

PEACEKEEPING IN SIERRA LEONE

UNAMSIL Hits the Home Straight

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ACKNOWLEDGEMENTS

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CHRONOLOGY

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EXECUTIVE SUMMARY

The spark that ignited the armed conflict in Sierra Leone came in March 1991, when Liberian warlord (now president of that state) Charles Taylor armed a group of dissident Sierra Leoneans. Over the next decade, the violence continued despite regional attempts to broker peace. Numerous agreements,

elections and ceasefires were negotiated over the years, only to be derailed by more violence, coups and general destabilisation. After a series of incoherent interventions by major powers, regional powers, and private military companies, national elections were held on 26 and 27 February 1996, long before there was any sign of a firm cease-fire or peace agreement. Ahmad Tejan Kabbah of the Sierra Leone People's Party emerged as President, but this premature experiment with democracy ended on 25 May 1997, when his government was overthrown. Socio-economic conditions continued to deteriorate, and the UN eventually established an observer mission alongside the regional ECOMOG force, in June 1998.

The humanitarian emergency in Sierra Leone made international headlines when, despite the presence of peacekeepers, Freetown was sacked by rebel forces in January 1999 - an event which precipitated the negotiation of the Lomé Agreement, signed in July 1999. This peace agreement led, in turn, to the withdrawal of ECOMOG and to the establishment of a UN peace mission in October of that year.

The UN force arrived in the (usual) piecemeal fashion, and the available troop strength was too low to allow a widespread deployment. Following the RUF's offensive in May 2000, the entire peace process reached an impasse. The RUF's aggression against the peacekeepers, culminating in widespread hostage taking in May 2000, made UNAMSIL realise that compliance with peace accords and Security Council resolutions cannot be taken for granted, and that the force needed an effective deterrence capacity.

After a six-month hiatus, the Abuja Ceasefire Agreement, signed on 10 November 2000, and the Abuja Ceasefire Review Agreement of 2 May 2001 (Abuja II), provided a breakthrough in the peace process, with the Government and the RUF agreeing to the simultaneous disarmament of all combatants belonging to the RUF and the Civil Defence Forces, and both parties accepting the need for the government to restore its authority throughout the country.

This monograph provides a brief overview of the inconclusive interventions in the Sierra Leone conflict, up to and including the initial phase of UNAMSIL deployment. It reports in more detail on the subsequent advances made in the peace process, with specific emphasis on the present role of UNAMSIL in support of the Abuja II Agreement. While the focus is clearly on the political-military process that is geared towards taking the people of Sierra Leone to the polls in May 2002, attention is also paid to a number of interrelated and often thorny issues that, though beyond the mandate of the UN Mission, undoubtedly impact upon the prospects for security, justice and economic recovery. The latter include British support for security sector reform, the extremely contentious diamond industry, the use (and abuse) of children as soldiers and the debate on whether war criminals should be prosecuted or given amnesty.

After a disastrous first six months, and a subsequent hiatus of nearly a year, it is clear that UNAMSIL has, especially since May 2001, made significant strides towards achieving its stated objectives of:

- Assisting the efforts of the Government of Sierra Leone to extend its authority, restore law and order and stabilize the situation progressively throughout the entire country, and
- Assisting in the promotion of a political process that should lead to a renewed disarmament, demobilization and reintegration programme and the holding, in due course, of free and fair elections.

By November 2001, UNAMSIL was up to its authorised strength of 17,500, and was better led and more fully equipped than at any time since its inception. The Pakistani brigade and the Russian air wing provided the mission with a powerful deterrent capacity, and the re-trained and re-equipped Sierra Leone Armed Forces were contributing to the overall ability to deal firmly with any potential spoiler of the peace process. UNAMSIL had succeeded in deploying to all the districts of Sierra Leone, and was

affording and facilitating a degree of protection, freedom of movement and the delivery of humanitarian assistance to civilians.

The key to stabilisation and security has always been seen as the disarmament, demobilisation and reintegration of former combatants. The purpose of stabilisation measures is to wrest power and the means of violence from local militias and warlords, and to recentralize it at a much higher level. In other words, the success of the whole intervention process hinges on the degree to which warring factions can be effectively disarmed.

Disarmament has proceeded apace in Sierra Leone since May 2001. As this monograph was going to print, on 7 January 2002, UNAMSIL declared that the disarmament of former fighters under the Sierra Leone government's DDR programme had formally ended. According to the UN Mission, 45,449 former combatants had handed over weapons to the authorities between 18 May 2001 and 6 January 2002. The collection of weapons not covered under DDR was continuing under a community arms collection programme.

While disarmament and freedom of movement are primary military concerns, the demobilisation and reintegration into society of former combatants is widely recognised as a civilian challenge. This aspect of the Sierra Leone peace process remains problematic, in a society where the formal economy hardly exists and the vast majority of the population eke out a living either through subsistence agriculture or the exploitation of natural resources. The lure of diamonds is, and will undoubtedly be, an important factor in the decisions as to means of earning a livelihood taken by former combatants on all sides.

While there are many structural and objective impediments to meaningful reintegration - not just of the RUF, but of all former combatants and civilians disrupted and displaced by the war - there is an urgent need for the RUF to receive meaningful assistance in converting itself into a political party. This is surely a sine qua non for mission success, if the political indeed takes precedence over the military in any peace process. Yet this has been one of the most neglected aspects of engagement in Sierra Leone. This omission may well come back to haunt those who would like to see the RUF marginalized in the forthcoming elections.

The neglect of the RUF's conversion process is, perhaps, an inevitable outcome of the emphasis placed on the extension of civil (Government) authority throughout the territory of Sierra Leone. This has been regarded as the all-important benchmark to be achieved before the staging of elections, and extension of civil authority has been at the centre of recent reports of the UN Secretary-General, Security Council resolutions, and indeed, the mandate and mission statement of UNAMSIL. However, international assistance with this imperative continues to focus on the military and the police, with little attention devoted to the broader aspects of civil administration - such as health, education, and social welfare.

It is a truism that the success of a peace operation depends not only on the security dimension, but also on the aspects of democracy, governance, economy and development. Moreover, the Special court for Sierra Leone and the Truth and Reconciliation Commission (TRC) both have a critical role to play in building institutions that the citizens can trust. Access to justice remains one of the acute problems facing Sierra Leoneans, especially for rural residents. Of special concern is the need to begin a sustainable longer-term process of judicial reform, as a necessary adjunct to the Special Court and the TRC. This would involve a process that could take at least ten years, and will require further bilateral and multilateral support, as UNAMSIL is, by definition, a short-term intervention.

It is commonly accepted that the roots of the Sierra Leone conflict lie in poor governance, which was responsible for a disappearing formal economy, youth unemployment, grinding poverty, poor education and a weak infrastructure. If this is so, then it is also important to look beyond the elections and to

muster ongoing international support for fostering good governance practices and long-term economic development. This is absolutely vital if the enormous investment in peacekeeping and emergency assistance is not to be squandered.

While this monograph attempts to document, in broad outline, both the setbacks and the progress made in Sierra Leone to date, it is too soon to pronounce the Mission an unqualified success. Nevertheless, the international community, the UN, and especially the leadership of UNAMSIL have stayed the course, and have turned what appeared to be abject failure into a very visible (though qualified) success. To continue on this trajectory, and to ensure that the Mission reaches its desired end-state, both UNAMSIL and the people of Sierra Leone need and deserve the continued support of all national, regional and international interlocutors and donors.

CHAPTER 1

Introduction

Sierra Leone has a population of some 5.3 million people, with about 1.2 million living in the sprawling capital of Freetown. 60 percent of the nation is Muslim, and 30% Christian. Over 17 tribes are to be found in Sierra Leone but two, the Temne and the Mende, are pre-eminent, each of them comprising 30% of the population. Life expectancy in Sierra Leone is 38.3 years, the adult literacy rate is 32% and the GDP per capita is US\$448. With a majority of unemployed and disaffected youths becoming increasingly alienated from an ageing and stagnant government in Freetown, Sierra Leone was ripe for armed insurrection at the turn of the last decade.

The spark that ignited the conflict came in March 1991, when Liberian warlord (now president) Charles Taylor armed a group of dissident Sierra Leoneans. His motive was to hit back at the Freetown government for allowing its territory to be used by Nigerian planes on bombing missions against his forces.

Though the belligerent parties in the Sierra Leone civil war contain individuals from all of the tribes, the Mende are dominant in government.¹ Although the Temne is the second largest ethnic group and provides the bulk of Revolutionary United Front (RUF) support, the Sierra Leone conflict is not ethnically based, and could probably be better described as an inter-generational conflict. The strongest demands of the young relate to viable employment opportunities.

During the conflict, the civilian population was brutally abused to further the aims of all belligerents, and the scars left by ten years of civil war run extremely deep. Some 2.5 million people, nearly half the population, were made refugees or were internally displaced because of the sheer horror of the conflict. An estimated 27,000 children were enlisted as combatants in a war of terror which resulted in 70,000 deaths and left 20,000 citizens maimed as a result of violent amputation.

The people of Sierra Leone are the victims of all parties to the conflict, but also suffer international neglect. This is shown by the uneven and unco-ordinated responses to its civil war. When the United Nations (UN) finally authorised a multinational intervention force at the end of 1999, it did not succeed in stemming the violence. The UN force arrived in dribs and drabs, and the available troop strength was too low to allow a widespread deployment. The lack of commitment by the RUF, the essentially peacekeeping nature of the mission, and the need to quickly fill the vacuum left by the withdrawal of a regional intervention force contributed immensely to the mission's predicament. Following the RUF's offensive against the peacekeepers in May 2000, the entire peace process reached an impasse. A bi polar situation persisted, with the RUF controlling the north and east of the country and the government of Sierra Leone (GoSL) or the UN Mission in Sierra Leone (UNAMSIL) controlling the west and south.

The RUF's aggression against the peacekeepers, culminating in widespread hostage taking in May 2000, made UNAMSIL realise that compliance with peace accords and Security Council resolutions cannot be taken for granted, and that the force needed an effective deterrence capacity. The operation conducted in Kailahun by the Indian contingent to free hostages was very effective, and provided good lessons on the value of military combat capabilities.² UNAMSIL began to follow a 'carrot and stick' approach, confronting potential spoilers with military force, whilst also engaging them in political negotiations.³

After a six-month hiatus, the Abuja Ceasefire Agreement, signed on 10 November 2000, allowed negotiations on the detailed implementation of the peace process to begin.⁴ The agreement emphasised military issues, and amounted to a list of demands on the RUF, framed by UNAMSIL. For example, it required the return of all UNAMSIL weapons and equipment seized during the May crisis.⁵ However, it was the Abuja Ceasefire Review Agreement of 2 May 2001 (Abuja II), facilitated by the Economic Community of West African States (ECOWAS), that provided the real breakthrough in the peace process.⁶ In it, the GoSL and the RUF reviewed the implementation of the agreement signed on 10 November 2000. They agreed on a simultaneous disarmament of combatants belonging to the RUF and the Civil Defence Forces (CDF), and stressed the need for the government to restore its authority in areas previously under RUF control, where UNAMSIL had begun deploying.

During the Abuja II meeting, the leader of the RUF delegation, Omrie Golley, agreed to withdraw from Kambia District in northern Sierra Leone, which had been used by insurgents to enter Guinea. This would make possible the deployment of troops from the Sierra Leone Army (SLA) to stop armed incursions from across the border, as well as increased patrolling by UNAMSIL in Kambia with a monitoring team including RUF unarmed observers, and immediate involvement of RUF elements in the DDR programme with a view to absorption into the SLA after screening. The RUF also agreed to return by 30 May 2001 all outstanding equipment and vehicles seized from UNAMSIL.

The Sierra Leonean delegation, led by Attorney-General Solomon Berewa, also agreed to consider a request for the urgent release of RUF personnel, imprisoned after an outbreak of violence in Freetown in May 2000. (See Appendix B for the details of the Agreement.)

The participants agreed to meet again in Freetown on 15 May 2001, to set a timetable for the implementation of the country's disarmament, demobilisation and reintegration (DDR) programme.

In his eleventh report to the Security Council on Sierra Leone,⁷ the UN Secretary-General specified four conditions that should be met before elections could be held in Sierra Leone:

- the completion of disarmament;
- the transformation of the RUF into a political party;
- the restoration of civil authority throughout the country; and
- the deployment of UNAMSIL and the guarantee of freedom of movement throughout the country.

He added that the resettlement of returning refugees and internally displaced persons (IDPs) also needed to be made a factor in the electoral equation, and that consequently, all parties should accept a postponement of elections to May 2002.

The purpose of this monograph is to report on advances made in the peace process in Sierra Leone, with specific emphasis on the present role of UNAMSIL in support of the Abuja II Agreement. It also assesses UNAMSIL's progress towards meeting the electoral criteria set by the Secretary-General.

However, it is impossible to highlight the remarkable turn-around in the fortunes of the UN mission over the past six months without making brief references to earlier phases of the peace process, and to key external actors, both of which have had an impact upon the fortunes (and misfortunes) of Sierra Leone. While the focus is clearly on the political-military process geared towards taking the people of Sierra Leone to the polls in May 2002, attention is also paid to a number of interrelated but thorny issues-such as the diamond trade and the debate over whether war criminals should be prosecuted or given amnesty.

CHAPTER 2

Overview of pre-UNAMSIL interventions

Faced with weak and unco-ordinated opposition from the Republic of Sierra Leone Military Forces (RSLMF)⁸, the RUF, led by former army corporal Foday Sankoh, was able to overrun government forces, and began to seize diamond mining properties, the main source of hard currency for the government. By early 1995, RUF forces had effectively laid siege to the capital city of Freetown.

In the face of inaction by the UN Security Council, the Sierra Leone government had to rely on Executive Outcomes (EO), a South African-based private military company, to defend the capital. The company was originally contracted by the Sierra Leone government⁹ to deploy 160 of its personnel in Sierra Leone from May 1995 to March 1996.¹⁰ After training up company-sized contingents of the RSLMF and enlisting the support of the Kamajors, EO provided the leadership, helicopters and fire-support necessary to prosecute a war against the RUF. By late 1995, the siege of Freetown had been lifted and the RUF headquarters at Makeni destroyed. The Koindu diamond area and the Sierra Rutile area had been liberated and were again open for operations.

Peace talks between the government and the RUF were initiated on 22 February 1996. Instead of the usual UN-prescribed pattern of ceasefire, peace agreement, disarmament, demobilisation, and then elections, the 'formal' peace process in Sierra Leone began with the staging of elections. The people of Sierra Leone went to the polls on 26 and 27 February 1996, long before there was any sign of a firm cease-fire or peace agreement. After two rounds of voting, and amidst gross intimidation of the electorate, Ahmad Tejan Kabbah of the Sierra Leone People's Party (SLPP) emerged as President in mid-March. It is perhaps unsurprising, therefore, that this experiment with democracy ended on 25 May 1997, when Kabbah was violently overthrown by Major Johnny Paul Koromah in a typical palace coup d'etat.

The UN responded with immediate condemnation of the take-over, with the Secretary-General reiterating that the UN and the international community firmly uphold the principle that the will of the people should be the basis of the authority of governments and that democratically elected governments should not be overthrown by force.¹¹

On 26 May 1997, the Organisation of African Unity (OAU) also condemned the coup, and called for an immediate restoration of the constitutional order, urging the leaders of ECOWAS to take immediate action against the coup makers.¹² The operational mandate of ECOWAS' military arm, the West African Monitoring Group (ECOMOG) was consequently extended from Liberia to Sierra Leone in order to prevent the total breakdown of law and order.

ECOWAS and Koromah's junta reached agreement, in Conakry, on a six-month peace plan for Sierra Leone on 23 October 1997. This agreement provided for an immediate cessation of hostilities and for the supervision of the cease-fire by ECOMOG and UN military observers. The Conakry agreement also provided for the effective disarmament and demobilisation of combatants as well as the restoration of the constitutional order and the reinstatement of Tejan Kabbah as president and head of a more broadly based government on 28 May 1998.

However, the Conakry agreement was not respected by Koromah. In February 1998, in response to an attack by junta forces, ECOMOG launched an attack that finally led to the collapse of the junta and its expulsion from Freetown. ECOMOG then expanded its force deployment in an attempt to secure the rest of the country. On 10 March 1998, President Kabbah was returned to office.

In June 1998, the UN Security Council decided to establish a small United Nations Observer Mission to Sierra Leone (UNOMSIL) for an initial period of six months. The mission was intended to promote national reconciliation and provide help with the demobilisation of former soldiers, in collaboration with ECOMOG.¹³ Little progress had been made towards the achievement of this mandate when, on 6 January 1999, rebel fighters belonging to the deposed Armed Forces Revolutionary Council (AFRC) and the RUF overwhelmed the ECOMOG defences and swept into Freetown, killing thousands of civilians and systematically dismembering and raping tens of thousands of others. The fighting resulted in the deaths of some 5,000 people; up to 150,000 people living in and around Freetown were displaced; and large numbers of public buildings and homes were put to the torch.¹⁴

The sacking of Freetown narrowly preceded the staging of the elections that were to free Nigeria from military rule. However, after a decade of providing the backbone of ECOMOG forces in Liberia and then Sierra Leone, Nigeria (represented by a new civilian government) could no longer sustain its ECOMOG commitments, and informed the world that it would be pulling its troops out of Sierra Leone. Although the RUF had been driven out of Freetown, they still controlled the countryside and the diamond-mining areas, and no peace deal was possible without their participation, and that of their leader Sankoh.¹⁵

The impending Nigerian withdrawal led to a frantic scramble among West African states, as well as Britain and the US, to broker a peace agreement. The UN Special Representative initiated a series of diplomatic efforts aimed at opening up dialogue with the rebels. Negotiations between the Government and the rebels began in May 1999. With coaxing from the UK and US, a controversial peace agreement was signed by President Kabbah and Corporal Sankoh in Lomé, Togo, on 7 July 1999. The Lomé accord granted total amnesty to Foday Sankoh and members of the RUF, promised reintegration of the RUF into the Sierra Leonean army, assured the RUF several cabinet seats in the transitional government, left the RUF in control of the diamond mines and invited Sankoh to participate in UN-sponsored elections.¹⁶

In exchange for senior government positions for its commanders and a blanket amnesty for atrocities committed during the war, the RUF pledged to disarm along with the pro-government CDF and other paramilitary units.

Despite the obvious flaws in the Lomé agreement, the UN was obliged to back it with a peacekeeping mission. The Lomé signatories specifically requested the UN Security Council to urgently: "...amend the mandate of UNOMSIL to enable it to undertake the tasks provided for it in the present Agreement; [and] to authorise the deployment of a peace-keeping force in Sierra Leone".¹⁷

CHAPTER 3

UNAMSIL's troubled debut

On 22 October 1999, the UN Security Council authorised the establishment of UNAMSIL, a new and much larger mission with a maximum authorised strength of 6,000 military personnel, including 260 military observers, to assist the government and signatory parties in carrying out the provisions of the Lomé agreement.

According to Security Council resolution 1270 (1999) of 22 October 1999, UNAMSIL's mandate was to

perform the following tasks:

- to co-operate with the government of Sierra Leone and the other parties to the peace agreement in the implementation of the agreement;
 - to assist the government of Sierra Leone in the implementation of the disarmament, demobilisation and reintegration plan;
 - to that end, to establish a presence at key locations throughout the territory of Sierra Leone, including disarmament/reception centres and demobilisation centres;
 - to ensure the security and freedom of movement of United Nations personnel;
 - to monitor adherence to the ceasefire in accordance with the ceasefire agreement of 18 May 1999 (S/1999/585, annex) through the structures provided for therein;
 - to encourage the parties to create confidence-building mechanisms and support their functioning;
 - to facilitate the delivery of humanitarian assistance;
- to support the operations of United Nations civilian officials, including the Special Representative of the Secretary-General and his staff, human rights officers and civil affairs officers; and
- to provide support, as requested, to the elections, which were to be held in accordance with the present constitution of Sierra Leone.

In early December 1999, the first company of 133 Kenyan soldiers flew into Lungi International Airport as the advance unit of the first new UNAMSIL battalion, to join some 223 UN military observers from 30 countries already on the ground. Four ECOMOG battalions already in Sierra Leone (comprising troops from Ghana, Guinea and Nigeria) were 're-hatted' as UN peacekeepers. The latter was essential, in order to avoid a security vacuum during the period of mission build-up. The remaining units were to come from India, Jordan, Bangladesh and Zambia - with only a few military observers being volunteered by countries from the developed world.

Deployment of the remaining units was painfully slow, and the UN peacekeepers were often denied freedom of movement amidst frequent ceasefire violations (which included ambushes of both civilians and UN personnel), and the maintenance of illegal roadblocks by elements of the RUF and the CDF.¹⁸ In response to serious security concerns, the UN Security Council (UNSC) voted unanimously, on 7 February 2000 to approve the Secretary-General's plans for strengthening the UNAMSIL mission in Sierra Leone. This not only raised the maximum authorised strength from 6,000 to 11,000, but also granted the mission an expanded mandate under Chapter VII of the Charter.

According to Security Council resolution 1289 (2000) of 7 February 2000, the mandate was revised to include the following tasks:

- to provide security at key locations and government buildings, in particular in Freetown, and at important intersections and major airports, including Lungi airport;
- to facilitate the free flow of people, goods and humanitarian assistance along specified thoroughfares;

- to provide security in and at all sites of the disarmament, demobilisation and reintegration programme;
- to co-ordinate with, and assist, the Sierra Leone law enforcement authorities in the discharge of their responsibilities; and
- to guard weapons, ammunition and other military equipment collected from ex-combatants, and to assist in their subsequent disposal or destruction.

In particular, Council: 19

"...authorises UNAMSIL to take the necessary action to fulfil ...[its] tasks... and affirms that, in the discharge of its mandate, UNAMSIL may take the necessary action to ensure the security and freedom of movement of its personnel and... to afford protection to civilians under imminent threat of physical violence..."

Although resolution 1289 provided the legal framework for coercive action by UNAMSIL in pursuit of its disarmament mandate, this could not be translated into assertive and credible action on the ground. Although the total number of disarmed combatants passing through five UNAMSIL-supervised camps stood at around 23,000 by mid-April 2000, the UN expressed concern over the low quality of surrendered weapons and the ratio of numbers of collected arms to the number of ex-combatants.20 As of April 15, according to the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), only some 5,000 weapons had been handed in by Sierra Leonean belligerents, who reportedly numbered about 45,000.21

On 17 April 2000, the NCDDR attempted to correct matters by opening four new camps - two of which were in the central RUF-held towns of Makeni and Magburaka. However, instead of speeding up the process, this move heralded the end of RUF disarmament for a period of one year. On 2 May 2000, RUF forces attacked the UNAMSIL positions at Makeni and Magburaka, killing four Kenyan soldiers. Three more Kenyans were wounded and about 50 other UNAMSIL personnel were captured. By 4 May, the number of reported UN hostages had increased to 92, and by 5 May to over 500. The Zambian contingent that was taken hostage also lost 13 armoured personnel carriers (APCs). Using the captured APCs, the RUF began advancing on Freetown.

