the complete list of 29,733. NaCSA later posted the complete list after receiving it from IOM.

Payment centers were established throughout the country. In Freetown, the payment center was at the National Stadium; and in Waterloo, for the rural district. In the provinces, payment was made in the NaCSA district offices or in other designated centers for victims traveling from far away areas.

In order to ensure probity and transparency, NaCSA verified all documents before they were sent to the bank at the payment stations. During the payment exercise, an average of 300-500 beneficiaries received their monies everyday in the payment center at the National Stadium in Freetown. A list system, categorizing the victims by their initials, was used. For example, the letters A-H were paid every Monday chronologically. NaCSA, however, gave some categories of victims, such as amputees and those with severe physical injuries preferential treatment. In the case of victims of sexual violence, they were not identified as such to protect the confidentiality of their statements.

By the end of the payment exercise, the majority of the 21,700 persons qualifying for the payment, received payment. However, there were a few victims who had problems with the ID documentation given to them by NaCSA. As a result, NaCSA is currently verifying and paying those whose documents were damaged or missing.

Chart 5: List of Total Victims Paid Per Region Per Category

Region	District	Children	Amputees	Other War Wounded	War Widow	Victim of Sexual Violence	Total
<b>Western</b>	<b>Freetown Urban</b>	1,826	204	847	1,170	998	<b>5,045</b>
	<b>Freetown Rural</b>	325	83	278	433	62	<b>1,181</b>
Sub-Total		<b>2,151</b>	<b>287</b>	<b>1,125</b>	<b>1,603</b>	<b>1,060</b>	<b>6,226</b>
<b>Northern</b>							
	Koinadudgu	200	23	224	243	293	<b>983</b>
	Port Loko	141	39	234	61	91	<b>566</b>
	Tonkolili	537	70	425	500	333	<b>1,865</b>
	Bombali	591	188	99	15	116	<b>1,009</b>
	Kambia	375	27	44	31	326	<b>803</b>
Sub-Total		<b>1,844</b>	<b>347</b>	<b>1,026</b>	<b>850</b>	<b>1,159</b>	<b>5,226</b>
<b>Southern</b>							
	Bo	646	152	490	658	20	<b>1,966</b>
	Bonthe	386	22	139	114	64	<b>725</b>
	Moyamba	749	17	171	389	71	<b>1,397</b>
	Pujehun	71	44		402	31	<b>548</b>
Sub-Total		<b>1,852</b>	<b>235</b>	<b>800</b>	<b>1,563</b>	<b>186</b>	<b>4,636</b>
<b>Eastern</b>							
	Kenema	825	71	689	293	221	<b>2,099</b>
	Kono	146	83	365	200	226	<b>1,020</b>
	Kailahun	116	112	370	236	66	<b>900</b>
Sub-Total		<b>1,087</b>	<b>266</b>	<b>1,424</b>	<b>729</b>	<b>513</b>	<b>4,019</b>
<b>TOTAL</b>		<b>6,934</b>	<b>1,135</b>	<b>4,375</b>	<b>4745</b>	<b>2,918</b>	<b>20,107</b>

**Chart 6: Differences between Total Registered and Total Paid**

	Registered <sup>4</sup>	Paid	Difference
Children	9,431	6,934	2,497
Amputees	1,285	1,135	150
Other war wounded	4,675	4,375	300
War widows	11,161	4745	6416
Victims of sexual violence	3,181	2,918	263
Spouses of amputees and war wounded	3,000	0	3,000
<b>Total</b>	<b>55,500</b>	<b>29,733</b>	<b>25,767</b>