The UN Secretary-General called for a 'rapid-reaction force' to be deployed immediately, to stabilise the precarious situation and bolster the UNAMSIL forces. Bemoaning the poor state of training and equipment of the existing UNAMSIL force, Annan was looking particularly to the UK and the US to provide combat-ready forces. Both countries made it quite clear that they would not send troops for UN service. However, on 7 May, the British Ministry of Defence announced that it was sending a battalion of paratroops and five warships to protect British nationals.22

While senior British officers maintained that their primary mission was to safeguard their citizens, the troops defended parts of Freetown and Lungi international airport, and set up patrols on the streets of Freetown and the main highway leading out of the capital. Moreover, British officers, despite being outside the UN chain of command, sat in on UN military planning sessions and assigned a full-time advisor to the Sierra Leonean military in order to bring some organisational cohesion to the irregular units fighting on the government side.23 Britain was, according to UK Defence Secretary Geoffrey Hoon, "to all intents and purposes running the day-to-day operation of UN forces".24 Hoon's overstatement of the situation on the ground could only have lent fuel to an intense internal debate within the British parliament on the appropriate limits of British military engagement in Sierra Leone.

The UN appealed to the SLA to exercise restraint and to cease military attacks on RUF, out of concern for the safety of the UN hostages in RUF hands.²⁵ Though most of the Sierra Leone hostages were released after a few weeks of intense negotiations involving the UN, President Taylor, and the RUF,²⁶ UNAMSIL still lacked direction and was largely concentrated in Freetown, awaiting more troop contributions. Sadly lacking in troop strength, the UN Force was unable to venture into at least half the territory of Sierra Leone, as the RUF remained in control of the north and east of the country, while the GoSL and UNAMSIL enjoyed partial control in the west and south.

The UN mission (costing about \$1.5 million a day) was still the largest in the world at the end of the year 2000, at 12,500 members. However, its strength was to decline considerably, as two of the largest participants (India and Jordan, with a combined total of 4,800 troops) began withdrawing their contingents in protest against the continuing lack of Western troop contributions to UNAMSIL.

The UNAMSIL Force Commander, Major-General Vijay Jetley, left the mission in August 2000, after a disastrous political confrontation with his Nigerian lieutenants. In addition to alleging that Nigeria was attempting to sabotage the UNAMSIL mission through collusion with the RUF, Jetley complained of serious logistic problems experienced by UNAMSIL forces, and was forthright in his criticism of the various national contingents that had been placed under his command.

Also in August, 11 British soldiers and a SLA officer were ambushed and taken hostage by the West Side Boys, a breakaway faction of the RUF.²⁷ UNAMSIL stepped up its patrolling activities along the main highway, and by early September a number of the dissidents had surrendered to the Jordanian and Nigerian contingents. On 10 September 2000, the West Side Boys suffered a conclusive military defeat when the UK forces launched a daring assault (Operation BARRAS) to free the six remaining British hostages and their SLA liaison officer.

Exacerbating the tense situation were the announcements, in September and October 2000 respectively, by India and Jordan that they would be withdrawing their contingents from the mission. At this stage, the conflict had begun to take on a regional dimension, following an attack on Guinean soil by a group of dissidents supported by the RUF on 8 September 2000. These attacks persisted in the Forecariah area and Forest region, and subsequently spread to Guékédou, Macenta and Kissidougou.²⁸ By January 2001, the Guinea Armed Forces were attacking dissidents and RUF with artillery fire directed into Liberia, eliciting threats of retaliation from Charles Taylor. ECOWAS was so concerned about the risk of starting a regional conflagration that it had decided to deploy a force of 1,796 peacekeepers at the convergence of the borders of Guinea, Sierra Leone and Liberia.²⁹

On the domestic political front, President Kabbah formally requested Parliament, on 31 January 2001, to delay the presidential and parliamentary elections that had been scheduled for February and March, citing security, funding and logistical factors that made the timetable unrealistic.

While UNAMSIL continued to seek a negotiated settlement that would bring the RUF back into the peace process and into the political fold, both the government of Sierra Leone and the UK viewed the military defeat and unconditional disarmament of the RUF as the only solution. British officers were attached to the SLA, to help not only with training, but also with intelligence, logistics and communications. According to a senior diplomat,³⁰ "We have two missions with fundamentally incompatible goals, but they are supposed to be working together. One wants to fight, the other wants to continue to treat the RUF as a force that can be dealt with rationally and brought to the table, despite the numerous setbacks."

UNAMSIL deployment remained painfully slow, due to constant troop rotations, the uneven quality of the various national contingents, ubiquitous logistical challenges, and co-ordination problems associated

with the sheer massiveness of the UNAMSIL presence. The latter involved regular briefings of the Troop Contributing Countries (TCC)s in New York, and the establishment of a Sierra Leone Contact Group, which also included representatives of the five permanent members of the UN Security Council (the P5) and regional powers such as Nigeria. The aim was to try to reconcile the multiple interests involved in the Sierra Leone peace process, and to allow UNAMSIL to move ahead with the pursuit of its mandate without offending anyone. Ironically, the greater the much-needed involvement of the international community in Sierra Leone, the more numerous the external policy conflicts UNAMSIL ultimately had to deal with.³¹

CHAPTER 4

The 'New' UNAMSIL: Strength and Composition

The new UNAMSIL Force Commander (Lieutenant General Daniel Opande of Kenya) and Chief of Staff (Brigadier General Alistair Duncan of the UK) arrived in theatre in November 2000, while the new Deputy Force Commander (Major General Martin Agwai of Nigeria) arrived in December 2000. UNAMSIL had been without a Force Commander since Major General Jetley's departure in August. The new Force Commander and his Deputy immediately embarked on a programme of visits to the demoralised contingents.

Following the departure of the previous Force Commander, the military elements of UNAMSIL, both in the headquarters and in the field, had done little but administrative work. Headquarters had no up-to-date plans or planning procedures and was short of manpower, as key staff officers had left and not been replaced. In short, the headquarters was dysfunctional and ineffective. In addition, the two largest contingents, Jordan and India, were shortly to leave the mission. Understandably, morale at all levels of the UN Force was low, and, in the eyes of the world, UNAMSIL was a failed mission.

The situation clearly demanded a return to military basics, and the operational level planning process was immediately shifted into top gear. Strategic guidance was provided by UN Headquarters in New York, and this had to be translated into military objectives and tasks, accompanied by other lines of activity. The most important priority to New York was force generation, to get the mission up to its authorised strength. For UNAMSIL in Sierra Leone, the main effort was focused on restoring credibility, in order to pursue the mandate specified in several of UN Security Council resolutions. The detail of these resolutions was encapsulated in a more concise overall Mission Statement, formulated as follows³²:

"The main objectives of UNAMSIL in Sierra Leone remain to assist the efforts of the Government of Sierra Leone to extend its authority, restore law and order and stabilize the situation progressively throughout the entire country, and to assist in the promotion of a political process which should lead to a renewed disarmament, demobilization and reintegration programme and the holding, in due course, of free and fair elections."

In pursuit of this mission, UNAMSIL had to build up its capabilities slowly but surely. Some 31 countries are now represented within the UNAMSIL Force.³³ All but one Sector are multinational. In March 2001, agreement was finally granted to increase the force level from 13,000 to the 17,500 needed to get the job done. The UN started to deploy into RUF-held territory for the first time in nearly a year, in April just after the Easter weekend. The current authorised strength of 17,500 includes 260 Military Observers (MilObs) and 60 Civilian police (CivPol).

A significant proportion of the 260 Military Observers are engaged in a variety of staff functions at mission headquarters, and the remainder are deployed in 11 teams across the country. The latter are literally the 'eyes and ears' of the mission, observing and reporting on ceasefire and human rights violations, but also on a wide variety of non-military issues. For example, while their main focus is

presently on disarmament, demobilisation and reintegration (DDR), they also contribute information to family tracing and reunification programmes, and cover aspects related to the paramount chiefs, non-government organisations (NGOs), IDPs and returnees, as well as relations with the various groupings of local civil society.³⁴

UNAMSIL CivPol began with a modest deployment of three officers to the mission, and rose to six observers in February 2000. The CivPol component gradually built up to a strength of 30-35 officers. However, with a current authorised strength of 60 (there are still two unfilled vacancies), CivPol has a different mandate. It no longer focuses on monitoring, but is now required 'to advise and assist' the SLP. The idea behind authorising a strength of 60 officers was to expand activities well beyond Freetown, and to establish CivPol team sites at key locations in the hinterland in conjunction with the deployment of the Sierra Leone Police (SLP) to new areas.³⁵

Though UNAMSIL is touted as the largest current UN peace operation on the grounds of its authorised military and police strength, it is also a multifunctional, civilian-led mission in every sense of the word. The Special Representative of the Secretary General (SRSG), Ambassador Oluyemi Adeniji (of Nigeria), heads the mission, and exercises control through his two deputies - DSRSG (Operations and Management, or O&M), Mr Behrooz Sadry (Iran), and DSRSG (Governance and Stabilisation) Mr Alan Doss (UK).

Mr Sadry was appointed by the Secretary-General to assist the SRSG in the overall political leadership, operations and management of UNAMSIL and to assume the responsibilities of Acting SRSG in the latter's absence from the mission area. The Chief Administrative Officer (CAO), who is responsible for all administrative, financial and logistical functions of the Mission as well as the UNV Programme, reports directly to the latter. The administrative component of UNAMSIL comprises the following Sections: Civilian Personnel, Finance, Procurement, Security and Integrated Services, which is responsible for telecommunications, transport, engineering, supply services, air operations and movement control, among others.

The Deputy Special Representative of the Secretary-General (Governance and Stabilisation) was appointed in March 2001 to coordinate UNAMSIL's civilian components focusing on governance, recovery and reintegration matters in support of a cohesive approach to peace building. This has contributed to promoting peace building as an essential complement to the mission's peacekeeping role. The DSRSG also serves concurrently as the Resident Coordinator and Humanitarian Coordinator, as well as the Resident Representative of UNDP. This arrangement enables the various elements of the UN system to come together in support of common humanitarian and development goals while ensuring a more effective sharing of resources and information.

The Political Affairs Section monitors and reports on political developments in Sierra Leone and provides input to the daily and weekly situation reports which are compiled by the Policy and Planning Section. The Section prepares, as appropriate, updates used by DPKO to brief the Security Council and troop contributing countries on the DDR programme, political trends and humanitarian issues. Political Affairs Officers liaise and maintain regular contacts with ECOWAS, the GoSL, the RUF, civil society, political parties, parliament, the humanitarian community, the diplomatic corps and other key players in the political process.

The Political Affairs Section is the focal point for the Mission's contacts with NCDDR, NCRRR and UN agencies. In that capacity, it represents UNAMSIL on the Working Group of the UN system. The Section also co-ordinates UNAMSIL's participation in the weekly videoconference with UNHQ, which was instituted in May 2000 to facilitate lateral information sharing with the headquarters. Participants include officials from the Military, Administration, Policy Planning Section, Public Information Section, as well

as the Humanitarian Co-ordinator. Additionally, the Political Affairs Section, which works directly under the office of the SRSG, prepares position papers, talking points and speeches for his meetings. In its work strategy, the Section adopts a proactive approach by anticipating issues, brainstorming on them and preparing analytical papers for consideration of the Working Group chaired by the Policy Planning Section.³⁶

The mandate of the Civil Affairs section is to assist the GoSL with the restoration of state authority, in all its aspects, throughout the territory of Sierra Leone. This is an extremely challenging task because for many years, there has really been no effective government in most of the territory. Even in the western area, governance and administration have been totally neglected since 1962. In fact, about 70% of the country has not seen an administrative representative for some 20 years. People from all regions in the interior have had to travel all the way to Freetown for the most mundane state services, such as the issuance of a birth certificate. As far as schools, clinics, and so on are concerned, these have been sustained by the churches and NGOs, rather than by government.³⁷

The Civil Affairs section has a strength of 28, 12 of whom are headquarter personnel, based at UNAMSIL in Freetown, while the rest are deployed at seven provincial offices, as follows:

- Western Area I (Freetown Urban)
- Western Area II (Freetown Rural)
- Northern Province I (Port Loko/Kambia)
- Northern Province II (Tonkolili/Koinadugu/Bombali)
- Southern Province (Bo/Pujehun/Moyambe/Bonthe)
- Eastern Province I (Kenema)
- Eastern Province II (Kono/Kailahun)

The Civil Affairs section plays a key role in co-ordinating humanitarian and developmental assistance, and works closely with the Office for the Co-ordination of Humanitarian Activities (OCHA), the UN Development Programme (UNDP) and the other agencies. It is responsible for conducting needs assessment missions in each of the districts, for convening round-table meetings with potential donors to secure funding, and for overseeing the implementation of various reconstruction projects. Civil Affairs officers were deployed to Northern Province well before there was any government presence there, and their role in reconstruction remains essential to the peace process.³⁸

One of the main priorities for the Civil Affairs section in the coming months will be to enhance the level of sensitisation to the Special Court (See chapter 11 'Peace with Justice', p 87) among the general population. The Human Rights Section has already done a great deal of this work, but mainly among members of the RUF.

The Policy Planning Section focuses on overarching issues of the Mission's activities. It is responsible for strategic planning. Through its input into the work of the Working Group on Policy and Planning, the Section provides the substantive sections of the civilian component, administration as well as the military component with research manuals highlighting the overall activities of the mission. The Section brings together other substantive sections to discuss and map out common strategy on policy regarding political, military, human rights and civil matters. Hence, the Section acts as a secretariat of the Working Group. To that end, the Section prepares draft position papers and annotated texts and agenda for consideration by the Working Group on Policy and Planning chaired by the Chief of the Section.

While the pertinent sections monitor areas of their immediate interest in the complicated and multifaceted developments in the region, the Policy Planning Section monitors multifaceted aspects of developments in Sierra Leone and the immediate vicinity and prepares early-warning documents,

including recommendations on the strategy to be considered. Furthermore, it participates in and makes advance preparation for negotiations with the parties to the conflict on cross-cutting issues. The Section also monitors the overall activities of the mission, anticipates risks and challenges ahead and prepares position papers for the consideration of the SRSG. As a section working under the direct supervision of the SRSG, the Policy Planning Section serves as a focal point for all reports of a multi-disciplinary nature. In this regard, it is responsible for the compilation and synthesis of the mission's daily and weekly situation reports as well as other periodic reports on the work of the mission, including the Secretary-General's reports on UNAMSIL.³⁹

The Human Rights Section of UNAMSIL has an authorized strength of 20 with five posts currently vacant. This is a small number compared to the size of human rights components in other UN Missions. Haiti, for example, had more than 200 human rights officers. Nevertheless UNAMSIL has managed to establish two regional human rights offices in Kenema and Makeni and is planning to open four additional offices in Bo, Koidu, Port Loko and Kailahun. The Human Rights Section has implemented a three-fold approach to improving respect for human rights. It monitors and reports on violations of human rights and international humanitarian law, conducts training for elements of the Sierra Leonean Police, the Army and civil society organizations, as well as in-house training for peacekeepers and CIVPOL. The Section also provides technical assistance in building the capacity of national institutions that promote respect for the rule of law, such as the Truth and Reconciliation Commission. In this regard, the Section continues to expand the scope of its activities both in terms of monitoring and carrying out sensitization work on issues related to truth, peace, justice, redress and reconciliation.⁴⁰

The Human Rights Section has a Child Right's Officer who is active in child rights protection and promotion. Child Rights are at the center of many activities of the entire mission, including the civilian and military components.

The Public Information Section is responsible for UNAMSIL's press releases, as well as UN Radio. It also has a community outreach cell, which is responsible for arranging concerts and cultural events in support of reconciliation and the peace process - even in towns in the hinterland, such as Makeni.⁴¹

FM radio is the principal means of reaching the majority of the people. UN Radio (103 FM) broadcasts regular news summaries, covering international and local news. Both, but especially the latter covers the progress of the peace process, such as reconciliation workshops, and visits to the mission by ambassadors and military chiefs of staff from TCCs. The top management of UNAMSIL - the Special Representative of the Secretary General and his deputies, the Force Commander and Deputy Force Commander and so on regularly address the nation and mission personnel on topical issues and recent events and milestones. The station is very popular among UN staff, with most radios in UN vehicles permanently tuned to 103 FM.

There is excellent public participation in the phone-in programmes that discuss a wide range of issues pertinent to peace and reconciliation. For example, one show monitored by the authors was devoted to the restructuring of the SLP and the role of UN CivPol.

UNAMSIL has received a great deal of bad press coverage (and has also been very negatively analysed in a number of academic articles), especially in the wake of the unfortunate events of May 2000. The Mission Spokesperson and Public Information Section have had to work hard to counter the assumption of failure, but this is a task that is becoming much easier as the mission's success record begins to speak for itself.

Nevertheless, given the need for accurate and regular information on the peace process among all constituencies - the parties, the population, the TCCs, the donors, and the mission personnel themselves -

it is obvious that the Public Information Section should have been one of the first elements of UNAMSIL to be established, and not added as an afterthought.42

While most of the mission elements outlined above have become generic to all contemporary multifunctional UN peace operations, the unique role and functions of the Child Protection Advisor (CPA) in UNAMSIL deserves special mention and elaboration. Indeed, the (July 2000) Report of the Secretary-General on Children in Armed Conflict states that:43

"Children have often been overlooked in peacemaking processes, and the price of this neglect is becoming painfully clear. Without specific references to children during peace negotiations, post-conflict programmes and resources will not be adequately allocated to meet children's needs."

Moreover,44

"To ensure the implementation of the child protection dimension of the mandates of peacekeeping operations and to advise the head of the peacekeeping mission in a given country, the Security Council has adopted the proposal that Senior Child Protection Advisors be deployed with peace keeping operations."

The Terms of Reference for CPA's include a series of measures designed to ensure that the interests of children are given priority in all aspects of the mission, including funding and resources and information sharing. The role and functions of the CPAs are therefore extremely broad, ranging from advocacy aimed at giving priority to child rights and child protection in all aspects of the peace process, to hands-on training and sensitisation among peacekeeping troops. The CPA terms of reference include the following duties:

- To enable the SRSG to ensure that the protection, rights and welfare of all children are a priority throughout the peacekeeping process, the consolidation of peace and the re-building of war-affected areas;
- To facilitate information sharing among all relevant agencies and actors;
- To help ensure that all personnel involved in peacemaking, peacekeeping and peacebuilding activities have appropriate training on the protection, rights and welfare of children; and
- To assist the SRSG in addressing complaints about the behaviour of UN personnel related to the infringement of child rights.

The UNAMSIL Senior CPA, Ms Bituin Gonzales, is widely and personally known throughout the mission, within the child protection community, and by the RUF leadership, with whom UNAMSIL and the United National Children's Fund (UNICEF) have successfully negotiated the release of hundreds of child combatants.

Evidence of the centrality of children to the Sierra Leone peace process goes back to the Lomé peace agreement, which contains articles of specific importance to children, including those dealing with:

- release of prisoners of war and abductees (article XXI);
- child combatants (article XXX); and
- education and health (article XXXI).

The Abuja II Agreement of May 2001 also contained a commitment by both the CDF and RUF to release child soldiers.

Negotiating the release of children from armed forces is a highly sensitive undertaking, which has traditionally been carried out by UNICEF. However the CPA, wielding significant political clout in this context, has also been involved in the negotiations. This is clearly an area where close co-ordination with UNICEF and the various child protection agencies working in the field is critical, as mis-identifying abducted children can result in unnecessary delays. The imperative to have children released, processed and reunited with their families must be matched with adequate preparation, and the provision of facilities (Interim Care Centres or ICCs) where children can be cared for until the process is complete.

Although there are few documented and prosecuted cases of the sexual abuse of children by UN peacekeepers in Sierra Leone, there is evidence of the emergence of a vigorous commercial sex trade, involving child prostitutes, that caters for UNAMSIL personnel.⁴⁵ This phenomenon has had time and fertile ground in which to take root: poverty, rural-urban migration and the prolonged presence of 'occupying' forces in both Freetown and the countryside are all contributory factors. That UNAMSIL members should be involved in this aspect of child victimisation presents challenges to child protection. The major obstacles in prosecuting UNAMSIL violators seem to be collecting sufficient evidence, and mustering the political will to prosecute them after they have been repatriated.⁴⁶

Child rights training is continuously delivered to military observers and contingents of the force, as there are always new arrivals and rotations at UNAMSIL. Follow-up visits are made to the military observer team sites, to ensure that there is ongoing discussion of issues that emerge in different areas of operation, such as returning refugees, release of child abductees and combatants, and sexual violence against children.

Another tangible indication of the profile of children in the Sierra Leone peace process is the way in which former child combatants are handled during the demobilisation process. In each of the demobilisation camps, a child focus officer is appointed to see to the special needs of child combatants. Procedures have also been developed and disseminated by the National Council on Disarmament, Demobilisation and Reintegration.

There is still a need for support in the development of training materials and the translation of these into the diverse languages of the various military contingents, where English language skills are sometimes very poor. A UNICEF child protection officer pointed out that the high turnover in personnel on the mission compounded the language problem in child protection training. She suggested that this could be alleviated by appointing interpreters who can receive more intensive training in children's rights issues, which could then be passed along to the military contingents in their own languages, in a type of child-rights training focus group.⁴⁷ There is clearly a wealth of experience in training within UNAMSIL, UNICEF and the child protection community in Sierra Leone, which should be captured and consolidated into a collection of best practices that can be used to inform other UN missions, whether ongoing or yet to occur.

CHAPTER 5

The deployment of UNAMSIL and the guarantee of freedom of movement throughout the country

The most important command and staff function for the new military leadership of UNAMSIL was to conduct a thorough mission analysis and estimate process, and to produce a detailed plan of operation that would allow UNAMSIL to achieve its mission in realistic stages over the months ahead.

The mission statement underpinning the resulting military concept of operations (CONOPS) for 2001,

may be summarised as follows:48

"UNAMSIL's Mission is to deploy progressively and robustly within a coherent operational structure, dominating strategic locations and lines of communication, whilst affording and facilitating a degree of protection, freedom of movement and the delivery of humanitarian assistance to civilians, in order to assist the legitimate Government to restore law, order, peace and stability throughout Sierra Leone."

CONOPS 2001 was designed to be implemented in four sequential phases, as follows:

- **Phase 1** - Demonstrate UNAMSIL's credibility and test the RUF's commitment to the peace process.
- **Phase 2** - Prove UNAMSIL's capability and choke the RUF's east/west supply route.
- **Phase 3** - Deploy a strong manoeuvre force to secure the RUF's centre of gravity and seal the eastern border.
- **Phase 4** - Consolidate the achievements of phases 1, 2 and 3; expand UNAMSIL's influence and support elections.

The undeniable success that UNAMSIL has enjoyed in the implementation of phases one and two can be ascribed to the new mission leadership and increasing success with force generation. Also, UNAMSIL began talking directly to the GoSL, instead of engaging it via the media. Contact groups with the RUF were also established later, in support of a key aspect of the mandate - to extend government authority throughout Sierra Leone.49

However, the success of the UNAMSIL deployment may also be attributed to a number of factors 'exogenous' to the mission and CONOPS 2001. Prime amongst the former was the escalation of combat operations by the Guinea Armed Forces (GAF). Starting in September 2000, the GAF had made a number of reprisal attacks (or pre-emptive strikes) on towns in the Kambia, Bombali and Koinadugu districts, from which they suspected dissidents and the RUF were launching raids into southern Guinea. Throughout February and March 2001, using Mi-24 Hind and Hughes 500-D helicopter gunships flown by Ukrainian and local pilots, the GAF made a series of punishing assaults on towns in Kambia district. Many civilian casualties were reported, and as many as 40,000 people were forced to flee their homes.50

Although these developments had devastating humanitarian consequences and exacerbated the threat of regional war, they enabled UNAMSIL to begin deployment into the RUF-held territory of Lunsar and to extend its area of control into Kambia District from 1 March onwards. A month later, UNAMSIL was in a position to begin deployment into the RUF strongholds of Makeni and Magburaka, and start the active patrolling of these districts.

However, new troubles emerged in early May 2001, with reports of increased fighting in Kono District, and particularly of attacks by the CDF (Kono-speaking Donsos rather than Mende-speaking Kamajors) on RUF positions. After thorough investigation, UNAMSIL declared that the attacks were in violation of the Abuja Cease-Fire Agreement of 10 November 2000, and a threat to the peace process. A series of meetings was held between the Deputy Force Commander (Major General Martin Agwai) and CDF and RUF commanders in the Kono District. To allay mutual suspicions, it was decided to deploy UNAMSIL forces to Kono and commence with the simultaneous disarmament of both parties, ahead of the schedule originally agreed to on 15 May. (The latter had envisaged a steady progress from west to east, beginning with Port Loko and Kambia on 18 May, advancing two districts at a time, and ending with Kono and

Kailahun towards the end of the year.)

By the end of June 2001, UNAMSIL had managed to implement phase 2, with forward deployment of forces to many new positions. The execution of this CONOPS has relied heavily on a steady increase in military resources, hence the preoccupation of UN Headquarters in New York with the issue of force generation. UNAMSIL's freedom of movement has improved considerably with the dismantling of RUF/CDF/SLA checkpoints and the continuation of robust patrolling by UN troops.

On 14 September 2001, UNAMSIL troops from the Zambian Battalion deployed for the first time in the diamond-rich RUF-held town of Tongo, 27 kilometres away from Kenema in eastern Kenema District. This was a major breakthrough, building on UNAMSIL's previous success the occupation of Kono, the heart of the diamond zone.⁵¹

With the deployment of the Pakistani battalion to Kailahun over the period 28-31 October 2001, UNAMSIL had just about completed phase 3 of CONOPS 2001. It will now be able to focus on phase 4 tasks. The latter entails consolidation and expansion of the tasks assigned in phases 1, 2 and 3, as well as a heightened focus on the provision of security throughout Sierra Leone, whilst gearing the force to provide additional support in the upcoming elections. Emphasis will also be placed on supporting the GoSL in its efforts to assert its authority throughout the country, whilst the SLA provides for border defence and maintains national protection against external threat.

The UNAMSIL military component is now deployed in five sectors, four of them with a multinational brigade. Sector 5, the exception, consists of an 'integral' Pakistani brigade of more than 4,000 troops. In addition, there are approximately 100 staff officers at UNAMSIL headquarters, supported by civilian staff members. All air assets are controlled by civilians. Sector 1's headquarters is located at Port Loko; Sector 2's in Freetown; Sector 3's in Kenema; Sector 4's in Magburaka; and Sector 5's in Koidu.⁵²

See Map 1: UNAMSIL deployment by sector



UNAMSIL will continue its progressive deployment throughout country, whilst firmly establishing sector 5 and conducting robust patrols in every area under its control. The force will also continue to provide maximum support to the DDR process, while keeping the main supply routes open and providing

security to the various UN agencies.

While the main effort of current operations remains concentrated on the DDR process, planning for future operations is under way. In the short term, the main effort will involve an expansion of sector 5 and re-deployments in sector 3, including the arrival of the Nepal Battalion (NEPBATT).⁵³ The military component also recognises the need to keep in step with other UN Agencies, as well as to support the extension of government authority and assist the progress of the National Electoral Commission (NEC).

The force has learned the importance of being able to seize and maintain the initiative (as in Kono), and of having a logistical system that is responsive rather than inflexible. Most TCCs have opted for the 'wet-lease' system, whereby contingents are responsible for bringing their own weapons, vehicles and equipment to the mission, and for their proper maintenance. In turn, the TCC is reimbursed by the UN according to a fixed scale based on the capital value, depreciation, and maintenance costs of each item of equipment. The system is obviously attractive to poorer nations, because it means a flow of hard currency into the state coffers, but it is not always to the benefit of the troops on the ground. Self-sustainment is often too difficult from their home bases in Africa and Asia. Therefore UNAMSIL feels that the 'dry-lease' system (with the UN providing and maintaining major equipment items), should be more widely considered for this and similar missions in Africa.

If wet-lease is considered, then TCCs should have to prove beyond doubt that they are capable of adequately supplying and sustaining their contingents in the field. UNAMSIL is developing own best practices within the mission, such as the Ukrainian APC/truck augmentation scheme, which has successfully alleviated what were serious force mobility problems. The Force Commander has remained concerned about the welfare of the entire force, and has been very forthright in setting minimum standards of accommodation and personal equipment to be met by the commanders of the various contingents.⁵⁴

CHAPTER 6

Operational priorities for the Force during 2002

UNAMSIL has been looking ahead to operational priorities for the coming year, and has already developed a draft concept of operations for 2002. CONOPS 2002 was developed upon the basis of the following assumptions:

- there will be no deliberate resumption of hostilities;
- disarmament will be completed in all districts by the end of 2001 or early 2002;
- SLP/GoSL authorities will continue to deploy throughout the country progressively during 2002;
- elections will be held in 2002; and
- the withdrawal of the UN Force will commence within a reasonable time frame after elections that are widely accepted as free and fair.

Operational priorities are aimed at supporting the scenario that emerges from these assumptions, and the Mission Statement underpinning CONOPS 2002 reads as follows:

"UNAMSIL is to maintain a coherent operational structure until full withdrawal, enabling complete freedom of movement, guarding against security threats, whilst affording a degree of protection to other agencies and civilians, lending selective assistance to other agencies,

particularly during the elections, in order to assist the Government to restore and maintain law, order, peace and stability, throughout Sierra Leone."

This mission is to be achieved through a five-phased CONOPS that may be summarised as follows:

- **Phase 1** - Balance UNAMSIL for the effective execution of expected tasks in support of the elections.
- **Phase 2** - Give support to the electoral process.
- **Phase 3** - Provide security after the elections.
- **Phase 4** - Restructure the Force for withdrawal.
- **Phase 5** - Withdraw.

Phase One (balancing the Force for elections) will entail a continuation and enhancement of UNAMSIL's country-wide deployment. Lines of communication will have to be kept secure, and command nodes will be established parallel to the structures of the NEC and the UN and International Election Observers. The present sector boundaries will also have to be slightly re-aligned, so that they coincide with those of the districts. UNAMSIL will also be required to provide strong support to the SLP and other GoSL authorities during this very sensitive stage of the peace process. It will also have to place a stronger emphasis on disseminating public information aimed at sustaining popular participation in the democratic process.

Preparations for phase 2 will also have to be made during phase 1. These include enhanced information gathering and the creation of a Force reserve with reserves at each of the sectors that can react to any emergency. UNAMSIL will also lend support to the envisaged cordon and search operations aimed at removing as many illegal firearms as possible ahead of the elections, to reduce the possibility of violent intimidation. While the latter will be SLP-led, the Force will be required to provide security for the local police, as well as safe storage for collected weapons.

During phase 2 (the election period), the troops will be far more widely dispersed, in smaller sections than is presently envisaged for phases 3 and 4 of CONOPS 2001. The potential vulnerability of peacekeepers deployed in this mode will be countered through deployment of the Force reserve and/or the sector reserves where necessary. One of the primary tasks of the Force during this phase will be to assist the SLP and to provide wider security for voters and for all those involved in the management of elections. Obviously, the Force will also have to assist with the mobility and basic 'life support' of UN and International Observers. Throughout phase 2, close liaison with SLP and SLA will be essential, as will ongoing public information operations.

During phase 3 (the provision of post-election security), the focus will be on deterring any possible security threats. It will also involve the finalisation of planning for Force withdrawal, which must obviously be done in concert with the SLP and SLA, to eliminate the likelihood of any form of 'security vacuum'. No readjustment of the Force structure on the ground is envisaged during this phase.

Restructuring the Force for withdrawal will occur only once a transition to Phase 4 has been made. It will obviously be very important during this phase to continue to foster confidence and bolster the faith of the people in the achievements of the peace process - through the actions of the Force as well as dedicated information operations.

The actual withdrawal, during phase 5, will be progressive in nature, and will have to take into account planned troop rotation schedules for the various national contingents. Once again, there will have to be tight co-ordination with government institutions, and the Force must remain positive and responsive throughout this final phase.

In the short term, the way forward will involve the conducting of logistical checks of staff (military and civil), to measure the size and nature of the Force against the standards set in the recently released Election Assessment Mission Report. The latter should contain guidelines for the delineation of responsibilities directed to all the key facilitators of safety and security for the elections: SLP, UN CivPol, SLA, and the UNAMSIL Force. Logistical demands will have to be confirmed before the necessary generation of Force and civil assets to meet these needs is begun. A joint (military and civil) Elections Planning Cell is being established to co-ordinate the entire process.

CHAPTER 7

Disarmament, Demobilisation, and Reintegration

The DDR programme in Sierra Leone was and is framed by the Lomé Agreement of July 1999, which was very accommodating of the RUF. Within all UN-assisted peace processes, DDR has been voluntary, and has depended for success on the unforced compliance of the parties to the conflict. Due to the stalemate on the ground at that time (mid-1999), the RUF simply had to be accommodated, despite the ensuing strident criticism that Lomé was far too lenient towards the RUF.

Overall responsibility for managing the DDR process in Sierra Leone rests with the National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), which is chaired by President Kabbah himself. An Executive Secretariat, based in Freetown and headed by Dr Francis Kai-Kai, is responsible for the overall DDR programme design, and its implementation. The latter, of course, depends on close co-operation with key implementing partners, such as UNAMSIL (and initially also ECOMOG) and the donor community, who have been part of the NCDDR since it was established in 1999. Dr Kai-Kai has emphasised that the programme can only succeed in a peaceful environment that is conducive to a high level of compliance by the disarming parties.

The NCDDR Executive Secretariat has a highly computerised database, and maintains accurate statistics of those demobilised. It is also responsible for the production of identity cards, which become the demobilising individual's key to accessing the transportation benefit of approximately US\$15, as well as the much larger reinsertion package, which is equivalent to approximately US\$150.

The DDR process has gone through three phases, that can be categorised roughly as follows:

- an initial phase lasting from 1998 up to the signing of the Lomé Agreement;
- an interim phase spanning the period from July 1999 to May 2000; and
- the third phase, which began on 18 May 2001, and has lasted to the present.

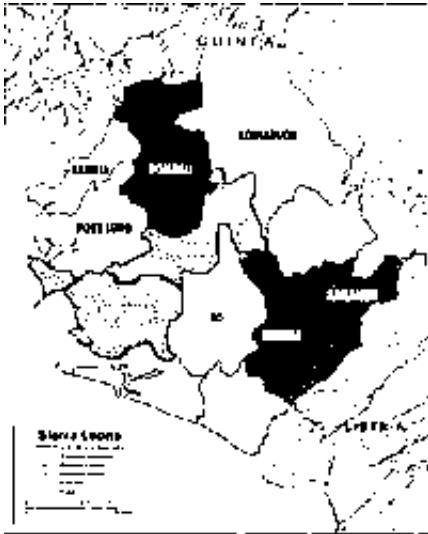
It is obvious that the events of May 2000 caused a serious and extremely regrettable one-year delay in DDR, which has had a knock-on effect on all the many layers of the peace process. Not least of these is the present hurried timetable for DDR to be completed in advance of the May 2002 elections.⁵⁶

Following the Abuja II Accord (see Appendix B), DDR resumed in earnest on 18 May 2001.

The new round of DDR started in the Kambia and Port Loko districts, and has progressed throughout the country, according to a programme agreed and reviewed at regular Tripartite Meetings. These meetings (between the Sierra Leonean government, the RUF and UNAMSIL) were designed to take place

monthly, in order to assess the level of disarmament and determine how to continue.

See Map 2: The districts of Sierra Leone



At the tripartite meeting held in Bo during July 2001, the parties agreed to finish DDR by the end of November 2001. The time frame agreed to allowed one month for each pair of districts to be disarmed in a consecutive fashion, after which disarmament would be 'officially' closed for the district concerned.

After Kambia district and the whole of Port Loko district had been disarmed, UNAMSIL moved on to the Kono and Bonthe districts, where the process was completed by early September 2001. By the third of that month, UNAMSIL had already supervised the 'disarmament' of 16,057 former combatants.⁵⁷

At this stage, DDR in the Koinadugu and Moyamba Districts was proceeding, but was running behind schedule. The latter should have been addressed at the tripartite meeting of 6 September, but the RUF boycotted it as a strong signal of opposition to a government announcement that legislative and presidential elections would be scheduled for 14 May 2002. On 15 September, however, the RUF agreed to resume the meetings, and attended tripartite talks in Makeni on 19 September 2001 on the further implementation of the disarmament process.⁵⁸

According to UNAMSIL, the Makeni meeting dealt with the transformation of the RUF into a political party, the question of a consultative conference on the political future, the extension of government authority, and freedom of movement for persons and goods throughout the country. The government informed the RUF that it had identified a building to serve as the RUF's political party headquarters in Freetown, thus removing a major obstacle to the RUF's registering as a party. The government delegation also said that the National Commission for Democracy and Human Rights (NCDHR) and the Commission for the Consolidation of Peace were holding consultations on organising a national dialogue on the way forward for the political process. After a discussion of the low turnout of combatants for disarmament in Koinadugu District, the parties agreed to extend the disarmament period in the district by two weeks. The meeting also endorsed the NCDDR's policy that no single or double-barrelled shotguns, or locally-made hunting rifles be accepted in the programme. The meeting agreed that a separate community effort would be instituted to collect such weapons.⁵⁹

Although perceived as the key to the peace process, DDR remains a highly ambitious and vulnerable undertaking. One of the biggest problems is the inadequate facilities available for cantonment of the ex-combatants. Rudimentary but fairly adequate facilities have been available in the districts of Port Loko, Lunsar, Moyamba, Bo, Kenema, and Daru. However, the scarcity of suitable camps in the east and

northeast has caused delays in the planned timelines.

The DDR effort has faced numerous setbacks, which have been resolved through patient and skilful intervention by UNAMSIL. For example, the disarmament in Moyamba District ran into difficulties a few days after it started on 15 Aug 2001. In Kovehun, the DDR camp was filled to capacity and the ex-combatants who had been demobilised were unwilling to leave the camp until they had received their benefits (ID Cards and travelling allowances). The DDR Programme could therefore not continue until the backlog had been cleared and vacancies became available for a new intake of ex-combatants in the camp. The programme resumed on 27 Aug 2001 when the camp had become decongested.

At Gandorhun, the reception centre had to be closed down temporarily on 29 August 2001, following disturbances caused by the CDF, whose leadership in Moyamba were reluctant to continue with disarmament under the new NCDDR guidelines. The dispute was about the surrendering of hand grenades, rocket-propelled grenades, and mines, which had been considered as ammunition and not weapons. UNAMSIL managed to resolve the issue, and the stalled DDR programme resumed on Monday 3 September 2001, ending on 22 October 2001, when a total of 2,490 ex-combatants had been disarmed (2,405 adults and 85 children).60

When the long-awaited disarmament process of the CDF in Bo District started on 24 September 2001, far fewer turned up than expected. The CDF cited concerns about armed RUF fighters in Tonkolili district to the north as the reason. Tonkolili shares a boundary with areas that were under CDF control, and the CDF fighters claimed that the RUF might start a war against them if they were the first to surrender their weapons. UNAMSIL promised to deploy in the no-man's land between the two districts, thus enabling the disarmament process to continue.

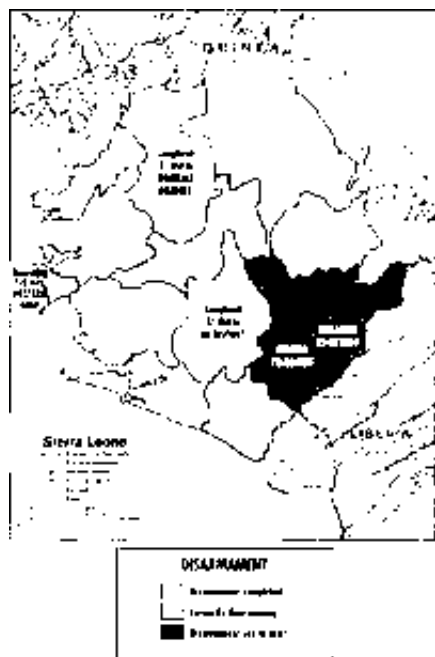
Disarmament in the northern district of Bombali got off to an even slower start, with only three rebels (RUF) handing over weapons on 24 September. The RUF had said they would prefer to use military barracks in the area to disarm rather than the school site (St. Francis Secondary School) chosen by the NCDDR, and this was given as the reason why so few fighters turned up. RUF also accused UNAMSIL of declaring some areas arms-free while armed CDF were still there in their hundreds. There was also concern expressed that the many CDF still in possession of shotguns would intimidate the opposition in the run-up to the elections.61

According to UNAMSIL, RUF protests about the DDR camps belie the consultative nature of the process they participated in, in identifying suitable encampment sites a process that involved the NCDDR, UNAMSIL, RUF and CDF. The final selection of sites was therefore based on a general agreement between all concerned parties. Moreover, where schools were used for cantonment, their facilities had been improved for the purpose, (to the ultimate benefit of scholars and teachers). Thus the RUF complaints about St. Francis School can be regarded as a pretext only. Nevertheless, UNAMSIL urged the NCDDR to reconsider, and a new location was agreed upon.62

The disarmament process appeared to be firmly on track when, at a tripartite meeting in Freetown on 11 October, the government and the RUF agreed to implement in good faith all the decisions agreed in prior meetings. At the end of the meeting, the government and RUF delegations also drew up a timetable for the completion of disarmament in the remaining districts of the country. They agreed to complete disarmament in the northern district of Koinadugu and the southern district of Moyamba by 22 October, and in the southern district of Bo and the northern district of Bombali by 31 October. They also adopted an accelerated schedule for the remainder of the DDR process, with disarmament of the western area from 1-9 November, the districts of Tonkolili in the central area and Pujehun in the south from 1-14 November, and the districts of Kenema and Kailahun in the east from 15-30 November. The participants confirmed that the CDF will disarm along with RUF combatants in their respective districts, and that the

previously-established criteria for group disarmament would be applied uniformly. Leaders from both parties agreed to inform their combatants of the agreed criteria.⁶³

See Map 3: Status of disarmament by district



Thus, of the 12 districts that make up Sierra Leone, ten had been through or were undergoing the disarmament process by early November 2001. An important feature was that the districts containing the greatest number of former combatants such as the Kono, Kambia and Port Loko districts were disarmed at the beginning of the process. Kailahun was the one remaining RUF stronghold still to be disarmed at the time of writing.

It is hoped that after the completion of the DDR programme in December 2001, the sectors will have been cleared of most weapons. However, to counter the threat of rearmament, UNAMSIL, in conjunction with the SLP, is preparing to conduct cordon and search operations, when credible information is available on the location of remaining weapons - especially shotguns and hunting rifles, since these weapons were not included in Phase III disarmament.⁶⁴ After DDR, there will be a National Weapons Collection and Destruction Programme, aimed at retrieving weapons still in civilian hands (including shotguns), with which UNAMSIL will assist.

It is accepted that disarmament within the DDR process is far from perfect or complete. However, the destruction of surrendered weapons is an integral and non-negotiable part of the process. UNAMSIL engineers destroy these in situ, near the assembly points, and the finality of their destruction is intentional. To add to the symbolism, the German technical co-operation agency, GTZ, is sponsoring a programme that turns metal recycled from weapons into agricultural implements.

As far as the physical disarmament process is concerned, the 'front end' is handled by UNAMSIL MilObs (with security provided by force elements deployed in the relevant area). Once the MilObs have established the assembly points and completed initial registration of those demobilised, the NCDDR takes over responsibility for the remainder of the process. However, the sensitisation of commanders is done jointly by the Executive Secretariat of the NCDDR and UNAMSIL. At the demobilisation centres, some profiling of former combatants is done, and counselling services are made available by the NCDDR.

As far as numbers are concerned, the NCDDR estimates that some 28,000 former combatants will participate in DDR. In July 1999 (when the Lomé Peace Accord was signed), there were an estimated 45,000 combatants in Sierra Leone. Nineteen thousand and fifty-one were disarmed and demobilised prior to May 2000, when the peace process collapsed and resulted in a year-long delay in disarmament. On 15 May 2001, the combatant groups gave NCDDR and UNAMSIL the estimated total figure of 25,000 (that is, RUF 10,000 and CDF 15,000) to be disarmed. The NCDDR added another 3,000 for other groups, including the SLA, who were expected to be formally discharged. This brought the target for Phase III to 28,000 persons to be disarmed and demobilised. This estimate was based solely on information provided by the respective High Commands, and even at that time there were indications that this number would be exceeded.

While UNAMSIL figures are compiled at the reception centres when the combatants turn in their arms, the NCDDR records the numbers only when the documents are processed. Part of the processing includes documentation for identity cards. In other words, the figures that the Executive Secretariat has at any point depict those ex-combatants who have been documented once they have passed through the disarmament reception centres. The overall figures for Phase III (as of 20 October 2001) are presented below:65

Table 1: Phase III demobilisation statistics (20 October 2001)

Category demobilised	Adults	Children	Total*
RUF	5,847	1,491	7,338
CDF	12,318	1,360	13,678
Ex-SLA/Ex-AFRC	260	13	273
OTHERS (including paramilitary)	145	30	175
TOTAL	18,570	2,894	21,464

*Those who have gone through the demobilisation process and have received transport assistance and/or a DDR Programme ID Card. Children do not receive transport assistance. Those going through Discharge are expected to register at NCDDR Reintegration Offices in Freetown, Port Loko, Lungi, Bo, Kenema, Koidu and Daru. A new Centre will soon be established in Matru Jong. The figure is based on actual forms received from UNAMSIL and processed by the NCDDR Executive Secretariat.