*Findings*

- The TRC recommended permanent monthly pensions as reparations for the categories of victims listed above. The Commission recommended that the pension should not be lower than Le 60,000 Leones of 2004, which needs to be adjusted to inflation. The Commission also recommended that the Government “consider the standard of living, the amount provided to ex-combatants on a monthly basis under the NCDDR program, and the amount that the war-wounded SLA soldiers received from the government,” when determining the pension amount. Comparative experiences in providing pensions demonstrate their ability to relieve some of the consequences of massive human rights violations. They guarantee conditions for survival and promote victims’ dignity, as the TRC affirmed. The amount recommended by the Commission seems adequate to provide victims with basic support and reaffirm dignity, but needs to be adjusted to its current equivalent. A clause for automatic annual adjustments based on the rate of inflation should be included in the pension program. Pensions are easier to finance through the state budget, because their costs are distributed over several years, as opposed to lump sum payments.
- The Year One Project provides a baseline number from which to estimate the costs of a financial reparations program that includes pensions for the categories of victims mentioned at the end of the current year. According to the number of victims registered to date (assuming no exclusions from the process of verification and that all war wounded registered have the degree of disability required), a pension program will entail an annual cost of approximately Le 6,305 million. Naturally, this number will need to be adjusted for inflation and to account for those victims who have not completed the registration process. Yet, while a significant amount requiring a budgetary commitment of 10-20 years based on actuarial studies of victims’ anticipated life expectancy, these sums are not insurmountable. It is important that the Government of Sierra Leone and other capable stakeholders undertake a program of estimating pension and other costs associated with a reparations program so as to more fully anticipate how much will need to be appropriated to finance these measure. It will

<sup>4</sup> Based on the figures provided by NaCSA as at December 3, 2009

also be necessary to determine how and when to start paying pensions to eligible victims while continuing to register victims and appropriating resources to fund pensions for a second round of eligible victims.

- Additional classes of victims should be considered as well. For instance, it seems reasonable and necessary to include war widows in any pension program, given the economic impact caused by the loss of a breadwinner and given that widows of military personnel killed in the war already received a pension. Expanding the pension program to this class of widows will cost, according to the number of widows registered so far, approximately Le7,940 millions a year.
- Pensions require the making of regular payments to victims, including those that live in remote areas. In that case, reparations funds should be appropriated separately from the budget, so that funds for reparations are not confused with the funds for other pensions that the Institute pays. In Sierra Leone, using an existing service such as NASSIT, the National Social Security and Insurance Trust, that already has the capability for delivering regular payments, would save costs, but it shouldn't be done through the regular funds administered by NASSIT or commingled with the pensions of Sierra Leonean ordinary pensioners.

## 2. Emergency Medical Cases and Health

NaCSA implemented a program of emergency medical care for a limited number of victims: 1) 31 victims with critical medical conditions underwent operations in Freetown. The emergencies range from victims with bullets lodged in their bodies to victims with severe wounds and tetanus infections. 2) With the assistance of Mercy Ships International, NaCSA conducted medical examinations on 235 victims of sexual violence around the country and a small number of severe cases, requiring surgery, were referred to Mercy Ships center in Freetown. A number of them were referred to Marie Stopes Clinic for treatment and the other less severe cases were given prescriptions to buy drugs. All the victims who participated were given an allowance of Le 300,000 (\$100) to offset transportation and other costs incurred as result of this travel, in addition to the relief payment.

### *Findings*

- The number of victims who benefited from this emergency health care program doesn't reflect what is needed in regards to health care. The projected case load made by NaCSA, included a provision of free physical health care to an estimated 33,500 victims, as part of the five-year strategic reparations plan. However, the Ministry of Health stated that it was not able to participate in the reparations effort done during 2009 and it is still not clear if it will provide services to victims in 2010 in addition to the few interventions done. Health

care is a form of reparations which is essential to affirming victims' dignity. These services can respond to victims' specific needs and dramatically improve their lives.

- The TRC provided detailed recommendations for physical health care services, HIV/AIDS and STI testing and treatment, counseling, as well as scar removal for former child combatants, to be implemented to the different types of victims.
- The recommendation by the TRC in regards to provision of orthopedics and rehabilitation is another area that needs to be addressed. This policy will require a strong first period investment and a mechanism for following up with victims over the duration of their lives, as prosthesis might need to be replaced over time.
- In regards to psychosocial counseling, it is important that the TRC recommended it to all categories of victims, recognizing that they need permanent support coping with their hardships and the crimes they suffered.

### 3. Education

In the case of education, the Year One Program financed by the PBF originally included reimbursement of school fees, uniforms and books for the children identified as victims. These included children who are amputees, war wounded, victims of sexual violence, children who suffered abduction or forced conscription and children who have a parent who is an amputee, disabled, war wounded or suffered sexual violence, and who are still eligible for primary or middle school education. Schools were reopened in Sierra Leone in September, but no specific educational support was given to the victims.