NCDDR guidelines require at least two-thirds of any group of former combatants to present themselves with weapons in order to be eligible for DRR. This apparently lenient norm makes allowance for participation in the programme by categories of combatants who may have legitimately contributed to the war effort without bearing arms (such as intelligence operatives). The figures below indicate that this norm has been roughly maintained, if the figures above for children are left out of the equation:66

Table 2: Overall statistics for weapons and ammunition collected (up to 20 October 2001)

Weapons and Ammunitions collected*	Total
Hand Weapons	2,839

Assault Weapons	10,688
Group Weapons	666
Ammunition	436,619
*The figures are for all districts	

Between the resumption of the disarmament process in mid-May and 30 October 2001, 24,079 ex-combatants had handed in their weapons nationwide. This number includes 8,518 RUF, 15,100 CDF and 461 others.⁶⁷

In contrast, the official NCDDR statistics (which record a combined total at 15 October 2001 of 5,365 discharged child combatants for phases I, II, and III of DDR), the number of child soldiers over the ten-year conflict period is estimated by the UN to be up to 27,000.⁶⁸ It is unclear whether this figure includes those who were recruited as children and are currently being demobilised as adults.⁶⁹ Only careful data capture at the demobilisation centres, including information on length of service and age of recruitment, will reveal the true extent of the child soldier problem. It is important that the longitudinal aspects are not obscured through a failure to capture sufficient data at the time of entry into the demobilisation process, as any meaningful efforts to support reintegration through training must be informed by a comprehensive profile of the persons being demobilised. Failing this, profiling the demobilised population can be only partially achieved through costly research exercises after the fact.

Another area of concern is the possibility of 'voluntary' and unco-ordinated releases of child combatants by armed group in a bid to avoid the bad publicity associated with using children as soldiers. This leaves children without proper medical attention, psycho-social care or assistance in tracing family members. A case study prepared by UNICEF in 2000 cites the NCDDR's working figure of 5,400 children 'associated with the RUF' under the current DDR programme,⁷⁰ while the total estimated number of child soldiers in the period of January 2000 to May 2000, of which only a quarter had been demobilised, is also reported as 5,400.⁷¹

The assumption that all child combatants were associated with the RUF is questionable, particularly in light of a figure reporting that 1,232 children were demobilised from the CDF camps in Moyamba and Bo, also between January-May of 2000.⁷² Inconsistencies and numbers that don't quite add up raise questions as to the accountability of government and CDF forces to the DDR process. Although it would seem logical that the NCDDR should have more accurate statistics on the composition and demobilisation of the SLA and CDF than on the RUF, where children are concerned, the numbers of those deployed at any given time still seem subject to speculation.⁷³

In other UN missions in which DDR has been a central part, DDR has been conducted on a country-wide basis according to a number of sequent phases, each following upon the completion of the previous phase. Due to the district-based concept of disarmament for Sierra Leone in 2001, all the phases of DDR are being attempted concurrently, according to progress made in each district.

Once in possession of an ID card, demobilised ex-combatants are expected to register at a reintegration office in their home region, where they will be paid the reinsertion package. Before May 2000, the NCDDR was paying ex-combatants a Transitional Safety Net Allowance (TSA), which amounted to

\$300 per ex-combatant and was paid in two instalments of \$150 worth of leones (at an exchange rate determined by the bank), the second after three months. Payment was suspended when the peace process broke down and donors were no longer willing to support the programme, since those who had gone through the DDR exercise had taken up arms again. The programme remained suspended until September 2001.74

The GoSL has given Le3.5 billion to the NCDDR as part of the Reinsertion Package that will be given to ex-combatants during phase III of DDR. According to the NCDDR Executive Secretary, Dr Francis Kai-Kai, modalities have been arranged for payments, and UNAMSIL has been requested to provide security for the NCDDR staff who will disburse them. Payment started in the Kambia, Port Loko, Kono and Western areas in September, before commencing in the Moyamba and Bonthe districts.

In June 2001, the NCDDR attended the Paris Conference, where a strong case was made for the necessity of providing an adequate Reinsertion Package. There were no immediate pledges made by the donors, but these were secured, after some further persuasion. Germany pledged DM10M (which is equivalent to \$4.4M) and the European Union (EU) pledged 10m Euros (\$8.6M). The Swiss Government had also committed itself to \$385,000, while the Canadians have pledged 500,000 Canadian Dollars. This represents the total amount received by the NCDDR to date. These funds will be held by the World Bank.

However, the pledges made by donors are insufficient, as outlined in the UNSG's latest report on UNAMSIL:75

"...the provision of the reinsertion package that was accepted by donors at the Paris conference held in June 2001 has been delayed because of insufficient funding. While the newly pledged resources to the Multi-donor Trust Fund of approximately US \$13.9 million are welcome, this amount falls short of the estimated overall programme funding gap of \$32.7 million."

In addition to the approximately 24,000 combatants that have disarmed since May 2001, some of those who underwent the process before the May 8th crisis have not received their TSAs.

The new reinsertion package for each ex-combatant is a single payment of Le300,000. To be eligible for the benefit, the combatant must have been disarmed, demobilised and discharged in the programme's current phase III after 18 May 2001, or have completed the programme before that time but received no, or only partial, payment. Others who received full payment during phases I and II, along with ex-combatants who have joined the military or security forces, are deemed ineligible for these benefits.76

According to Dr Kai-Kai, sufficient money to cover the costs of the basic reintegration scheme have been pledged to the Trust Fund. However, the actual disbursement of this money to the NCDDR is urgently needed, if further potentially disruptive delays in the payment of reinsertion packages are to be avoided.77

Resettlement has also been problematic. Some disarmed ex-combatants from the south and east of the country were going to places like Koinadugu and Bombali districts, since they were afraid to return to the towns and villages they came from.

Although the idea is to move as rapidly as possible from demobilisation to resettlement, the period spent in the various demobilisation centres varies from area to area, depending on the level and nature of the safety and security concerns of the RUF ex-combatants. Many of these have not gone home, but have remained in the area where they were demobilised, staying with their former comrades and their

commanders. The NCDDR is aware that the situation poses a significant security challenge, and that it is also likely to hinder electoral participation. The NCDDR is therefore busy developing strategies to address the resettlement problem.⁷⁸ The demobilised CDF ex-combatants are already living in their communities, so for them the process basically involves disarmament and registration only, without the need for encampment and the resettlement dilemmas faced by the RUF.

However, the challenges to successful resettlement are also of an economic nature. For example, observers in Kono district estimate that the number of men mining for diamonds has increased some threefold since demobilisation began in this area. The transportation allowance of many of those demobilised is reportedly used to buy basic alluvial diamond mining equipment - a pick, shovel, and pan.⁷⁹ Some suspect that the money generated from increased mining activity may be destined for RUF coffers, and used to re-arm the movement. However, it is equally conceivable that ex-combatants are reluctant to return home virtually empty-handed, and are attempting to amass something more substantial than the reinsertion package in order to gain acceptance when they return to their communities. (See chapter 10 'Peace with Diamonds?').

The challenges of reintegration into civilian life within a moribund economy are also daunting. To facilitate further service provision through the NCDDR, those undergoing the demobilisation process are asked to specify what they would really like to do in civilian life. Most requests have been for some form of vocational training, while many of the younger ex-combatants have requested assistance with schooling or with entering apprenticeship schemes. Others express a preference for making a living in agriculture. Some limited public works projects are in preparation for those who simply want any form of paying job.

Without going into detail on the viability of the various reintegration schemes, we provide an outline of the status of NCDDR-supported reintegration activities for discharged ex-combatants (as of 15 October 2001) in the tables below:⁸⁰

Table 3: Ex-combatants Eligible for Short-Term Reintegration

	Phase I	Phase II	Phase III	Total
Children	189	2,355	2,821	5,365
Adults	1,414	16,696	17,284	35,394
Total	1,603	19,051	20,105	40,759

* An estimated 3,000 SLA, CDF and RUF of this group are assumed to have been reinstated, due to security setbacks in May 2000, and hence are no longer eligible for assistance

Table 4: Number of ex-combatants registered at NCDDR RROs* and in Programme

	Registered**	In Programmes
Vocational Training	10,785	5,310
Formal Education	4,817	3,019
Apprenticeships	2,4709	1,819
Public Works	167	152
Agriculture	4,001	2,342
Awaiting Trade Test	68	-
Total	22,308	12,642

* Regional Reintegratio Offices (Home Regions)

** Those eligible for assistance who have not registered fall into three main categories: Those who may have self-reintegrated and may never register, those who have rejoined the fighting forces and may form part of the caseload that will register at the RROs in the coming weeks, and those especially in the southeast who may have gone mining and will come to register during the rainy season.

Table 5: Additional opportunities already created

Vocational Education/SED	1,785
Agriculture	900
Apprenticeship	1,722
Public Works	1,430
Child Reintegration	-
Total	5,837

Table 6: Child ex-combatants presently in reintegration programmes

Skills Training	255
Formal Education (CEIFP)	376
Total	631

The security situation continues to affect support of the various reintegration projects. Partners of NCDDR, who are brought together in a Technical Co-ordination Committee⁸¹ for reintegration assistance, are not at present able or willing to provide alternative reintegration support in Kono - nor indeed in many of the northern and eastern parts of the country - due to what is perceived as a volatile security situation. This will probably change as UNAMSIL entrenches its authority in these areas, and as more and more SLP deploy across the country.⁸²

See Map 4: The changing landscape of disarmament and demobilisation



According to the Child Protection Advisor, there is still a great need for further policy development for

girls. A number of small re-integration initiatives are under way for girl ex-combatants, but they are far outweighed by the interests and activities planned for boys, which include reintegration into schools, apprenticeships and vocational training.

Women and girls may require a greater degree of psychosocial support given the stigma of having been fighters. According to the UNAMSIL Child Protection Advisor, many women and girls have developed varying degrees of attachment to their commanders. Some of these relationships resemble those of true families in the traditional sense, while others are based on a strong loyalty built in combat. Other female ex-combatants have simply been abducted, then abandoned. These seem to be the ones who have suffered the most abuse, are in poor health and foresee few options for their futures.

However, 'officially' disarmed children constitute the section of the demobilised population that is most fully documented due to special procedures designed to process, reintegrate and reunify unaccompanied children with their families.

The danger in social reintegration comes not so much from demobilised soldiers' supposed reliance on violence as a means for survival, but rather from the persistence of social identities rooted in peer-groups of combatants and the difficulties experienced by ex-combatants in reinserting themselves into the social networks of a peaceful society. Studies on reintegration in other African contexts show a broad range of coping strategies, which are by no means restricted to the use of violence in pursuit of short-term gain. For example, social reintegration was a key factor for both government and opposition soldiers in Mozambique, a large proportion of whom sought to re-assert their identities within their families and communities, whether they lived with them or sought income opportunities in urban centres away from home. In the case of the Sierra Leone opposition forces, it is crucial that political and economic alienation is not exacerbated by the outright exclusion of the RUF from political processes. (See [Chapter 9 'Electoral Issues'](#))

CHAPTER 8

The restoration of civil authority

A key prerequisite for the success of the peace process, and the characteristic staging of more or less free and fair elections in Sierra Leone, is the re-establishment of government authority and administration throughout the country. This was not writ large in the Lomé Agreement, which envisaged an interim government that would include the RUF. However, some attention was paid to the need for service delivery by any kind of government. For example, on the Commission for the Management of Strategic Resources, National Reconstruction and Development, article VII states that "...the parties agree that the Government shall exercise full control over the exploitation of gold, diamonds and other resources, for the benefit of the people of Sierra Leone".

However, the issue was included, in the context of the current peace process, in the Abuja Cease-fire Agreement of 10 November 2000, article 5 of which states that:

"The parties undertake, with a view to restoring the authority of the Government throughout the entire territory of Sierra Leone, to ensure free movement of persons and goods, unimpeded movement of humanitarian agencies, and of refugees and displaced persons."

The same point was strongly reiterated during the Abuja II meeting in May 2001, where:

"The meeting took note of UNAMSIL's recent deployments to Makeni, Magburaka, Lunsar and Mano Junction, as well as obstacles to a more extensive deployment, reiterated the need to have the extension of GoSL authority throughout Sierra Leone as a corollary to such

deployment and appealed to the RUF to commit itself to the permanent presence of government structures throughout the country, as well as unfettered access by the civilian population to all facilities provided by Government."

Moreover, the extension of GoSL authority has become a core element in recent reports of the UN Secretary-General, Security Council resolutions, and indeed, the mandate and mission statement of UNAMSIL. However, international assistance with this work has focused on the military and the police, with little attention devoted to the broader aspects of civil administration. An immediate concern is that a vacuum in service delivery could arise as the DDR process forges ahead.

The recent progress achieved in newly accessible districts through the National Recovery Programme is nevertheless noteworthy. In Kambia, Kono, Port Loko, and Koinadugu districts, restoration of state authority, recovery initiatives, rehabilitation of infrastructures and resettlement of displaced persons are underway. The National Recovery Committee that brings together all major partners in the recovery of the country under the auspices of the Vice President was established in June 2001. It organises needs assessment missions and partners' roundtables where the assessments are reviewed and assistance is prioritised and coordinated. Significant advances have already been made on the ground in Kambia district, and the process has gained momentum, closely following disarmament. It is now planned that core administrative services should be functioning three months after disarmament is completed.

Longer-term concerns centre around the possibility of another coup, if the reformed military and police forces are widely perceived as more proficient administrators than are the other arms of government. (This is not to deny that improving the military and police is a very urgent and appropriate concern, in a volatile security and crime environment).

By 1998, when most of the SLA had become little more than an armed mob, with a reputation for corruption, creating mayhem and overthrowing governments, the GoSL decided to demobilise the majority of the army and start constructing a new military force, with international assistance. Like the army, the SLP has been seriously compromised over the years by corruption and mismanagement. More recently, its ranks were depleted by murderous RUF/AFRC attacks on police posts throughout the country, which systematically destroyed police infrastructure, records and communications. It is the SLP that will have to deal with the growing crime wave, that is likely to gather strength as the number of demobilised combatants increases.⁸³

In most other UN-led peace processes, military reform or transformation (or the creation of a new national defence force) has occurred after complete demobilisation of the belligerent forces, as a post-conflict peace-building step. In Sierra Leone, military and police restructuring has occurred simultaneously with the demobilisation process, and before the staging of elections. Moreover, the UK has assumed total responsibility for military reform (latterly with some support from International Military Advisory and Training Team (IMATT) partners, as discussed below), and is also providing the bulk of assistance to the Sierra Leone police. Both aspects of British involvement have been an essential adjunct to UNAMSIL, but are also a source of potential conflict.

The Sierra Leone Army (SLA)

British military support for the enhancement of short and longer-term security in Sierra Leone involves ongoing support to UNAMSIL (Operation Turner)⁸⁴ and a programme (Operation Basilica), whose declared objective (in the short to medium term) is "To train selected personnel and provide strategic and operational advice and support to the GoSL in order to enhance GoSL Forces capability".⁸⁵

The overall concept of operations in support of this mission involves the integration of UK military

advisors into GoSL forces; close co-ordination with UNAMSIL and the SLP; and the enhancement of the combat effectiveness of GoSL forces through ongoing advice and training. The short-term training teams present a 12-week training package for each intake, and have handled nine SLA intakes since the middle of 2000.⁸⁶ This training was admittedly not an instant formula for creating a professional and effective military - it was designed, instead, as a 'first aid' package to address a very specific and immediate short-term security vacuum. The concept included a 'train the trainers' approach, for the purpose of helping SLA leaders to meet continuation training needs. It was acknowledged that the SLA could only be 'reborn' through structural development and continued training at all levels, over a lengthy period.

Since 1999, the UK has undertaken a series of induction and training programmes under what is now called the IMATT. It is expected that basic training will be provided to about 12,500 soldiers (including the air and maritime wings), with more specialised training in logistics, communications, command and control and other techniques offered to a smaller number. Some officer training is being provided in Ghana and the UK.⁸⁷

A total of 320 officers and 9,800 troops had undergone the training programme at the time of writing. These soldiers have joined the units and formations currently deployed in the field. The Armed Forces Training Centre (AFTC) has been busy with a course for some 50 new instructors for the past five months, and also offers training on the use of battalion support weapons, such as mortars and medium machine guns.

The BMATT engagement, which began in 1999, was conceived in peace, but was overtaken by a wartime situation. This development necessitated the attachment of brigade and battalion level advisors to SLA units and formations deployed in the field.

As to the oft-posed question of whether BRITFOR may be presiding over the next coup, the frank answer of the British is that this is always a risk. However, IMATT is working to disconnect any strong political links within the military, especially among the middle-ranking officers. Creating a professional military culture that will continue after the of UK forces have withdrawn is also a significant challenge. Many aspects of local culture are odds with British military culture and tradition: For example, the British custom that commanders eat only after their subordinates have been fed does not gel very well with the Sierra Leonean culture of ascriptive privilege under the chieftainship system.⁸⁸

The IMATT provides more than military training, however. It deals directly with virtually every aspect of security sector reform, an issue that has emerged as high priority in many states in Africa. Among other aspects, it involves a complete reconstruction of the Ministry of Defence (MOD) and the military apparatus. This means building a culture of loyalty, service and respect for human rights within the armed forces. It also means a complete departmental overhaul to ensure appropriate civilian oversight and probity: this is necessary because senior Sierra Leone MOD officials and officers have been removed on grounds of corruption. Also policies have had to be introduced to cover the performance of such essential functions as, procurement, the payment of salaries and benefits and the removal of 'ghost soldiers' from the payroll. It is generally agreed that this process of restructuring and reform will be a three- to five-year undertaking.⁸⁹

The IMATT operates according to the objectives of UK foreign policy, and any nation that shares these aims is welcome to contribute to the training team. Its strength is approximately 150 personnel, including 11 Canadians, 4 Australians, and 3 Americans. A number of other countries (such as Nigeria, Ghana, South Africa, Senegal and France) have been considering contributions. IMATT is designed to stay in Sierra Leone for as long as the GoSL requires its assistance.

At the time of writing, IMATT was assisting SLA instructors at the AFTC, Benguema, with the training of a new intake under the Military Reintegration Programme (MRP). This programme is designed to integrate into the new SLA former RUF and CDF combatants who have been through the disarmament and demobilisation process. There is mix of IMATT and SLA instructors, with the latter very enthusiastically presenting drill, musketry and first aid training. The numbers are fairly modest (about 1,200 have been trained or are undergoing training - some 70% ex-RUF and 30% ex-CDF). The MRP is, however, significant in two respects. Firstly, it lends credence to the notion of the SLA as an army of reconciliation. Secondly, it provides a meaningful form of vocational training for those ex-combatants who genuinely wish to pursue military careers.⁹⁰

A maximum of 3,000 ex-combatants will be considered for the MRP. If this target is indeed reached, it will bring the total strength of the SLA up to some 15,500, meaning that ex-RUF and ex-CDF will constitute about 15% of the force.

The British training team peaked at a strength of about 600 in September 2001, these numbers including the short-term training team members. However, with the end of the short-term training scheme and the expansion of the proportion of the country under the control of the GoSL, the numbers will drop to an interim level of 300 to 400. After the presidential and parliamentary elections to be held in 2002, it is envisaged that a core of 100-150 trainers will remain indefinitely.⁹¹

While there is much appreciation for the British training assistance to GoSL forces within UNAMSIL, it is no secret that the GoSL/BRITFOR agenda and strategy for 'dealing with' the RUF has diverged from that of UNAMSIL, and, by implication, from that of the amorphous 'international community'. There are also some strong suspicions that the BRITFOR has colluded with GoSL and others in attempts to subvert the goals of the UN mission. For example, some feel that the circumstances surrounding the GAF bombardment of Rokupr on 28 May (the day phase III of disarmament commenced in Kambia District) merit further investigation. With artillery rounds landing within some 400 metres of the 110 MilOb's and peacekeepers and the scores of RUF and CDF fighters that had reported for disarmament, the attack clearly placed the entire DDR programme at great risk. It has been suggested that because the UK had no faith in the DDR process at this stage, and that the SLA had a liaison officer in Conakry, the place and timing of this attack were not coincidental.⁹² Similarly, it is suspected by some that the skirmishes initiated by the CDF against RUF rebels in Kono were orchestrated by the GoSL.

According to Brigadier Nick Parker, the current Military Advisor/Commander BRITFOR, it would be fair to say that there was a certain amount of tension between UNAMSIL objectives and those of BRITFOR in the period between November 2000-March 2001. However, while the UK policy objective is still to press ahead with elections as soon as possible, UNAMSIL and BRITFOR are no longer perceived as having differing agendas. The remaining area of concern, (rather than tension), is that BRITFOR feels that the SLA is at the point where it needs to be trusted and used as an integral part of the security effort, while UNAMSIL remains mistrustful, fearing the GoSL may 'unleash' the SLA and cause a reversal in the current peace process.⁹³

On the other hand, it should be realised that UNAMSIL is likely to begin its withdrawal soon after the elections (as outlined in CONOPS 2002), and that only the SLA will be left to fill the inevitable security gap. It may, therefore, make sense to begin with a gradual or graduated sharing and transfer of responsibility.

The RUF is obviously far more critical of the British presence than UNAMSIL. According to the RUF leadership, the UK is essentially running Sierra Leone, with the exception of the large proportion of the country that has been under RUF control for the past ten years. Obviously, the RUF questions the appropriateness for the people of such blatant UK dominance of the country. Unbundling 'Sierra Leone

Inc.' would certainly be on the agenda should the RUF win the elections.⁹⁴

The Sierra Leone Police (SLP)

It has become common wisdom to shift attention to police reform and issues of criminal justice once the military threat recedes. Post-war societies tend to become plagued with high levels of criminality in the aftermath of armed conflict. Moreover, in many war-torn African countries, and Sierra Leone is no exception, the boundaries between crime, corruption and conflict have become blurred during the course of the civil war. Without the establishment and maintenance of the rule of law, all the other investments in the fragile state, and the peace process that is to culminate in democratic elections, will come to nothing.

Much has been written about the need to bolster the criminal justice system - the police, the judiciary, and the penal institutions - during war-to-peace transitions. However, the latter two elements of the criminal justice triad have been sadly neglected in far better-resourced peace missions than UNAMSIL. So it is not surprising that for the time being, and in the context of Sierra Leone's most urgent needs, maximum effort is being put into supporting the 'sharp end' of criminal justice. This is something which should be loudly applauded, for it is sorely needed at this critical juncture in the country's history. Britain supported the SLP transformation long before the establishment of UNAMSIL, by deploying an experienced, talented, and tenacious 'top cop' to assist the GoSL. The present Inspector-General of Police, Mr Keith Biddle, was first sent to Sierra Leone from the UK in 1998, to provide emergency support to the ailing SLP. Such support was overdue for a police department that had been run down by years of war, and undermined by a culture of corruption, exacerbated by the neglect of successive governments who had systematically starved the police of the most basic resources. After a stint as Commissioner of Police, Mr Biddle took over as Inspector-General (I-G) of Sierra Leone's police force in July 1999.

One of the I-G's first tasks has been to root out corruption. A number of senior officers have been removed or retired, and a major effort has gone both into training and a complete revision of rules, regulations and procedures. National standards and guidelines on discipline, rank and structure, and a programme to raise police awareness in areas such as spousal and child abuse, are being instituted. Equipment, including radios, motorcycles, Land Rovers, trucks, weapons and uniforms, has been provided by the UK. However, the task that lies ahead remains enormous.

The pre-war strength of the SLP was 9,317, comprising a majority of unarmed general duties officers and a paramilitary Special Service Division (SSD). Approximately 900 members of the SLP were killed in the ensuing ten years of war, and a considerable number suffered the amputation of limbs by the rebels. The SLP's strength was reduced to a low of 6,600, after which it has seen a slow build-up to the present strength of some 6,900. It is envisaged that a further three to five years are needed to build the SLP up to at least its pre-war strength. The exact desired and affordable level will be determined by a thorough review of the policing requirements for Sierra Leone. (Sierra Leone's population is some 5.3 million people with about 1.2 million living in the capital, Freetown. At present it has a ratio of 130 police per 100,000 citizens.)⁹⁵ The requirement will probably be assessed at more than 9,300 police.

Beyond the numbers issue, there is also a need for the psychological rebuilding of a police agency that has been deserted in the face of danger by the SLA and later ECOMOG. More recently, during the May 2000 crisis, there were instances where UNAMSIL forces beat a hasty retreat ahead of what they perceived as rebel advances, abandoning unarmed SLP members who were manning stations in their area of deployment.⁹⁶

The force structure presently provides for four provincial commands, coinciding with the administrative

provinces of Western Area, Northern Province, Southern Province, and Eastern Province, each under the command of an Assistant Commissioner (equivalent to the rank of colonel). At the next level of organisation are the police divisions at the district level (five of which have been established in the wake of successful disarmament). The idea is to expand the police divisions to all 12 districts as the peace process progresses. The SLP is also considering establishing approximately 30 community-level policing units.⁹⁷

The SLP has deployed in Kambia district without any problems, and has also experienced few problems with its deployment to Lunsar - except for strident objections by RUF Spokesman Mr Gibril Massaquoi after he had visited the district and found that SSD elements had been stationed there. The SLP is also deploying in Koidu as UNAMSIL establishes its presence in that district, and 82 members had arrived in to Kono by 26 October 2001. The idea was to reinforce this element with the further addition of 6-8 members per day (as passenger space on UNAMSIL flights allowed), until the planned strength of 160-180 SLP members in Kono is reached. About 30 of these police officers will be SSD members. Deployment to Makeni was conducted on 15 November, without incident.

The SLP is planning to send police officers to the remaining districts as soon as disarmament has been completed. The next priorities will be Tonkolili, Magburaka, and Kailahun. Deployment to Kenema, especially at Tongo fields, is expected to be difficult.

The SLP does not have the capacity to assume responsibility for border policing. Consequently, there is no option but for the SLA to provide for border security, even if this is theoretically not an appropriate role for the military.

Like any police agency, the SLP also has specialist branches, such as a criminal investigation department (CID) and traffic police. The SSD will not be disbanded, but is going to be 'repositioned' to act in support of community policing, rather than being used, as it was in the past, as the armed wing of the ruling party. Disbanding the SSD is not an option, because the unarmed police of SLP need a professional, armed support group for rapid reaction, VIP protection, escort duties, and so on. Arming the rest of the force would be too expensive, in terms of the purchase price of appropriate side arms and the cost of thorough firearms training. Moreover, given the high proportion of SLP members who are illiterate, there are obviously other, more urgent training priorities.⁹⁸

In 2000, the UK emergency support project was converted to the Commonwealth Community Safety and Security Project (CCSSP), which is providing longer-term training, support and advice to SLP. The CCSSP, with substantial funding from the UK Department for International Development (DFID), has been able to capture a lot of the media limelight.

It has a budget of some US\$ 22 million, and its work is carried out by three permanent team members, augmented by eight regular consultants and a number of ad hoc consultants contracted to address specific needs. An example of the latter is a recent contract to provide training to deal with sexual offences, which was undertaken by a clinical psychologist from the UK. However, the CCSSP budget does not cover the maintenance or construction of buildings, police stations, holding cells or processing centres, all of which are either in bad condition or nonexistent,⁹⁹ and its assistance has been largely limited to the Freetown area.

The relationship between the CCSSP and the Civilian Police (CivPol) component of UNAMSIL has been somewhat confused to date. Whereas the UK has been intimately involved in local policing issues for nearly three and a half years, the extremely multi-national UN CivPol is only just beginning to grasp policing priorities in Sierra Leone.¹⁰⁰ The CivPol 'advise and assist' mandate was vague from the start, and was obviously inspired by the UN CivPol experience in the Balkans, where the local police had

been party to the conflict, were ethnically imbalanced, and were suspected of having committed serious human rights violations. In contrast, the SLP has not been involved in any coup plots, and has not committed atrocities as an institution. Moreover, the SLP has always tried to uphold the constitutional order - sometimes in a very brave manner. For example, the SSD saved the life of President Kabbah in May 1997, by holding off attacking army elements until they ran out of ammunition. The Balkan model of close monitoring and reconstruction of the police force is thus inappropriate as a guide to the work of UNAMSIL CivPol in Sierra Leone.

As a result the UN CivPol have never really got to grips with the dynamics of policing in Sierra Leone, and have constantly written to New York with new proposals on how best to contribute to advising and assisting the SLP. One such report recommended the introduction of the community policing concept in the SLP, oblivious of the fact that the SLP is already some distance down this road, and has already appointed a head of community policing. It is futile to waste time and energy on conducting assessments that have already been made, and on recommending what is already being implemented. Another probable disadvantage of this lack of information on UN CivPol's part is that New York may be getting a very skewed perception of the SLP, one which negates both the progress already made and the role played by the CCSSP.

Equally frustrating for the I-G are UN CivPol complaints about lack of co-operation from the SLP in areas where the latter simply do not have the capacity or resources to provide assistance. For example, CivPol complained that the SLP were not supplying them with accommodation in Kabala, but the simple fact is that the SLP budget does not stretch to meeting these needs.

The UNAMSIL CivPol Commissioner has also been hindered in executing his mandate by the force generation process directed from New York. CivPol recruitment does not match the functional needs on the ground, and the associated skills and experience profile. A number of totally inappropriate officers have been sent to join the mission. For example, one officer was mustered into UNAMSIL with only 18 months' experience in his national police force, whereas the SLP has a number of very experienced officers within its ranks. Also, a number of officers who cannot communicate in English have arrived from non-English-speaking countries. Such officers are obviously unable to play any kind of advisory role in the English-speaking SLP.

On the positive side, the I-G had much praise to bestow on some of the CivPol initiatives, such as assistance to the CID and select training programmes, that have been very professionally presented, for example in Kenema. He also has a high regard for the Commissioner of CivPol and a number of his officers who have displayed a high level of professional competence. One such officer¹⁰¹ has submitted for comment by the I-G a detailed SLP needs assessment. The relationship between the SLP, the CCSSP and CivPol seems to be entering a far more productive and symbiotic phase. The CCSP is well funded, and CivPol can provide high quality human resources: these could be merged to form a 'smart' partnership.

Given the strong presence and engagement of the CCSSP in Freetown, CivPol is concentrating its efforts on providing advice and assistance in the more remote areas of the country. For example, since early August 2001, CivPol officers have been deployed in Koidu, where they have had to deal with local resistance to the return of the SLP to the area. Similar though more daunting challenges are expected when CivPol deploys to areas such as Kailahun, from which the SLP has been totally absent since 1991. In addition to being forced to submit to rebel 'law', the inhabitants of such areas have had to rely on those chieftains and tribal authorities that managed to maintain some form of law enforcement throughout the war. Re-establishing respect for the authority of the SLP is therefore not expected to be an easy task.¹⁰²

As far as training assistance to the SLP is concerned, CivPol has been instrumental in organising a

number of specialised training workshops. In addition, it has a team attached to the Police Training School, which assists in teaching a variety of subjects and in the marking of exams. CivPol members are also in the process of developing an evaluation programme for the SLP.

CivPol is currently co-operating with the UNAMSIL Human Rights (HR) Section on the development of a manual to guide the training of SLP officers for election and HR monitoring duties. However, if CivPol is to play a meaningful role in the elections next year, it will require authorisation for, and the contributions of, far greater numbers of officers. For example, the NEC currently envisages that there will be some 5,400 polling stations that will require security and monitoring.¹⁰³

Practical assistance to the local police has been seriously limited by the lack of funding available to CivPol. Nevertheless, CivPol has managed to build two police stations for the SLP, the one at Lunsar a result of the contribution of some US\$14,000 by Norway. The Commissioner of CivPol, Mr Joseph Dankwa (Ghana), has mooted the establishment of a trust fund within UNAMSIL for the provision of further material assistance to the SLP by CivPol.

The dominance of the CCSSP, which operates according to UK policing standards and procedures, has been the source of some disagreement with UN CivPol, who view UNAMSIL as an African mission. An example of the differences between Western and African training methods is that the UK and other European countries do not support the regimentation of police training, something that is central to the African style of training.¹⁰⁴ (Ironically the regimental style was inherited largely from the British army's training of colonial police in former times).

It is felt that UNAMSIL CivPol should have a say in the selection of police advisors for the UN mission, especially as has is not been deemed worthwhile for the UN Department of Peacekeeping Operations (DPKO) to dispatch a Selection Assistance Team (SAT) to countries volunteering only two or three officers for service in UNAMSIL. It could also be argued that if African CivPol were regarded as a priority, a small SAT from Freetown would be in a better position to perform this function than a team from New York.¹⁰⁵

CHAPTER 9

Electoral issues and the transformation of the RUF

Sierra Leone's current crisis is widely accepted as the result of the interrelated evils of bad governance and grinding poverty. Between 1968-1996, most state institutions, including multi-party democracy, the judiciary, the formal economy, the armed forces, the police and the independent media, were systematically undermined and/or corrupted. The election of the first civilian government in almost three decades in 1996 occurred before a cease fire had been agreed, and amidst real and threatened intimidation of the electorate. The subsequent 1997 coup, the 1999 invasion of Freetown and the expanding war in the north and east posed further threats to Sierra Leonean democracy. Nevertheless, the average Sierra Leonean has not eschewed the idea of democracy, and the next parliamentary and presidential elections remain a primary goal of the peace process.

The elections were originally due to be held in February 2001, but were postponed by six months. The Sierra Leone constitution provides for a postponement of up to six months at a time, with the consent of parliament, if the country is involved in a war in which its physical territory is threatened. The government asked for, and received, a six-month delay in the elections after the NEC reported that the security climate in the country would make elections impossible. In its Strategic Plan 2001-2005, devised in January and published in February 2001, the NEC proposed that voter registration begin in mid-September, and that the elections be held before the end of the year.

It was widely accepted that free and fair elections could not be held while half of the country remained in rebel hands. The situation was complicated by the fact that the ruling Sierra Leone People's Party (SLPP) finds its main strength in the south. If the rebel-controlled north and east were unable to vote, the election would undoubtedly be tilted in favour of the SLPP, and would be regarded as unfair.¹⁰⁶

On 7 September 2001, parliament voted to extend by six months the country's state of emergency, which has been in effect since the restoration of Sierra Leone's civilian government in 1998. On 12 September, parliament voted to delay the country's presidential and parliamentary elections for an additional six months, agreeing with President Kabbah that the country was still too insecure to hold elections. A number of opposition parties and civil society groups opposed the extension, insisting that the country is no longer at war and that a constitutional basis for postponing the elections no longer exists.

On the other hand, there is a widespread feeling among members of civil society and some of the political opposition that elections should be postponed even further, in order to allow more preparation time. There have also been calls for a 'government of national unity' - an interim arrangement that might make an extended delay more palatable. This is unlikely to happen, partly because any suggestion that the RUF be brought into government again is unacceptable. In any case, the GoSL has already drawn several members of the opposition into the cabinet. It is unlikely to delay the elections beyond the first months of 2002, because that might compromise its standing in the international community.

The RUF also demanded an 18-month interim transitional government, to take over after the mandate of President Kabbah expired on 26 September 2001, but this was firmly rejected by the government.¹⁰⁷ The various parties in opposition to the SLPP have, nevertheless, begun to gear themselves for an electoral battle.

Thirteen parties contested the 1996 presidential and parliamentary elections. On 18 September 2000, six political parties signed a Memorandum of Understanding, agreeing to unite in a 'grand alliance' to challenge the ruling SLPP party in the presidential and parliamentary elections. The new alliance includes the United National People's Party (UNPP), which received 21.5% of the vote in the 1996 parliamentary elections; the People's Democratic Party (PDP) (15.2%), the All People's Congress (APC) (5.7%), the People's Progressive Party (PPP) (2.8%), the People's National Convention PNC (2.5%), and the provisionally-registered People's Democratic Alliance (PDA), which had recently broken away from the People's Democratic Party.

Of the 22 political parties currently operative in Sierra Leone, 17 have permanent registration, while five are provisionally registered. Six parties hold seats in the current parliament, with the SLPP holding 27, with the next largest party (the UNPP) a distinct second with 17 seats, and the APC third with just five seats.

By the end of September 2001, about ten political parties, including the RUF party (RUF-P),¹⁰⁸ had opened offices in Bo in preparation for an intensive campaign for the forthcoming presidential and parliamentary elections in the country. The opening of the offices followed a press release from the NEC, which informed all political parties that the state of emergency in the country was intended purely to maintain security, and that the government would not prevent political parties from engaging in routine party activities, as long as the SLP were given prior notice of a public meeting. The opening of the RUF Party office in Bo is regarded as significant, because it is the first RUF party office to be opened in any part of the southern and eastern provinces, and because the highest level of destruction by RUF forces occurred in the Bo district. (The office in Bo is headed by the son of a popular ruling SLPP politician who at one time was regional co-ordinator of the Kamajor militias.)¹⁰⁹

At the tripartite meeting in Freetown on 11 October 2001, the GoSL agreed to a National Consultative

Conference (NCC), to be convened from 13-15 November 2001, under the auspices of the National Commission for Democracy and Human Rights (NCDHR) and the Commission for the Consolidation of Peace (CCP). According to the proposal, the conference (in which a wide spectrum of civil society will participate) is to be as inclusive as possible. It is to address all major outstanding issues on which clarity is needed, such as the electoral system; the relationship between the Special Court, the Truth and Reconciliation Commission (TRC) and the national courts; and voter education. The outcome of the conference will not be binding on the government, and opposition politicians argue that the holding of the NCC, and indeed the substance of the conference, are merely attempts to take the heat off government.¹¹⁰

A major point of contention has been whether or not the proportional representation system should give way to a constituency-based system. The elections in 1996 were held under the proportional representation system, in which seats are allocated to each party according to the percentage of votes it has received nation-wide. According to the NEC, proportional representation made sense when large parts of the country were under rebel control. However, the constituency system anchors members of parliament within a specific geographic area, which, theoretically, promotes both more responsiveness to constituents and accountability on the part of elected representatives.

The NEC has thus decided on a compromise 'district block' system for the 2002 elections. The paramount chiefs of each of the 12 administrative districts are to retain their seats in parliament, along with 6 elected representatives from each district.¹¹¹ This will bring the total number of parliamentarians to 84. However, many people feel that the particular interests of their districts will not be adequately represented, and that the districts are not equal in terms of population numbers and economic output.¹¹²

On 19 September 2001, the All Political Parties Association (APPA)¹¹³ issued a statement calling for the dissolution of the current NEC, suggesting that it be reconstituted in the interests of fair play, transparency, and the need for credible elections. The APPA also expressed dissatisfaction with the district block electoral system, and stated its preference for a system of multiple constituencies. The NEC's standpoint is that constituency-based elections are simply not feasible, because a proper census and voter registration appropriate to such an exercise could take up to three years.

On 12 October 2001, the Chief Electoral Commissioner, Walter Nicol, announced that the elections, which had been planned for December, might have to be postponed until 2002. Nicol cited ongoing security concerns among the electorate, despite progress in the disarmament programme, as the reason for postponement. The NEC subsequently set the election date for 14 May 2002, leaving little time for addressing the need for such essential preparations as voter education. UNAMSIL believes that the GoSL will stand firm on this date, in part due to a perceived limit to the patience of the international community which supports the peace process.

Although it is obviously not ideal to push for elections by May 2002, there are few palatable alternatives. Under the constraints set by both the constitution and the current state of emergency, elections have to be held before the end of June 2002. Otherwise, the GoSL will need to extend its mandate for a further six months, or agree to an interim government arrangement. The latter is clearly off the agenda from the points of view of both GoSL and the 'international community'.

The 'early' date for elections is clearly problematic, for a number of political and administrative reasons. No-one is in possession of ID cards; there has been no census; and there is no valid voters' roll.¹¹⁴ Fifty percent of the population are refugees, internally displaced persons (IDP), or returnees living in camps, and it is inconceivable that they can all be resettled by May 2002. The elections simply cannot be fair, nor can they be free.¹¹⁵

One of the most emotive and problematic outstanding electoral issues revolves around the stake that the RUF will have in the democratic process, and the consequent outcome. In a statement issued on 2 October 2001, the government noted that under agreements signed with the RUF, the government's only obligation was to remove the legal impediments to the RUF's transformation into a political party. According to the Lomé Accord, however, "[t]he Government of Sierra Leone shall accord every facility to the RUF/SL to transform itself into a political party and enter the mainstream of the democratic process".116

The GoSL does not see the RUF as a serious contender in the upcoming elections. The RUF is not yet registered as a political party, and was only provided premises for its national secretariat in mid-October. Some GoSL officials think that RUF will be lucky to gain even one seat in the legislature.

UNAMSIL does not share the government's assessment of (or its public pronouncements about) the RUF as politically insignificant. Foday Sankoh is still a cult figure, and the lessons of Charles Taylor's victory in the Liberian elections are worth recalling. Freetown-based views on the RUF's popularity can certainly not be considered an accurate reflection of sentiments in the countryside.117

However, because of its commitment to assisting with the implementation of the Lomé and Abuja agreements (and supporting Security Council resolutions), UNAMSIL is often accused of being 'soft' on the RUF. For example, the International Crisis Group (ICG) has commented on what it perceives as an international three-pronged strategy towards the RUF, which is aimed at.118

The appeasement of the RUF through meeting its demands in the peace process as rapidly as possible;119

encouragement of the defection of commanders and the rank and file from the organisation, though the provision of overseas scholarships for the former and vocational training or schooling for the latter; and

the provision of assistance to the RUF in transforming itself from a military organisation into a political party.

The implication is that UNAMSIL supports such a strategy. The ICG has accused UNAMSIL of becoming "extremely close to the rebels", and of applying pressure on, and advocacy to the GoSL to release three of the RUF's most senior leaders on 5 September 2001. It describes the release of Pallo Bangura, Mike Lamin and Eldred Collins as a "major coup for the RUF".120 However, the Group's report omits some of the finer details, such as the fact that Bangura was detained in prison for a period of 16 months without trial, and denied access to legal counsel. Not even the International Committee of the Red Cross (ICRC) had access to him, as the GoSL refused to allow it, citing security risks to Red Cross personnel.121

While the second point (on the 'defection' of commanders) may equally reflect a component of the broad DDR programme which offers similar opportunities to ex-members of the CDF and SLA/AFRC, the ICG lends it special salience, and links it squarely to the third point (the transformation of the RUF into a political party). According to the ICG:122

"A main deficiency in the international strategy lies in failure to implement the defection strategy for high level commanders, and to use this ... for affecting internal debates among moderates and extremists. Such an approach could assist in transformation of the rebels into a peaceful political party."

The ICG report goes on to recommend 'take-it-or-leave-it' overseas scholarships for 'consistent troublemakers', in order to remove them from the peace process as soon as possible. Yet the report ignores on the very real obstacles in the path of the RUF in its attempts to become a legitimate political party.¹²³ Indeed, the ICG report states that:¹²⁴

"A third threat to the peace from the RUF comes from the rebels' desire to enter politics as a legitimate party. The danger is of an organization that, while willing to forge alliances with other political actors, is also prepared to use military muscle to achieve common objectives. ...In a conflict that has been sustained by illicit alliances and double-dealing on all sides, the possibility of the RUF finding political sponsors in Freetown is disturbing."

However, this perspective misses the point that the RUF's military campaign, including the atrocities it committed, were symptomatic of the deep anger of many civilians at years of mismanagement and exploitation. RUF atrocities certainly undermined the movement's political credibility, but the anger that led many youths to join the RUF did not dissipate. Instead, it helped undermine the counter-insurgency campaign, as government soldiers - who were underpaid, poorly-trained and often under-aged - were sent to confront an elusive enemy with whom they actually had a great deal in common.

The military response to the RUF has tended to be part of the problem rather than a solution. However, many of those who perpetrated some of the worst abuses against civilians, including junta leaders such as Johnny Paul Koromah, have now been absorbed into the SLA. Marginalizing the RUF as a political player on the grounds that it is evil incarnate, is therefore a far more dangerous strategy than engaging them in meaningful dialogue as a political party. As Keen puts it:¹²⁵

"Around the world, proliferating weapons and deep-seated anger are fuelling conflicts that cannot be adequately understood, or combated, as the struggle between two teams, let alone between good and evil. Ultimately, whether in Africa's neglected conflicts or in the higher-profile attacks of September 11, the only defence will be to defuse the underlying anger."

The one way to defuse anger is to provide a credible promise of the ability to change the nature of governance through a fair democratic process. However, to stand a reasonable chance of competing fairly for political power via the ballot, the enormous bias of international opinion against the RUF will need to be countered in two basic ways:

by establishing the unambiguous truth about the nature and extent of war crimes and atrocities committed by all parties to the civil war; and

by clearly articulating and effectively disseminating the RUF's political vision, values and programme for Sierra Leone.¹²⁶

For example, many residents of Freetown readily acknowledge that the vast majority of the awful mutilations that characterised the brutality of the 6 January 1999 sacking of Freetown were inflicted by ex-SLA, or former soldiers of the AFRC (Armed Forces Revolutionary Council).¹²⁷ However, most observers from abroad continue to hold the RUF solely responsible for these atrocities. This is one reason that the RUF welcomes the Truth and Reconciliation Commission, and has expressed a preference for the TRC's work to be completed before any electoral race.

On the second issue (political vision), the RUF believes that the average Sierra Leonean has been rendered totally impotent by many years of misrule. Citizens - especially those who live outside Freetown - have paid taxes for far too long without receiving any benefits of government administration. The RUF feels that it is high time to end this alienation of government from the polity, and that the people should

be given a sense of belonging to the country and the state. This can be achieved only through effective administration that addresses a broad range of basic human and civil rights and needs. The political mission of the RUF is, in short, to transform politics from a system of elite patronage to a structure working towards the benefit of all citizens.128

The economy also needs to be transformed from one of ruthless primary extraction to one in which substantial value is added to Sierra Leone's vast but finite mineral wealth. During an interview, Pallo Bangura pointed out that though he came from the gold-producing district of Tonkolili, he knew of not a single local goldsmith. According to Bangura, the socio-economic and political vision of the RUF can be captured in its desire to provide the people of Sierra Leone with both a ladder and a net. The ladder metaphor means that each individual should be free to rise to the highest occupational and social level possible, regardless of any ascriptive criteria. For those who fall, or fail to climb, government must provide a safety net of minimum social security benefits and services.