#### *Findings*

- Given the time that has passed since the end of the war, a limited plan, such as that currently envisioned, would include only a very small proportion of children whose education was seriously affected by the war, and would exclude most war orphans. In addition, reimbursing expenses won't improve the capacity of the most poor to attend school either, but will provide support only for those already attending.
- Educational support must be sustained over time. Reimbursing educational expenses incurred over the course of a few months or one year, or providing conditional cash transfers for a limited period will make very little difference in one child's life. The program should be aimed at allowing the children of victims to complete a full cycle of education, hopefully at the secondary level, so as to have a genuine impact and to be truly reparatory, and not just to guarantee a socio-economic right to which all Sierra Leonean children are entitled.

- In addition, it is important to evaluate the need for another educational program, considering that most war orphans and other children victims will not be eligible for the program described above, because they will have aged out of the program. This is particularly likely given that several years have passed since the end of the war and the delivery of the TRC report. The Government provided some form of free education including text books, tuition fees and payment for public exams for all students at both the primary and secondary school level for a few years after the war ended. However, this program did not enable certain categories of victims to complete their education. By failing to provide victims with bona fide access to education, the Government neglected a very damaging consequence of the war that will impact a whole generation, affecting future development and threatening the long-term stability of the country.
- The program must be defined broadly to ensure that educational aid includes the widest range of options (e.g. adult literacy programs and vocational training to children of victims) and establishes either no upward ceiling on a beneficiary's age or one well beyond the traditional school age so as to better reflect the true age of victims.
- The TRC's recommendations in regards to skill-training are very relevant. If appropriately implemented, they can provide resources for victims that will help them find new ways of generating income and becoming self-sufficient. Especially in the case of women, whose capacity to marry and to find jobs are limited by conditions of social marginalization, in addition to the crimes they suffered, self-sustainability programs offer hope.

## Funding Issues

On December 5, 2009, the Victims' Trust Fund will be launched by President Ernest Koroma in Freetown. The Fund was first provided for in XXIX of the Lomé Peace Agreement of 1999 and later Art. 7(6) of the TRC Act 2000 and was also recommended in the TRC report. According to the TRC Report, the Fund was supposed to have been created three months after the report was submitted to the Government in October 2004. The Fund will serve as a basket fund to receive contribution from Sierra Leoneans and friends of Sierra Leone to serve the welfare of the war victims.

For the past few months, NaCSA has been working to set up the Fund. To that end, they have produced a document entitled "**Trust Deed for the Special Trust Fund for War Victims of Human Rights Violations in Sierra Leone.**" This document defines the mandate, structure and operations of the Fund and its Board of Trustees. The President has appointed a seven-member Board of Trustees and they constitute a member of Parliament, a traditional leader, 2 religious leaders (one representing Christian and Islamic faiths respectively), an adviser of the reparations team and members representing the ministries of health and education.

*Findings*

- Current efforts to raise resources for a Trust Fund for Victims among international donors and the Government are good starting points. However, a Trust Fund that is dependent on international cooperation is likely to be insufficient given the magnitude and nature of reparations policy to be implemented. The TRC recommended many reparations mechanisms that require a long-term policy commitment; indeed, some should last for the lifetime of some victims. A well-defined, long-term strategy accompanied by a strong national budget commitment might attract some donors, but the main source of funding must still come from the national budget. The state of Sierra Leone bears primary responsibility for implementing a reparations program and is the only source that could guarantee its continuity and ultimate success.
- The main responsibility for funding reparations resides with the Government and Sierra Leonean society. Sierra Leone must take the lead in seeking funding and should seek out internal sources of funding first. Sierra Leone's obligations in this regard stem primarily from its responsibility in the conflict and towards its nation's victims, but it is also the best way to guarantee that the program once implemented will respond to the needs of victims and will not be defined by constraints imposed from abroad, as has been the case in the Year One Program.
- The Government should bear in mind the recommendations of the TRC, in regards to the establishment of additional taxes or debt relief programs as they could help the task of funding reparations from internal resources.
- A reparations program does not need to compete with Sierra Leone's other important priorities, such as overcoming poverty and guaranteeing the social, economic and cultural rights of all its inhabitants. Indeed, a reparations program can compliment efforts at social and economic development by improving the distribution of basic needs services, such as education, health care or social security, while also supporting economic development in those marginalized areas of the country that were seriously affected by the conflict.