The political manifesto of the RUF still needs to be refined and expanded into a far more coherent body of thought and plan of action, but this is extremely difficult to do whilst the organisation is still battling to counter its negative image abroad and to acquire the resources and expertise required to become an effective political movement. The latter is particularly difficult, in light of the travel ban imposed on RUF leaders (waiver of which has to be authorised by a special committee of the UN Security Council¹²⁹), and the need for face-to-face meetings in order to overcome the tendency towards outright rejection of the RUF, so successful has been the media demonisation of the RUF as inhuman limb-choppers. Moreover, the RUF has no access to the international, or even local media, an essential in putting its own story across.

The GoSL has noted that the UN travel ban was based in part on the RUF's "unlawful possession of large caches of arms and the reckless use of them to the detriment of the people of this country", and suggested that disarmament would remove the conditions which had led to the ban's imposition. "Instead of the existence of the travel ban being given by the RUF as a reason for their delaying to disarm, that should rather be the very reason for their accelerating the process of disarmament".130

The RUF do not deny that abuses took place at their hands, but the hands of many others who will be contesting the upcoming elections are equally bloody. They feel, therefore, that a cooling-off period of a year or two would be in the interest of all parties before electoral battles are fought, and would lead to more sophisticated campaigning on the real issues confronting Sierra Leone. The RUF are convinced that the GoSL and the UK are rushing the elections in order to preserve the status quo. The former had been clinging to the notion of rebels 'going back to the bush', and were thus taken by surprise when the RUF committed itself to disarm and began a serious attempt to transform itself into a political party.131

Omrie Golley and Pallo Bangura are emphatic that the RUF has no intention of renegeing on its commitment to disarmament, and that the 'back to the bush' card cannot and will not be played. They are convinced that the attack by the GAF on the disarmament centre in Kambia, and the subsequent opening of a second front against RUF forces in Kono, were a deliberate attempt by the UK and GoSL to disrupt disarmament and force the RUF into the fighting option, so that they could be militarily destroyed and removed from the political landscape.132

The RUF see themselves as realists. They know that support for their conversion to a political party will not be forthcoming from the GoSL, as the RUF Party is the only one that presents a credible threat to the SLPP in the elections. In fact, far from making generous concessions under pressure from UNAMSIL, the GoSL continues to obstruct the RUF's attempts at conversion. For example, the RUF Party has only a temporary registration certificate. There is a constitutional proviso that requires the establishment of regional offices in the four provincial capitals of Freetown, Bo, Kenema and Makeni, before a final

registration certificate can be issued. The government identified a property in Freetown that was acceptable to the RUF, and handed over the keys to RUF on 10 October 2001. The RUF has opened party offices in Bo and Makeni, but it has alleged government obstruction in their attempts to secure an office in Kenema. When the RUF has made moves to hire its own offices in this town, the CDF has moved quickly to intimidate potential landlords, making the conditions for final registration (and effective political organisation) virtually impossible to meet without sincere GoSL support.¹³³

If there are indeed some international and regional players who wish to support the attainment of one of Kofi Anan's major criteria for the staging of elections in Sierra Leone, then there is much they can do to support the RUF conversion process (apart from large cash donations, which would be coveted by any political party in the world).¹³⁴ For example, the RUF has detailed the following urgent needs:

training for party functionaries and administrators in the basics of establishing and running an effective party machinery, including, support or advice from former guerrilla or liberation movements that have made a successful transition to party politics;¹³⁵

assistance with developing party communications and public relations expertise, including help with accessing electronic and print media opportunities to tell the RUF's story; and

the provision of any appropriate communications technology, from basic public address systems to computers and desk top publishing equipment, generators, and satellite TV links so that the RUF would at least have access to news from the outside world.

CHAPTER 10

Peace with Diamonds?

On 21 September 2001, the International Monetary Fund (IMF) announced that it had approved a three-year \$169 million loan to Sierra Leone to assist with economic recovery. The loan will be used to support a poverty-reduction strategy for Sierra Leone, which was designed with the support of the IMF and the World Bank. The programme aims to increase economic growth to rates of six to seven percent annually. During the year 2000, the Sierra Leone economy grew at a rate of 3.8%, compared to an 8.1% contraction in 1999. Inflation has also improved, with a 2.7% decline in prices in 2000 compared to a nearly 37% increase the year before. Sierra Leone will strive to reach five percent growth in 2001 and six percent growth in 2002, while limiting inflation to eight percent in the first year and five percent in the second.¹³⁶

Improved government control of the diamond trade undoubtedly contributed to the signs of economic upturn during 2000. Sierra Leone exported a total of 132,394 carats between October 2000 and May 2001, earning US \$17.34 million since a new certification system, aimed at curbing the illicit trade in 'conflict diamonds' mined in rebel-held areas, was introduced last October. This compares to only US \$1.5 million for the preceding year and, according to Mineral Resources Minister Mohamed Swarray Deen, "...clearly indicates that the use of certificates of origin for diamond exports has improved sales".¹³⁷

However, responsible government control over diamond extraction and the diamond trade is not only an issue of economic recovery. Diamonds have provided the resources and much of the motivation for ten years of war. Hence control of the industry is seen by many as an essential key to the Sierra Leone peace process, but one which has often been ignored because of the sheer complexity of the issues at stake. However, according to such commentators as Pratt:¹³⁸

"The ultimate test [of the peace process] will be the diamond areas of Kono and Tongo

Field. Until both the RUF and the ... CDF cede full control of these areas to ... UNAMSIL and full control of diamond mining to the Government of Sierra Leone... , it would be premature to believe that peace has been achieved."

As outlined in previous sections, UNAMSIL has already deployed, with credible forces, to Kono district and the Tongo Fields in Kenema. The re-establishment of a SLP presence in these areas has also been a priority for the GoSL, and is being supported by UNAMSIL. However, Pratt points out that neither the army nor the police have controlled the diamond areas in the past, and has warned that "giving the SLA or the ... SLP responsibility for security in the diamond areas now would be an invitation to return to the days of rampant corruption, national decline and war".139

In the past, the government has required mining firms to provide their own security rather than providing it for them. Only very large mining companies could afford the kind of professional security force required for effective operations, and smaller companies tended to use less well-regarded firms who were attracted to the diamond fields as the security conditions began to deteriorate. However, the approach of the latter to security was often dubious.

With the recent progress made with UNAMSIL and SLP deployment, the prospects for a return of reputable security companies have improved considerably.

On 9 August 2001, the GoSL announced that the Canadian-registered company, DiamondWorks Ltd. which has a 60% stake in a 25-year lease on the Koidu concession will resume diamond mining in Kono with at least a \$40 million investment. The main part of the DiamondWorks concession in Koidu involves Kimberlite pipes, and the GoSL expects the annual output to be about 300,000 carats, worth well over \$30 million.140

However, the larger security concerns - paramount among them the possibility of a return to war - have little to do with Kimberlite mining, but relate to the RUF's presumed ability to maintain control over its alluvial diamond mining activities, and to use the proceeds to re-arm and re-mobilise. As Pratt puts it:141

"There is a real possibility that the RUF peace offer may be based on an idea that UNAMSIL will not, in fact, become engaged on the diamond issue. It could be that the RUF believes that UNAMSIL will simply act as a police force in the diamond areas to make diamond mining safe for successor RUF organizations."

Similarly, Ian Smillie recently expressed a concern that the RUF may still be mining in order to buy weapons. He noted that while some RUF combatants had given up their weapons, the movement had not relinquished control of the diamond-producing areas, where illicit mining was continuing unabated. Because of the UNAMSIL presence and reduced harassment, he argued, former RUF combatants are now capable of digging more diamonds now than during the war.142

Many recent reports, and the authors' own observations, confirm that mining continues openly, despite a government ban. The GoSL defends its position by asserting that the moratorium on mining allows diamonds to be mined as long as the proceeds are not used to buy weapons. However, it has created a certification regime to check the trade in 'blood diamonds', and has issued around 96 certificates to diamond exporting companies to curb smuggling and illicit trade. Under the scheme, all diamonds exported have to be accompanied by a certificate of origin signed by officials of the mineral resources ministry and the central bank.

UNAMSIL's 'defence' against allowing the illicit mining to continue is simply that:143

"Everybody is mining in this country except UNAMSIL and it is good for unemployed people. ... The government and the rebels had said they would monitor each other but they haven't. We came here to keep peace. Our mandate is not to control diamond mining, it is up to the government to do so."

This perspective is realistic. UNAMSIL has neither the mandate nor the manpower to control alluvial mining, which has been likened to a farming operation that involves tens of thousands of workers, and is virtually impossible to control. Since diamonds were discovered in the 1930s, the industry has never been fully regulated, and the 'harvesting' of diamonds remains the only source of income for a large proportion of the population.¹⁴⁴

While the RUF has blamed Freetown for the failure of the ban, it is alleged that the RUF is making at least \$100 million a year from diamonds, which are sold in places such as Abidjan, Banjul, Liberia, Antwerp, and New York. The UN team of experts that visited Sierra Leone in September 2000 estimated the volume of the 'blood diamond' trade as earning between \$25 and \$125 million a year. Such estimates are very imprecise, and it should be noted that the RUF is but one of many players engaging in the illegal exploitation and exportation of diamonds. Focusing the problem of control too narrowly on the RUF (to the exclusion of the CDF, ex-SLA and AFRC, as well as host of unscrupulous 'civilian' operators) is unproductive.

Moreover, reports of the numbers of diggers increasing exponentially over the past months could have a variety of less sinister explanations than the need to fill the RUF war coffers. For example, there may simply be an influx of demobilised fighters seeking personal economic opportunities. Relative calm in the countryside and the prospect of a re-established government presence could be the spur behind the frenzy of digging, in an attempt to reap the maximum benefit before government begins the difficult but critical task of regulating the industry.

The diamond areas of eastern Sierra Leone have historically supported a multi-ethnic population which includes Liberians, Fulani and Mandingo traders and Lebanese merchants. This may provide a further reason why these areas are attractive destinations for disarmed combatants from a variety of ethnic groups, many of whom have already traded their meagre subsidies for the tools necessary for digging.

However, the main factor is economic, the lure of diamonds is and will undoubtedly be an important motive in the livelihood decisions taken by former combatants on all sides. The diamond micro-economy should therefore become a subject for research and investigation, as understanding its nature will be critical if future governments hope to achieve a degree of regulation over, and assured income from, this contentious source of wealth.¹⁴⁵

The level of social cohesion, the nature of localised power structures and the existence of trade and smuggling networks will have a deep impact on the government's influence in the diamond areas. That portion of the population formed by demobilised combatants remains among the most vulnerable and potentially volatile in future political configurations. The average youthfulness of this sector of the population and the prolonged lack of social services such as health and education, particularly in rural areas, both present daunting obstacles to achieving any degree of social stability.¹⁴⁶ An in-depth study conducted over the next months of the life histories and aspirations of former combatants who find themselves in the diamond fields could therefore provide an important aid to assessing the reintegration needs of this particular group.

It is obvious that the issue of diamonds is one that relates not only to economic and security concerns: it also has a deep sociological dimension that should not be ignored during the longer-term phase of

peacebuilding in Sierra Leone. The short-term concerns of the 'security first' lobby are indeed valid, but need to be viewed in a holistic context.

Given the history and nature of the diamond industry in Sierra Leone, and the fragility of the present GoSL (and probably of the government that will replace it), there is probably greater hope of regulation through the type of 'demand-side' controls evolving from the Kimberly process than through any short-term attempts to impose strict 'supply-side' controls. In any event, the control and regulation of such an industry is obviously beyond the (already wide) mandate of UNAMSIL. The mission cannot be held responsible for successes or failures in this area.

CHAPTER 11

Peace with Justice? The Special Court and the Truth and Reconciliation Commission

A brief background

Societies emerging from the aftermath of repressive regimes, atrocities or armed conflict are often confronted with the problem of how to deal with the legacy of past human rights abuses. What is the best possible mechanism to bring about stability and democracy in the aftermath of hostilities? How can perpetrators and victims live peacefully side by side? Such questions obviously raise some very difficult political, economic, legal and moral dilemmas for transitional societies.¹⁴⁷

There are also tensions between the requirements of the emerging international criminal justice system and those of non-punitive approaches to gross and systematic human rights violations. In most cases, democratically elected governments have limited choices - they can either punish those responsible for such crimes, or grant them amnesty.¹⁴⁸

Since the Nuremberg and Tokyo Military Tribunals at the end of the Second World War, international ad hoc or internationally-mandated national tribunals have been established to prosecute those responsible for grave breaches of the four Geneva Conventions of 12 August 1949. The main function of such tribunals is to prosecute those alleged to have committed war crimes, crimes against humanity, genocide and other of violations international humanitarian law.

The most recent organisation created to try such crimes is the permanent International Criminal Court (ICC) whose founding Statute was adopted in Rome, Italy in July 1998. The treaty needs sixty ratifications in order to come into operation.¹⁴⁹ At the time of writing, 42 countries had already ratified the treaty.

Since 1974, more than 20 truth commissions have been established worldwide to support the democratic reform process in post-conflict societies.¹⁵⁰ Probably the best-known truth commissions are those established in Chile and South Africa. Truth commissions are also currently in progress or mooted in Ghana, Nigeria, Bosnia-Herzegovina, Panama, Burundi, Peru, Nigeria, Somaliland, the Federal Republic of Yugoslavia (Serbia) and East Timor.

Truth commissions are established in the aftermath of intra-state conflicts to act as a mechanism for healing and national reconciliation and so encourage the peace process. The main purpose of a truth commission is to investigate the truth, within a limited space of time, of past human rights violations, and to issue a comprehensive official report of its findings, together with recommendations. The goals of truth commissions are many, and vary from one country to another. In general, these goals include national reconciliation through public acknowledgement of past injustices; the provision of an opportunity for victims to tell their stories as a cathartic exercise; the prevention of future abuses of human rights by instituting reforms in the police, military, judiciary and other state institutions, and the

identification of perpetrators for possible prosecution.¹⁵¹ A truth commission not only avoids collective guilt on the part of any one group in society, but also offers an alternative form of accountability.

International criminal tribunals and truth commissions have distinct, but complementary roles and functions.

The Special Court for Sierra Leone

The Lomé Peace Agreement granted the RUF leader Foday Sankoh and his collaborators, amongst others, "absolute and free pardon" from prosecution, but the immunity extended did not cover war crimes.¹⁵² On 17 May 2000, Foday Sankoh was arrested in Freetown by the UN peacekeeping forces. He is now in the custody of the government, which has requested the UN Security Council to create an international criminal tribunal to try him and other human rights violators in Sierra Leone.

On 14 August 2000, the UN Security Council requested the Secretary-General to negotiate an agreement with the government of Sierra Leone to create a special court.¹⁵³ On 4 October 2000, the Secretary-General tabled a report to the subject for the consideration of the Security Council.¹⁵⁴

The international community had compelling reasons to create a special court for Sierra Leone. First, the nature and extent of atrocities committed in Sierra Leone since 1991 constituted grave breaches of international humanitarian law under the four Geneva Conventions of 12 August 1949, as well as the 1977 Additional Protocols. Secondly, the parties had agreed to respect the rules and customs of warfare.¹⁵⁵ Thirdly, the establishment of the ad hoc International Criminal Tribunals for the former Yugoslavia (ICTY) in 1993, and for Rwanda (ICTR) a year later, created a significant precedent. The subsequent adoption of the Rome Statute for the permanent ICC made it even more difficult for the international community to ignore the situation in Sierra Leone. It was on this basis that the amnesty provision in the 1999 Cease-fire Agreement attracted criticism from human rights organisations, civil society and the UN.

During the signing of the Lomé Agreement, the Secretary-General instructed his representative to register a reservation regarding the blanket amnesty granted to the RUF leader, Foday Sankoh.¹⁵⁶ In his July 1999 report to the Security Council, the UN Secretary-General wrote:¹⁵⁷

"As in other peace accords, many compromises were necessary in the Lomé Peace Agreement. As a result, some of the terms on which this peace has been obtained, in particular the provisions on amnesty, are difficult to reconcile with the goal of ending the culture of impunity, which inspired the creation of the United Nations Tribunals for Rwanda and the Former Yugoslavia, and the future International Criminal Court. Hence...for the United Nations, the amnesty cannot cover international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law..."

The momentum to create some form of accountability mechanism for Sierra Leone was reinforced when the RUF took some 500 peacekeepers hostage in June 2000. It was after this incident that the government of Sierra Leone wrote a letter to the UN Security Council requesting it to authorise the creation of a special court to prosecute those responsible for atrocities committed in Sierra Leone since 1991. The Security Council, (to some degree) influenced by the then US Representative to the UN, Richard Holbrooke), supported the creation of the Special Court and even pledged financial support.¹⁵⁸ The USA and Britain are eager to have the court start as soon as possible. A Draft Agreement and a Draft Statute between the Government of Sierra Leone and the United Nations was on the table in November 2000, but these have still not been signed.

Some commentators have observed that the Special Court is largely driven by international players, which may alienate the people it is intended to serve. Cynics might even see the Special Court as representing 'victor's justice' over the vanquished or a witch-hunt against the RUF. These concerns may be legitimate, but if the Court is to function properly (which in itself would provide some guarantee of fairness), then the government of Sierra Leone will need considerable international assistance in setting it up.

Though Sierra Leone has ratified the four Geneva Conventions of 12 August 1949, including the 1977 Additional Protocols and the 1998 Rome Statute for the ICC, it has not implemented these treaties under domestic law, as required.¹⁵⁹ It is common knowledge that while the 1949 Geneva Conventions provide for national jurisdiction over grave breaches of the four Geneva Conventions, states are generally reluctant to prosecute their own military personnel for acts committed in situations of armed conflict

Moreover, given the devastation of the economy of Sierra Leone by the war, the government does not have the necessary financial resources to set up a Special Court. When the proposal for the Special Court for Sierra Leone was considered, the Security Council was not prepared to undertake the cost of another UN tribunal along the lines of Rwanda and the former Yugoslavia. It was under these straitened financial circumstances that a hybrid national institution with UN oversight, similar to the war crimes tribunal for Cambodia, became an acceptable option.

In terms of resolution 1315 of 14 August 2000, the Security Council authorised the creation of a special court to prosecute those who "bear the greatest responsibility" for war crimes, crimes against humanity and other serious violations of international humanitarian law committed in Sierra Leone.¹⁶⁰ Since the beginning of the conflict in Sierra Leone in 1991, the Security Council has issued a number of resolutions that appealed to parties to the conflict to respect human rights and humanitarian law. However, the Special Court for Sierra Leone will not, like the ICTY and ICTR, be established as a Chapter VII institution. The former are UN institutions operating independently of the domestic courts. The Sierra Leone Special Court is an innovation in that it will apply both Sierra Leonean penal law and international law, and its jurisdiction is limited to war crimes committed within the territory of Sierra Leone.¹⁶¹ The Court will have primacy over the national courts of Sierra Leone, but will not enjoy primacy over the national courts of third states, as do the ICTY and ICTR.

Some critics argue that the Special Court's lack of Chapter VII powers may hinder its functioning in terms of issuing binding orders, enforcing arrest warrants, authorising the search and seizure of documents and materials, and demanding that third states like Liberia and Guinea surrender suspects.¹⁶² However, the fact that the Security Council has authorised the Special Court places an obligation on UN member states to co-operate.¹⁶³ In cases where a third state refuses to do so, the Security Council may take punitive measures against it, such as imposing sanctions - as it has done with President Charles Taylor. An indictment issued against a suspected war criminal by the proposed Special Court will have the effect of making such a suspect an 'international fugitive', as has happened with Rodavan Karadic and Ratko Mladic of Bosnia, who are wanted by the ICTY but are still at large. 'International fugitives' like General Augusto Pinochet and Hussein Habre risk being prosecuted beyond the borders of their home countries, on the basis of universal jurisdiction.¹⁶⁴

As has already been mentioned, the Special Court for Sierra Leone is to be created through a treaty between the UN and the government of Sierra Leone.¹⁶⁵ The Court will consist of a minimum of eight independent judges, three of whom will be appointed by the Government of Sierra Leone and five by the Secretary General of the United Nations.¹⁶⁶ The Secretary-General will appoint the Chief Prosecutor, and the government of Sierra Leone the Deputy Prosecutor (in consultation with the UN).¹⁶⁷ While the Deputy Prosecutor will make recommendations regarding indictments, the final decisions rest with the Chief Prosecutor. Although international oversight will ensure independence and impartiality, the

'internationalised' aspect of the tribunal may have some negative effects, because some of the judges may have little understanding of the political and legal culture of Sierra Leone. However, the judges to be appointed will be from West African and Commonwealth states, which should prove a mitigating factor.

Another unique feature of the Special Court is its location in Freetown, if the security situation permits. Security concerns relate to ensuring the safety of defendants or suspects awaiting trial, and the protection of both witnesses and victims. If the latter can be reasonably guaranteed, the Court will be easily accessible to the victims, and the people of Sierra Leone will be able to follow its proceedings. The fact that trials will take place in Freetown will send a powerful message to the people of Sierra Leone that justice is being done within the framework of the rule of law. In contrast, the ICTY with its seat in The Hague and the ICTR with its seat in Arusha, are far removed from the victims in the former Yugoslavia and Rwanda, and thus the trials of people accused of war crimes have little public impact in these countries.

The Special Court will also set a precedent by trying juveniles 'bearing the greatest responsibility' for atrocities committed in Sierra Leone. The government of Sierra Leone is adamant that people answering this description should be prosecuted, regardless of age. This poses a serious moral dilemma, because it is customary international law that children under the age of 15 years may not be recruited or participate in hostilities.¹⁶⁸ However, in cases such as Sierra Leone, children below the age of 15 years were abducted and used as child soldiers, thus rendering them both victims and perpetrators. A compromise has been reached, whereby the Court may try suspects of 15 years of age and above, taking into account such factors as the rehabilitation and reintegration of offenders and the truth and reconciliation process.¹⁶⁹ A 'juvenile chamber' will be established to deal specifically with child-related cases.

The temporal jurisdiction of the court runs from the period starting on 30 November 1996 (the date of the first failed agreement between the government and the RUF) until a date to be agreed by the parties. However, this issue has been a bone of contention because the GoSL has attempted predate the temporal jurisdiction of the Special Court to 1991, the start of the war, in a move the RUF allege is clearly aimed at focusing the Court's attention on them. However, the GoSL's motivation is also to ensure that earlier atrocities committed in the rural areas are not neglected, and that justice is sought for the victims of these serious human rights violations. It was only from 1997 onwards that the situation in Sierra Leone came to be a focus of international attention when the conflict reached urban areas, namely the capital of Freetown, whereas most atrocities prior to this date took place in rural areas. Nevertheless, the UN Secretary-General has stuck to the agreed date of 1996, the year that President Kabbah was elected and the Abijan peace process began.

Finally, a major problem facing the Special Court is its source of funding. Since it is not a UN body, it will be funded through voluntary contributions. The Secretary-General has warned against reliance on voluntary contributions, arguing that the Court will be neither viable nor sustainable under such conditions. The budget for the Special Court is estimated at US \$ 58 million for three years. The Secretary-General has recommended that the Court be established only when funds are in hand for the first year, and pledges have been made for the second and third years.

The Truth and Reconciliation Commission

Unlike the Special Court, the proposed Truth and Reconciliation Commission (TRC) for Sierra Leone is a 'home-grown' initiative, agreed upon by the conflicting parties during the 1999 Lomé Peace Agreement. For practical reasons the Special Court cannot be expected to try all perpetrators. It will try only those 'bearing the greatest responsibility', which leaves room for many other cases for consideration by the TRC, or to be tried by the national courts of Sierra Leone. It is likely that the number of potential defendants to be tried by the Special Court will not exceed between 20 or 30, and that these will mainly

be senior military and political leaders.170

Although it has been established through an act of Parliament by the government of Sierra Leone, the TRC will be an independent body.171 Like Haiti's, the TRC for Sierra Leone will be a mixed commission, composed of seven commissioners, four of whom will be nationals of Sierra Leone and three non-nationals.172 In order to ensure the transparency and independence of the Commission, the selection of the four national commissioners is to be co-ordinated by the Secretary-General's Special Representative, and the office of the United Nations Higher Commissioner for Human Rights (UNHCHR) will co-ordinate the appointment of the three international commissioners.173 Commissioners are to be people of integrity and high moral standing.174 The TRC process has enjoyed the support of Mary Robinson, head of the UN Commission for Human Rights (UNCHR) since its inception. Even before the idea of a truth and reconciliation process was agreed upon by the parties to the conflict in the Lomé Agreement, the UNCHR had already proposed the establishment of an international commission of inquiry to investigate gross human rights violations committed in Sierra Leone. The UNHCHR has already solicited funds from the donor community, and a regular contribution to this process is made through a trust fund. The projected budget of the TRC is US \$ 8.5 million for 15 months. The Commission is required to submit a comprehensive report with a set of recommendations to the government. The specific mandate of the Commission is:175

"...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 victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered."

The main purpose of the TRC is two-fold. Firstly, aims to investigate the "causes, nature and extent" of gross human rights violations and abuses, and to determine whether such violations "were the result of deliberate planning, policy or authorisation by any government, group or individual, and the role of both internal and external factors in the conflict."176 Secondly, it aims to restore the human dignity of victims by providing both victims and perpetrators with the opportunity to give an account of human rights violations committed during the armed conflict.177 In carrying out these functions, the Commission shall pay "special attention to the subject of sexual abuse and to the experiences of children within the armed conflict."178 This broad mandate ensures that all parties to the conflict are subject to investigation, including the government and other internal and external agencies.

In addition to engaging in a pedagogical exercise and attempting to reconstruct the national identity of future generations of Sierra Leoneans, the commission is expected to make recommendations179

"...concerning the reforms and other measures, whether legal, political, administrative or otherwise, needed to achieve the object of the Commission, namely, the object of providing an impartial historical record, preventing the repetition of the violations or abuses suffered, addressing impunity, responding to the need of victims and promoting healing and reconciliation."

Once the commission has submitted its report to the president, a 'follow-up committee' will be established to monitor the implementation of the TRC's recommendations.180

In carrying out its mandate, the TRC will: hold public hearings in which victims make statements about past human rights violations; request information from any source, whether government or private individuals; search and seize documents without prior notification; interview individuals or organisations in private at its discretion; and undertake research on the causes, nature and patterns of human rights

violations.181

A significant aspect of the TRC is that it can seek assistance from religious and traditional leaders in resolving local conflicts arising from past human rights violations.182 Similar local forums, with the purpose of supporting the reconciliation and healing process, have recently been used in Rwanda and East Timor. The government of Rwanda, in October 2001, established the gacaca courts, which are a pre-colonial community-based system for resolving conflicts.

The TRC for Sierra Leone is vested with investigative powers, that is the authority to request that information be given under oath or affirmation.183 If necessary, the Commission may issue summons and subpoenas if needed to fulfil its mandate.184 Failure to respond to a subpoena or summons, or providing false information constitutes contempt of court, and may be referred to the High Court for possible prosecution.185 Anyone who obstructs the work of the Commission is liable to a fine not exceeding Le1 million, or a term of imprisonment not exceeding one year, or both.186 The Commission may not be compelled "to disclose any information given to it in confidence."187 Hearings may be held in public or, where necessary, in private. An important feature of the truth and reconciliation model in Sierra Leone is that it allows for individual and not collective responsibility, inviting individuals but not groups to make statements or appear before the it.188

However, no provision is made for amnesty in exchange for the truth. During the Lomé cease fire negotiations, blanket amnesty seemed acceptable to all of the parties, who thought it was the best thing to do under the circumstances, even though it was inconsistent with the norms and standards of international law. This is why the Statute for the Special Court specifically provides that amnesty will not be a bar to the prosecution of serious violations of international humanitarian law.

The relationships between the Special Court and the TRC

The fact that the Special Court will target only the 'most responsible' perpetrators of atrocities committed in Sierra Leone means that it is not necessarily at variance with the TRC process; instead it reinforces the idea that the two institutions are complementary. The underlying message of both institutions is that, while it is necessary to have reconciliation, the people of Sierra Leone also recognise a need for justice.

The TRC will attempt both to avoid a collective allocation of guilt and to set the historical record straight. Both will encourage national reconciliation across the political spectrum. The TRC process is expected to address the plight of the youth in Sierra Leone and of the estimated 50,000 to 60,000 women and young girls who were victims of sexually related offences resulting from the conflict. These figures were provided in the most comprehensive study on war-related sexual violence in Sierra Leone carried out by Physicians for Human Rights, with the support of UNAMSIL. Most of the victims were internally displaced people (IDPs). The TRC is also expected to make recommendations on reparations and the reform of state institutions such as the military, police, judiciary and the health sector.

The Special Court, unlike the TRC, cannot be expected to give a historical account of the 'causes and nature and extent' of the conflict in Sierra Leone. However, the Special Court may contribute to a number of important outcomes, such as:

- bringing an end to the culture of impunity, by conveying a clear message that the international community will not tolerate the kind of atrocities committed in Sierra Leone;

- avoiding retribution by victims, if those bearing the 'greatest responsibility' are punished by an independent and impartial institution; and

restoring the rule of law and setting a precedent for future prosecution of war crimes and crimes against humanity by courts in Sierra Leone (and thus help to improve the legal system of Sierra Leone, since no provision is currently made for the prosecution of war crimes under the penal laws).

While the TRC and the Special Court will probably both start functioning some time in 2002, the possible complementarity of relationship between the Special Court and TRC raises a number of unresolved issues. As long as the relationship between the two institutions remains unclear, the general public will feel uncertain about their functions. It is therefore important to strengthen the current sensitisation and public awareness programme offered by the government of Sierra Leone (the National Commission for Democracy and Human Rights),¹⁸⁹ UNAMSIL's Human Rights section and the NGO community on the role and mandate of the TRC and of the Special Court.¹⁹⁰

A major concern raised by the RUF relates to the indefinite detention of Foday Sankoh and other RUF leaders, and what this implies for the impartiality of the Special Court and TRC. Since their arrest in May 2000, these leaders have not been charged; nor appeared before a court of law. The indefinite detention constitutes a violation of the due process guarantees under the constitution of Sierra Leone.¹⁹¹ Government arguments that the detention is justified under the state of emergency do not hold, because the right to trial is one of the non-derogable rights under international human rights law. The detention also confirms the conception that *only* Foday Sankoh and the RUF bear the 'greatest responsibility' for the atrocities committed in Sierra Leone.

The TRC and the independent prosecutor of the Special Court are to investigate all parties, including government forces, who took part in the atrocities.

Of particular importance are the concerns expressed by the RUF regarding the relationship between the TRC and the Special Court.¹⁹² These relate primarily to issues of evidence that might be used before either of these courts. For example, if both tribunals need to investigate an alleged massacre at a certain place, they surely cannot both exhume the same mass grave independently. This implies that, if a proper *modus operandi* is worked out, the two institutions can co-operate to include the sharing of information.

Moreover, since the TRC is not a court of law, defendants appearing before the TRC might also be subpoenaed to appear before the Special Court. Because the TRC has only quasi-judicial powers to issue summons and subpoenas for purposes of carrying out its investigations, Special Court defendants would not be able to invoke the *non bis in idem* rule (that is, that they cannot be tried twice for the same offence). Obviously, this will affect the willingness of people to testify openly before the TRC. Such dilemmas need to be discussed in a candid and open forum.

Some may argue that the concerns outlined above are irrelevant, or at least of only academic interest. Counter-arguments include the reminder that the TRC has only a 15-month mandate, after which it is expected to submit its report to the government. However, this mandate can be renewed for a further six months if necessary, bringing the total duration to 21 months. On the other hand, the Special Court will run for at least three years. Also, although the TRC has the power to withhold information provided to it in confidence, the Special Court has primacy over national courts in Sierra Leone and may also have the power to override the TRC and force it to provide confidential information.

As to the timing of the TRC, recent international trends in South Africa, Ghana, Serbia, Bosnia-Herzegovina, Rwanda, Nigeria and elsewhere are for truth and reconciliation commissions to be initiated after a new political order has come about. For Sierra Leone, this would mean post-May 2002. However, the RUF feel that the full truth should be exposed before the electorate are asked to make fundamental choices on the nature of a new political order.

Whether the Special Court begins its work before, after or simultaneously with the TRC may be largely immaterial for practical reasons. It is unlikely that the prosecutions will have been completed within the three-year time-span envisaged for the Court. The functioning of the Court will be seriously delayed during its first year of operation by the sheer weight of logistical arrangements, such as: hiring personnel; the identification of a suitable seat for the Court; the ensuring of necessary security measures for victims and defendants; the provision of prisons that meet international standards for defendants awaiting trial, and the persuasion of all factions and groups and neighbouring states to co-operate with the prosecutor. Also, skilled investigators will be needed to carry out complex investigations, which are likely to occupy a considerable length of time before their results can be used by the Court.

By way of comparison, it took the ICTY 18 months to issue its first indictment. Since 1994, the ICTR has obtained only seven convictions. It would therefore be naïve to expect the Special Court to complete its work within a period of three years, or to expect it to deal with more than a handful of those suspected of bearing 'greatest responsibility'. Given the proven inefficiency of past attempts to enforce international humanitarian and human rights law, it is not surprising that peace is enjoying a higher priority than justice at this juncture in the Sierra Leone peace process.

Moreover, longer-term reform of the judicial system in Sierra Leone is a necessary adjunct to any notion of peace with justice. For example, it would be difficult to say that the judiciary in Sierra Leone is independent. The combination of the office of the Attorney General and Minister of Justice is one anomaly. The Attorney General is the chief public prosecutor and legal advisor to the government. As Minister of Justice, he also sits in the Cabinet of ministers and takes political decisions. Moreover, the fact that judges are poorly remunerated exposes them to irregular methods of gaining extra income. This, in practice, undermines the independence of the judiciary.

In addition, access to justice remains one of the acute problems facing Sierra Leoneans, especially in the rural areas. For example, there are only some 20 practicing judges for the whole of Sierra Leone, most of whom sit only in Freetown with the two magistrates in Bo and Kenema the only exceptions. The High Court of Sierra Leone sits only in Freetown. Moreover, there are only about 100 lawyers within jurisdiction. Of this number, eight are in Bo and Kenema, while there are no practicing lawyers in the Northern province

The GoSL is now attempting to re-establish local courts in the countryside in order to alleviate the problem of accessibility. One area that requires consideration in future is the harmonisation of common law and customary law. There is a need to balance the rights of children and of women under the customary law system with the human rights law enshrined in the constitution, and the other universal human rights instruments to which Sierra Leone is a party. However, this will involve a process that could take at least ten years, and this is way beyond the expected temporal mandate of UNAMSIL.¹⁹⁴

CHAPTER 12

Conclusion

After a disastrous first six months, and a subsequent hiatus of nearly a year, it is clear that UNAMSIL has, since May 2001, made significant strides towards achieving its stated objective of:

"...assist[ing] the efforts of the Government of Sierra Leone to extend its authority, restore law and order and stabilize the situation progressively throughout the entire country, and to assist in the promotion of a political process which should lead to a renewed disarmament, demobilization and reintegration programme and the holding, in due course, of free and fair elections". While this monograph has attempted to document, in broad outline, both the

setbacks and the progress made in Sierra Leone to date, it is too soon to pronounce the mission an unqualified success. Determining the success of a peace operation requires a longitudinal evaluation that focuses not only on the security dimension, but also on the aspects of democracy, governance, economy and development. On the other hand, the multi-functionality of contemporary peace operations and the perceived need to incorporate peace-building aspects into the mission as early as possible, mean that longer-term concerns are also pertinent to the peacekeeping phase of any particular peace process.

Western military thinkers have readily conceded that in a joint and multinational intervention of long duration, involving many civilian organisations and agencies, military strategic objectives may be milestones along the way to achieving the desired political end-state or an actual element of that end-state. In fact, the NATO and British peace support manuals emphasise that:¹⁹⁵

"The achievement of the political end-state will require a patient, resolute and persistent pursuit of objectives. Protracted development plans may curtail the military aspiration to achieve operational tempo... However, the pursuit of short-term military success, at the expense of long term social, economic and political gains should be resisted."

It may be argued that UNAMSIL is currently adhering to just such an approach, and it is somewhat ironic that the UK has, hitherto, been one of the most vocal critics of the UN's concept of operations in Sierra Leone. However, British peace support doctrine also emphasises the common wisdom that has emerged from the peace operations of the past decade, which is that, if an intervention force is to be effective, it must be credible and perceived as such. The credibility of operations, has therefore depended on the belligerent parties' assessment of the force's ability to accomplish the mission.

If the legitimacy of an intervention depends in large measure on internal support, then the ultimate success of an intervention depends heavily on relations between the intervening forces and the local population - and particularly on local perceptions of force credibility. Credibility, in turn, will derive from what the military is expected to do, and how effectively it goes about doing it.

Actual mission mandates for UN operations conducted over the past decade have covered such ambitious projects as disarming and demobilising warring factions; transforming regular and irregular forces into a unified army; reorganising and retraining the police; re-establishing or reforming the judiciary; providing food, water, sanitation, medical services, housing, and road repairs; and conducting or observing national elections.

It is small wonder, therefore, that the various 'lessons learned' seminars conducted in the wake of the peace operations of the 1990s reflect consensus on one absolutely key prerequisite for mission success - the need for a realistic and well-defined mandate, supported by the necessary means or resources for its accomplishment. These lessons are well summarised in the Brahimi Report.¹⁹⁶

The key to stabilisation and security has always been seen as the disarmament, demobilisation and reintegration of former combatants. The unstated purpose of stabilisation measures has been to wrest power and the means of violence from local militias and warlords, and to recentralize it at a much higher level. In other words, the success of the whole intervention process has hinged on the degree to which warring factions can be effectively disarmed.

However, disarmament has been one of the most difficult tasks to implement in all prior multifunctional UN operations. To collect all weapons, even at the end of an armed struggle, when the conditions of insecurity that prevail create high incentives for the maintenance and acquisition of light weapons and small arms by the community at large, is an extremely challenging project. The credibility of threats

against non-compliance can only be maintained by a 'heavy' military presence, combined with the political resolve and military operational capability to respond swiftly to violations.

UNAMSIL is now up to its present authorised strength of 17,500, and is better led and more fully equipped than at any time since its inception. The Pakistani brigade and the Russian air wing have provided the mission with a powerful deterrent capacity, and the re-trained and re-equipped SLA, with BRITFOR in the wings, have undoubtedly contributed to the overall ability to deal firmly with any potential spoiler of the peace process. Because the 'top management' of UNAMSIL - the Special Representatives of the Secretary-General, the Force Commander, Deputy Force Commander, CivPol Commissioner, and so on - are all from the region, they have been able to earn the respect of the parties to the conflict, as well as the general populace.

Of all the multiple military tasks deriving from convoluted and shifting mission mandates in previous missions, the critical performance areas of the military component may be summarised simply as:

ensuring that belligerents hand over their weapons according to the agreed timetables; and

providing protection and safe passage to other mission components, and generally enforcing agreed rights of freedom of movement.

Disarmament has proceeded apace in Sierra Leone since May 2001, and should be completed by the end of the year. However, the lessons of Mozambique indicate that the cordon and search operations to be conducted as part of CONOPS 2002 need to be very effectively executed, in order to combat violent and organised crime after the withdrawal of the UN force.

UNAMSIL has already succeeded in deploying to all the districts of Sierra Leone, and the mission statement underpinning the military concept of operations (CONOPS) for 2001 emphasises the second key performance area as follows:

"UNAMSIL's Mission is to deploy progressively and robustly within a coherent operational structure, dominating strategic locations and lines of communication, whilst affording and facilitating a degree of protection, freedom of movement and the delivery of humanitarian assistance to civilians, in order to assist the legitimate Government to restore law, order, peace and stability throughout Sierra Leone".

While disarmament and freedom of movement are primary military concerns, the demobilisation and reintegration into society of former combatants is widely recognised as a civilian challenge. This aspect of the Sierra Leone peace process remains problematic, in a society where the formal economy hardly exists and the vast majority of the population eke out a living either through subsistence agriculture or the exploitation of natural resources. The lure of diamonds is, and will undoubtedly be, an important factor in the decisions as to means of earning a livelihood taken by former combatants on all sides. It is therefore recommended that the existing body of knowledge and literature on 'best practices' for reintegration be augmented by urgent research into the diamond micro-economy in Sierra Leone. Understanding its nature will be essential if the government is to balance the need to regulate the industry against the danger of closing off one of the few viable civilian opportunities for former combatants.

On 18 September 2001, the UN Security Council voted unanimously to extend UNAMSIL's mandate by an additional six months, as reflected in resolution 1370 (2001). Council encouraged the government and the RUF to continue to take steps towards dialogue and national reconciliation. These were to include the reintegration of former RUF combatants into civil society, and the transformation of the RUF into a

political party. While there are many structural and objective impediments to meaningful reintegration - not just of the RUF, but of all former combatants and civilians disrupted and displaced by the war - there is no logical reason why the RUF should not enjoy meaningful assistance in converting itself into a political party.

The latter is surely a sine qua non for mission success, if there is any truth in the notion that the political should take precedence over the military in any peace process. Yet this has been one of the most neglected aspects of engagement in Sierra Leone. This omission may well come back to haunt those who would like to see the RUF marginalized in the forthcoming elections. There is a real opportunity for countries that have not contributed to UNAMSIL to support a crucial, but largely overlooked or ignored element of the peace process by providing technical advice and training that will enable the RUF to participate in the elections in a constructive and convincing manner. Only if the latter is achieved will the electoral outcome be truly 'free and fair'.

Perhaps the neglect of the RUF's conversion process has been an inevitable outcome of the emphasis placed on the extension of civil authority, that is GoSL authority, throughout the territory. That has been seen as the more important benchmark to be achieved before the staging of elections. The extension of civil authority has become a core element of recent reports of the UN Secretary-General, Security Council resolutions, and indeed, the mandate and mission statement of UNAMSIL. For example, in resolution 1370 (2001) Council called on UNAMSIL "to accelerate and co-ordinate efforts to restore civil authority and basic public services throughout the country". However, international assistance continues to focus on the military and the police, with little attention devoted to the broader aspects of civil administration - such as health, education, and social welfare.

Access to justice remains one of the acute problems facing Sierra Leoneans, especially for rural residents. Of special concern is the need to begin a sustainable longer-term process of judicial reform, as a necessary adjunct to the Special Court and the TRC. This would involve a process that could take at least ten years, and will require further bilateral and multilateral support, as UNAMSIL is, by definition, a short-term intervention.

It is fairly commonly accepted that the roots of the Sierra Leone conflict lie in poor governance, which was responsible for a disappearing formal economy, youth unemployment, grinding poverty, poor education and a weak infrastructure. If this is so, then it is important to look beyond the elections and to muster ongoing international support for fostering good governance practices and long-term economic development. This is absolutely vital if the enormous investment in peacekeeping and emergency assistance is not to be squandered.

Despite the general realisation that a long-term approach is imperative to the success of the multidimensional Sierra Leone peace process, the reality is that donor patience is always a finite commodity. Impatience occurs when there is a perceived lack of progress and/or a major setback to a mandated process. The hostage-taking of May 2000 is a case in point. Nevertheless, the international community, the UN, and especially the leadership of UNAMSIL have stayed the course, and turned what appeared to be abject failure into a very visible (though qualified) success.

UNAMSIL is indeed on the home straight, the electoral finish-line is in sight. The mission seems to have plenty of wind left: it is nicely up to strength, and better resourced and led than ever before. However, it's too early for the celebratory party (or a definitive 'lessons learned from successful missions' seminar). Even the finest athletes have been known to pull a muscle or a hamstring on the final straight, or to simply give up the will to finish. For this reason, we should not relax, or look away, but rather intensify support for the mission as it enters a phase where the stakes are higher than ever before: they are the future of Sierra Leone and all its people.

NOTES

1. While the Mende are dominant in Parliament, President Kabbah (a Moslem from the North) is not a member of this tribe.
2. For example, UNAMSIL now has four Mi24 Helicopter Gunships operated by the Russian Air Wing, in addition to some 27 Mi8 and Mi17 utility transport, and a number of Mi 26 heavy lift cargo helicopters.
3. Interview with Gebremedhin Hagoss, Chief of Policy & Planning, Freetown, 22 October 2001.
4. See Appendix A for the full text of the Abuja Agreement of 10 November 2000.
5. Interview with Gebremedhin Hagoss, op cit.
6. Participants to the Abuja meeting, held from 2-3 May 2001, included the ECOWAS Mediation and Security Council's Committee of Six, the United Nations, the Sierra Leone government and the RUF. The Committee of Six comprises Ghana, Guinea, Liberia, Mali, Nigeria and Togo.
7. UNSC, Eleventh report of the Secretary-General on the United Nations Mission in Sierra Leone, S/2001/857, 7 September 2001, par 61.
8. By 1994/1995, the RSLMF "had become a bloated, ill-trained organisation, which had become very much part of Sierra Leone's problem". I Douglas, Fighting for diamonds - Private military companies in Sierra Leone, in J Cilliers and P Mason (eds), Peace, Profit or Plunder: The Privatisation of Security in War-Torn African Societies, ISS, Johannesburg, 1999, p 178.
9. Momoh's government was overthrown in April 1992 by a group of rebellious army officers who, under the leadership of Captain Valentine Strasser, formed the National Provisional Ruling Council (NPRC). The NPRC was replaced in March 1996 by the Sierra Leone People's Party (SLPP).
10. The EO force grew to about 250 at the peak of operations against the RUF (January to March 1996), before resuming a contracted level of manpower below 100 personnel from April 1996 to the termination of the contract at the end of January 1997. EO received an average monthly payment of about \$1.7 million for the duration of its 21-month contract, which compares very favourably with the estimated \$1-2 million per day needed to sustain the present UNAMSIL force.
11. Annan Distressed Over Sierra Leone Coup, Africa News Online, 27 May 1997.
12. P Ejime, Nigeria Says West African Countries May Act, Pan African News Agency, 27 May 1997.
13. By the end of August 1998, UNOMSIL had completed the first phase of the deployment of its military component, consisting of 40 military observers, a Chief Military Observer and a medical team of 15 personnel. The mission was supposed to provide help on the issues of national reconciliation and the demobilisation of former soldiers. However, it was never more than a 'lame duck' UN presence, of minor significance next to the regional ECOMOG force, whose total strength varied between 12 000 and 15 000 men. Nigeria provided between 10 000 and 11 000 of these troops.