**Conclusions**

The registration of 29,733 victims (representing a cross-section of victim types from all the provinces of Sierra Leone) is an important achievement that bears testament to the efforts made by NaCSA to implement an efficient reparations program. It is a remarkable first offering, given the time and budgetary constraints that were built into the process, but it must be augmented and expanded. As this report demonstrates, certain rigid temporal, institutional and administrative constraints defined by the PBF seriously hampered the overall effort to register and verify the full population of victims, to deliver urgent measures where needed and to establish a long-term reparations program, with a dedicated source of funding.

## *Recommendations*

This report calls for:

- *An additional effort to register victims:* Reparations in Sierra Leone cannot be meaningful if victims are excluded. In particular, victims of sexual violence and those residing in rural areas, that have been traditionally excluded from the social, political and economic life of the country, but that were seriously affected by the civil war, must be included in the process.
- *Implementation of a long-term reparations program:* The framework defined by the Year One Program was a very important starting point, even though the partial registration effort and the delivery of discrete reparations done by that program fell short as a first stage for implementing meaningful reparations, especially in areas like health care, pensions and education where a long-term commitment is necessary, and does not satisfy the recommendation of the TRC.
- *Financial and organizational contributions by the Government of Sierra Leone:* The Year One Program has not received significant financial support from the national government, which contributed only 246,000 USD (a limited 8.2% of the total cost); nor has it received assistance from domestic agencies, like the Health Ministry, that would seem ideal partners given their expertise and overlapping commitment to public health. The lack of a clear financial commitment, funding a comprehensive program as a continuation of this seed effort, has eroded the sense of certainty that a reparations policy requires. It is important that the Sierra Leonean government invest in the program not only to ensure that it is implemented – there is little precedent of international donors funding reparations programs -- but also to fulfill its state duty to repair victims of human rights violations.
- *Enhanced efforts to build partnerships with civil society and victims' groups:* In executing both long- and short-term programs, it is essential that NaCSA build strong partnerships with civil society and victims' groups. Civil society and victims' organizations can facilitate effective reparations programs by representing and engaging victims in more remote parts of the country, by facilitating community memorialization and psychotherapy efforts, by conducting outreach in locally sensitive ways and by directly providing necessary services. Victim participation will be critical to the success of the reparations program that is about to be launched. Victims should be involved at every stage of the reparations process in order to encourage a feeling among victims that they have a voice in the process and to foster confidence and social and political trust in a post-conflict society, where mistrust and suspicion persist.

To make this possible it is needed that:

1. The Government of Sierra Leone:

- a) Allocate resources for the continuation of the implementation of reparations, based in the 5 year strategic plan developed by NaCSA and the recommendations of the TRC. Such program should include at least the provision of health care and educational support to all victims identified in 2009 that are entitled to those programs. It also should start the implementation of this program in 2010, to guarantee the positive effects of what was achieved on the Year One Project. Only by implementing reparations based in the work done by the Year One Project the government will be able to provide confidence to the PBC and the PBF that such project had served as an initial impulse for Sierra Leonean society to provide effective reparations to victims.
  - b) Launch a second effort to register victims based in the lessons learned during the Year One Project. It should include an outreach effort that could guarantee getting to all victims and providing confidence in the process, as well as an effective verification process.
  - c) To define a long term reparations program that include all the remaining measures included in the 5 year strategic plan and the recommendations of the TRC, particularly in regard to providing pensions, to start being implemented in the fiscal year 2011 with those victims registered during 2009, and to later incorporate those victims registered by the second registration effort. This effort should include funding strategies following the recommendations of the TRC in regards to special taxes for mining or other extractive activities, debt relief and a public and transparent debate on the national budget.
2. The Peace Building Commission:
- a) To develop a strategy that could support the efforts of the Government of Sierra Leone to continue implementing reparations, engaging in direct negotiations that could include the definition of the concrete efforts to be asked to the Government that could provide guarantees to donor countries of the sustainability of the strategy.