14. UNSC, S/1999/20, 7 January 1999, par 10.
15. Sankoh was in a Nigerian jail at this stage, awaiting execution for the atrocities that he had commissioned.
16. Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, Lomé, 7 July 1999. (The Lomé Agreement.)
17. Ibid.
18. UNSC, Third Report of the Secretary-General on the United Nations Mission in Sierra Leone, S/2000/186, 7 March 2000, par 10.
19. UNSC, Resolution 1289, S/RES/1289 (2000), 7 February 2000, par 10.
20. UNSC, S/2000/186, op cit, par 23-24.
21. According to the Draft Military Reintegration Plan (Iteration dated 31 January 2000), the 45 000 'ex-combatants' are from the following groupings: CDF - 15 000; RUF - 15 000; 'paramilitaries'/mercenaries - 2 000; SLA - 6 000; ex-SLA/AFRC - 7 000.
22. UK sends taskforce to Sierra Leone, BBC News website, 7 May 2000, <http://news.bbc.co.uk/hi/english/world/africa/newsid_740000/740070.stm>.
23. Ibid.
24. G Jones, British troops face UN threat to shoot, The Telegraph, 16 May 2000.
25. On 15 May 2000, Charles Taylor brokered the release of 157 of the estimated 500 UN personnel still being held hostage by RUF forces.
26. This occurred after some persuasion by Charles Taylor, who had in turn been urged to alleviate the crisis by the current UNAMSIL Force Commander, Lt Gen Daniel Opande. Opande had earned the respect of Taylor, and the highest honour of Liberia, for his service with UNOMIL. Interview with Col Douglas Mudave, Freetown, 27 October 2001.
27. The West Side Boys had taken up positions in the Occra Hills that dominate the Freetown peninsula. From this vantage point, the West Side Boys harassed the population and denied them freedom of movement.
28. Pratt provides several possible reasons for these attacks. The RUF may have sought to deal a blow to its own enemies and those of Taylor. CDF fighters (Kono-speaking 'Donsos' rather than Mend-speaking Kamajors) had probably been staying in or near some of the refugee camps in the 'Parrot's Beak' area of Guinea, and the RUF attacks may have been intended to create chaos among the refugees and to neutralise these CDF forces. Attacks further east on Macenta may have sought to neutralise ULIMO and other Liberian dissident forces. See D Pratt, Sierra Leone: Danger and opportunity in a regional conflict, Report to the Minister of Foreign Affairs of Canada, 27 July 2001, p 9. <http://www.davidpratt.ca/sleone_e.htm>.
29. In the event, this operation never materialised. It was superseded by eventual progress in consultation among the leaders of the Mano River Union Countries.

30 D Farah, A Separate Peacekeeping, Washington Post Foreign Service, 10 December 2000, p A42.

30. For example, UNAMSIL remained under pressure to act faster from an increasingly impatient UK government. The UN response to this pressure was to ask for some 2 000 troops from the British "over the horizon force" to join UNAMSIL-a request that was obviously declined. Interview with Gebremedhin Hagoss, op cit.
31. Briefing by Col Douglas Mudave, Deputy Chief of Operations, UNAMSIL, SA Army College, Pretoria, 6 September 2001.
32. Troop Contributing Countries (TCCs) are: Bangladesh, Bolivia, Canada, China, Croatia, Czech Republic, Denmark, Egypt, France, Gambia, Ghana, Guinea, Indonesia, Jordan, Kenya, Kyrgyzstan, Malaysia, Mali, Nepal, New Zealand, Nigeria, Pakistan, Russian Federation, Slovak Republic, Sweden, Thailand, Ukraine, United Kingdom, United Republic of Tanzania, Uruguay and Zambia. Although all are considered as TCCs, many of the countries named here provide only Military Observers and/or CivPol Advisors, while the formed units are all from a handful of African and Asian countries-Bangladesh, Ghana, Guinea, Kenya, Nepal, Nigeria, Pakistan, and Zambia.
33. Interview with Major General Syed Athar Ali (Pakistan), Chief Military Observer, Freetown, 22 October 2001.
34. Interview with Superintendent Blair McNight (RCMP), Deputy Commissioner of CivPol, Freetown, 23 October 2001.
35. Interview with Peter Tingwa, Chief of Political Affairs Section, Freetown, 23 October 2001.
36. Interview with Ismael Diallo (Burkino Faso), Chief of Civil Affairs, Freetown, 23 October 2001.
37. Interview with Ismael Diallo, op cit.
38. Interview with Gebremedhin Hagoss, op cit.
39. Interview with Rodolfo Mattarollo, Chief of Human Rights Section, Freetown, 23 October 2001.
40. Interview with Margaret Novicki, Chief of Public Information and Mission Spokesperson, Freetown, 23 October 2001.
41. Ibid.
42. UN, Report of the Secretary General on Children in Armed Conflict, S/RES/1314, 19 July 2000, par 52.
43. Ibid, par 48.
44. GOAL, UNICEF, Human Rights Watch and a number of national and expatriate individuals report the existence a flourishing sex industry in Freetown, which is supported by UNAMSIL soldiers.
45. Codes of conduct and specialised training do not seem to address the problem adequately. Peacekeepers who have previously faced children as armed opponents in their careers may have

difficulty internalising the notion of the privileged social space of children that underlies their treatment as prescribed by humanitarian law. Perceptions based on an eroded status (or a status that was low to begin with) for children will not be erased by a few hours or even days of human rights training. This suggests that universal value systems cannot be taken for granted as a foundation on which to train soldiers for rights-based humanitarian interventions, and that stricter preventive and punitive measures may be the only solution.

One such measure might be the appointment of an ombudsman, consistent with Section D of S/RES/1314 (Training and Oversight of United Nations Peacekeeping Personnel) referring to previous report on the protection of civilians in armed conflict (S/1999/957) and proposing that

"...all peacekeeping operations include a public ombudsman to deal with complaints from the public about the behaviour of United Nations Peacekeepers. In that regard, it should be emphasized that troop-contributing states are under an obligation to investigate and prosecute violations of international humanitarian law committed by their personnel".

46. ISS interview with Roisin De Burca, Freetown, 26 October 2001.
47. Briefing to ISS, Lt Col Richard Hackett, MBE, Chief of Operations (Force), UNAMSIL HQ, 22 October 2001.
48. The Force Commander is a man who leads from the front, with scant regard for his personal safety. For example, on his second day in the mission area, Lt Gen Daniel Opande requested a UN helicopter to take him to Makeni, so that he could meet the RUF leadership. He has regularly reacted to reports of incursions or skirmishes by visiting the contact zone immediately, to reprimand the antagonists on both sides, and to remind them of commitments made under the Abuja agreements and the various tripartite meetings. Maj Gen Agwai is similarly renowned for his no-nonsense approach, and also enjoys the respect of both the force and the rebels. Interview with Col Douglas Mudave, D C Ops, Freetown, 25 October 2001.
49. Sierra Leone News, 26 February 2001, <<http://www.sierra-leone.org/slnews0201.html>>.
50. Sierra Leonean Rebels Agree to Resume Tripartite Peace Meeting, Xinhua News Agency Bulletin, 15 September 2001.
51. Briefing to ISS by Lt Col Richard Hackett, op cit.
52. An advance party of Nepalese soldiers arrived at the end of October. The remainder of the contingent, which at full capacity will make up a battalion of more than 800, were expected in the mission area during November. This would bring UNAMSIL close to its current authorised strength of 17 500.
53. The Force Commander has gone even to the point of ordering them to sign for UN equipment (tents and other goods) when the contingent-owned equipment has been in tatters. Some commanders fear the backlash from their capitals, as the value of such UN equipment is deducted from the total reimbursement value to the TCC, but the Force Commander has promised to provide 'top cover' should such a situation arise. Interview with Col Douglas Mudave, 27 October 2001, op cit.
54. Briefing to ISS by Lt Col T Beckett, MA/COS (F) UNAMSIL HQ, Freetown, 22 Oct 2001.

55. Interview with Dr Francis Kai-Kai, Executive Secretary, National Committee for Disarmament, Demobilisation and Reintegration (NCDDR), 25 October 2001.
56. The figures recorded refer to the number of former combatants reporting to the various assembly points. Since the actual number of weapons handed over to UNAMSIL is about two-thirds of the number of people reporting to assembly areas, the term 'disarmament' is somewhat misleading when used with such figures.
57. Sierra Leonean Rebels Agree to Resume Tripartite Peace Meeting, op cit.
58. Sierra Leone News, 19 September 2001, <<http://www.sierra-leone.org/slnews0201.html>>.
59. Briefing to ISS by Brigadier Samuel Odotei (Ghana), Sector 3 Commander, Kenema, 24 October 2001.
60. Office for the Co-ordination of Humanitarian Affairs (OCHA), Sierra Leone: Disarmament begins in two more districts, Integrated Regional Information Network (IRIN), 25 September 2001.
61. Interview with CMO Major General Syed Athar Ali (Pakistan), DCMO Col Charles Mankatah (Ghana) and COS (O) Col Mark Aulterleck (UK), Freetown, 22 October 2001.
62. OCHA, Sierra Leone: Government, rebels agree to accelerate disarmament, IRIN, 12 October 2001.
63. Briefing to ISS by Brigadier Samuel Odotei, op cit.
64. Information and statistics provided by the Executive Secretariat, NCDDR.
65. As of 20 October 2001, according to information and statistics provided by the Executive Secretariat, NCDDR.
66. According to Dr Kai-Kai, as quoted in Sierra Leone News, 30 October 2001.
67. Briefing by Col Douglas Mudave, op cit.
68. The GoSL signed the Convention on the Rights of the Child and the Optional Protocol on 8 September 2000.
69. UNICEF, Case Study of Children from the Fighting Forces of Sierra Leone, prepared for the International Conference on War-Affected Children, Winnipeg-September 2000, see 'Overview'.
70. Ibid, see section entitled 'Child Protection Jan-May 2000'.
71. Ibid.
72. The report on Sierra Leone of the Coalition Against the Use of Child Soldiers claims evidence that the CDF and SLA "continued to recruit and use children in combat in 2000...including some previously disarmed and demobilised child combatants". See <http://www.child-soldiers.org/report2001/countries/sierra_leone.html>. Patrick Zangalaywah, a CDF field commander, estimated that their forces in the eastern Kailahun district alone included 3 000 child soldiers. (CSUCS, Africa Report, April 1999, citing L Fofana, Militia admits recruiting child

soldiers, IPS, Freetown, 29 June 1998).

73. Interview with Dr Francis Kai-Kai, op cit.
74. UNSC, Eleventh report of the Secretary-General on the United Nations Mission in Sierra Leone, op cit, par 24.
75. AS Kamara, Sierra Leone: Government Gives Money for Disarmament Programme, Concord Times, distributed by All Africa Global Media (AllAfrica.com), 17 September 2001.
76. Interview with Dr Francis Kai-Kai, op cit.
77. Ibid.
78. Interview with Dr Mark Shaw, SAIIA, Freetown, 27 October 2001.
79. Information and statistics provided by the Executive Secretariat, NCDDR.
80. Includes NCRRR, UNDP, UNAMSIL, EU, USAID/OTI, UNCHR, UNICEF, DFID.
81. Interview with Dr Francis Kai-Kai, op cit.
82. D Pratt, op cit, pp 13, 20.
83. The rather high profile British military involvement in this dimension began with what was essentially a national evacuation operation, launched on 8 May 2000, and progressed incrementally from this point responding to the dictates of the prevailing security situation. ISS interview with Brigadier Nick Parker, Military Advisor to the Government of Sierra Leone/Commander British Forces in Sierra Leone, Freetown, 25 October 2001.
84. Briefing by Brigadier Gordon Hughes, Commander BMATT South Africa and former Military Advisor to the Government of Sierra Leone/Commander British Forces in Sierra Leone, SA Army College, Pretoria, 7 September 2001.
85. Except for the current Military Reintegration Programme (MRP) intake of approximately 900, who will receive nine weeks of training, they are all combat experienced and have already undergone some orientation training in the Interim Training Centres.
86. D Pratt, op cit, p 13.
87. Interview with Brigadier Nick Parker, op cit.
88. D Pratt, op cit, p 13.
89. Interview with Col Kes Boyah, Commandant, Armed Forces Training Centre, Benguema, 25 October 2001.
90. Sierra Leone News, 29 August 2001.
91. Informal interview with UNAMSIL officers, Freetown, 26 October 2001.

92. Interview with Brigadier Nick Parker, op cit.
93. Interview with Allimany Pallo Bangura (Secretary-General, RUF/SL), Michael Omrie Golley (Chairman, Political and Peace Council, Revolutionary United Front of Sierra Leone (RUF/SL)) and Patrick Beinda (member of the Political and Peace Council), Cape Sierra Hotel, Freetown, 27 October 2001.
94. This is not a good police: population ration, but it is not off the scale. Comparative ratios in other countries vary greatly, and are generally presented without much reference to level of development or the incidence of crime. The closest 'per 100 000' figure is that for Spain, at 129. Sierra Leone's ration is 'better' than Zambia's (107), but less good than India's (134), Nicaragua's (145), and the Philippines' (155). It is less than half that of Australia (275), the US (300), or England and Wales (347), and it is much less than the ratio in some developing or transitional countries, such as Malaysia (429), Croatia (669), and the Russian Federation (1225). United Nations Office for Drug Control and Crime Prevention, Global Report on Crime and Justice. Oxford: Oxford University Press, 1999, p 124.
95. Interview with Keith Biddle, Inspector-General of the Sierra Leone Police, Freetown, 26 October 2001.
96. Ibid.
97. Ibid.
98. For example here are no separate facilities for juvenile offenders. Moreover, because of crowding and poor sanitation in the holding cells in the main Freetown Police Station, detainees' basic human rights are being violated.
99. At present there are some 16-18 police-contributing countries, with two or three police officers drawn from each.
100. Deputy Commissioner of CivPol, Superintendent Blair McNight (RCMP).
101. Interview with Superintendent Blair McNight, op cit.
102. Ibid.
103. Interview with Joseph Dankwa (Ghana), the Commissioner of CivPol, Freetown, 23 October 2001.
104. Ibid.
105. D Pratt, op cit, p 13.
106. President Kabbah has been strongly influenced by London, which wanted to see elections by December 2001, or in the first part of the following year. The fact that interim government issue will not feature on the agenda for the National Consultative Conference is therefore not surprising. The GoSL agreed to the latter simply to give RUF something that would keep them co-operating with the peace process. Interview with Ismael Diallo, op cit.
107. 'RUF-Party' may sound a bit disingenuous, but the exact name of the party has not yet been decided upon and is under discussion among the RUF leadership. Interview with Michael Omrie

Golley, op cit.

108. Tension in Bo, Kamajors disarm, RUF reluctant, BBC Focus, 29 September 2001.
109. Sierra Leone: National consultative conference underway, IRIN West Africa, 14 November 2001.
110. The National Electoral Commission is preparing the groundwork to hold paramount chief elections next year in 54 of Sierra Leone's 149 chiefdoms. Since May 1991, 18 paramount chiefs have died in the east, 15 in the north, and 21 in the south. Sierra Leone News Agency (SLENA), 10 September 2001.
111. Interview with Ismael Diallo, op cit.
112. The SLPP is one of Sierra Leone's 22 political parties: the other 21 belong to the All Political Party Association, or APPA.
113. The electoral rolls are based on the 1985 census which, given its age and the dislocation that has occurred in the interim, provides a poor basis on which to prepare voter lists.
114. Interview with Ismael Diallo, op cit.
115. Lomé Agreement, op cit, Article III, par 1.
116. Interview with Peter Tingwa, op cit.
117. International Crisis Group, Sierra Leone: Managing Uncertainty, ICG Africa Report no 35, Freetown/Brussels, 24 October 2001, p 10.
118. Those who have heard General Opande dealing with the RUF command would firmly disagree with the notion of 'appeasement'. The Force Commander has a no-nonsense approach when dealing with commanders, even at the highest levels of the RUF hierarchy. (Upon meeting the RUF interim leader, 29-year-old General Issa Sessay, Opande said that he had a third-born child of the same age, and would therefore not address Sessay as 'General'.)
119. International Crisis Group, Sierra Leone: Managing Uncertainty, op cit, pp 7-8.
120. Interview with Michael Omrie Golley and Allimany Pallo Bangura, op cit.
121. International Crisis Group, Sierra Leone: Managing Uncertainty, op cit, p 10.
122. This is not surprising. The primary recommendation of the ICG's April 2001 report on Sierra Leone was for the Security Council to "[a]bandon the Lomé Agreement and make no further deals with the RUF". The report also called for the immediate surrender of the RUF, and advocated the use of military force by the SLA/UK forces against those who refused to surrender. International Crisis Group, Sierra Leone: Time for a New Political and Military Strategy, ICG Africa Report no 28, Freetown/London/Brussels, 11 April 2001, p iii.
123. International Crisis Group, Sierra Leone: Managing Uncertainty, op cit, p 10.
124. D Keen, Blair's good guys in Sierra Leone: British intervention has yet to transform a failed war on terror, The Guardian, 7 November 2001.

125. Interview with Allimany Pallo Bangura, Michael Omrie Golley, and Patrick Beinda, op cit.
126. Some go so far as to say that the GoSL actually instigated these atrocities, as part of the propaganda war against the RUF.
127. Interview with Allimany Pallo Bangura, Michael Omrie Golley and Patrick Beinda, op cit.
128. On 5 June 1998, the Security Council decided that "...all States shall prevent the entry into or transit through their territories of leading members of the former military junta and of the Revolutionary United Front (RUF), as designated by the Committee established by resolution 1132 (1997), provided that entry into or transit through a particular state of any such person may be authorised by the same Committee...". UN, S/RES/1171, 5 June 1998, par 5.
129. According to resolution 1171 (1998), Council would be ready to terminate the travel ban "... once the control of the Government of Sierra Leone has been fully re-established over all its territory, and when all non-governmental forces have been disarmed and demobilised". UN, S/RES/1171, op cit, par 7.
130. Interview with Allimany Pallo Bangura, Michael Omrie Golley and Patrick Beinda, op cit.
131. Ibid.
132. Ibid.
133. It should be noted that, despite the events of May 2000, the basic framework for UNAMSIL's mandate remains the Lomé Agreement, which states inter alia that (Lomé Agreement, op cit, Article III, par 4):

"The Parties shall approach the International Community with a view to mobilising resources for the purposes of enabling the RUF/SL to function as a political party. These resources may include but shall not be limited to: (i) Setting up a trust fund; (ii) Training for RUF/SL membership in party organisation and functions; and (iii) Providing any other assistance necessary for achieving the goals of this section."
134. The ISS was requested to raise this issue with the South African Foreign Ministry. Specifically, the RUF would appreciate assistance in hosting and facilitating a workshop on the mechanics of conversion to a political party. Participants might include key functionaries from the RUF, the South African ANC party, and the Mozambican Renamo party. A more ambitious project would be to host, in addition to the 'technical' workshop, a seminar bringing RUF leaders and potential donors together to discuss the challenges of conversion and modalities for assisting the RUF in this process.

(During the last week of September 2001, a delegation from the African Union, comprising of representatives from Nigeria, Libya and South Africa, was in Sierra Leone to assess the country's infrastructural needs. The three countries had pledged at an earlier summit to assist Sierra Leone to rebuild its damaged infrastructure, and the mission was in the country to identify areas which needed assistance. South Africa is expected to provide material and logistical assistance, while the other countries had also pledged help.) Sierra Leone News, 26 September 2001, <<http://www.sierra-leone.org/slnews0901.html>>.

135. Reuters, 21 September 2001.
136. Sierra Leone News, 19 June 2001.
137. D Pratt, op cit, p. 7.
138. Ibid, p 9.
139. Sierra Leone News, 9 August 2001.
140. D Pratt, op cit, p. 14.
141. Smillie is a member of both Partnership Africa Canada, and of the UN Panel of Experts appointed in 2000 to investigate the link between the illicit diamond trade and arms smuggling. Quoted in an interview with Sierra Leone Web, Sierra Leone News, 31 October 2001.
142. Mohamed Yerima (a military spokesman for UNAMSIL), quoted in: Sierra Leone: AFP says diamond fever rages despite ban on illegal mining, Paris AFP in English, 5 October 2001.
143. International Crisis Group, Sierra Leone: Managing Uncertainty, op cit, p 4.
144. Income for diamond diggers is reputed to be poor, but the dream of striking it rich holds people captive in spite of the strict control exercised over diggers and the small, if any, share of the profits they glean over and above survival rations. For example, the main street of Kenema is lined with gem dealers' offices, which display walls of the cheapest and flashiest electronic goods as incentives. What is not known about the demobilised element of the mining sector is whether their life-plans hold anything beyond the hope of making a lucky strike by washing gravel. Digging may in fact be a short-term coping strategy designed to fund the transition back into their families and avert the double disadvantage of going home both stigmatised from their involvement in the conflict and empty-handed. Social and economic reintegration are inevitably linked, but if reports of atrocities visited on their own communities are accurate, the near impossibility of acceptance may be somewhat mitigated by cash in hand.
145. If demobilised combatants are indeed flocking to the diamond fields, data gathered between 1993-1994 in the diamond areas suggests that it will be a temporary stop, since a very small percentage of the young who participated in this survey (around 9%) had aspirations to wash gravel for the rest of their lives. See P Richards, *Fighting for the Rainforest: War, Youth and Resources in Sierra Leone*, The International African Institute, Heineman, 1996, p 145.
146. On this debate see for example, N Kritz (ed), *Transitional Justice: How Emerging Democracies Reckon with Former Regimes*, Vols I, II & III, 1995.
147. See J Mendez, *Accountability for Past Abuses*, *Human Rights Quarterly* Vol.19, 1997, p 255; A Neier, *What should be done about the Guilty?* *New York Review of Books*, 1 February 1990, p 32; L Huyse, *Justice After Transition: On the Choices Successor Elites Make in Dealing with the Past*, *Law & Social Inquiry* Vol.1, 1995, p 20.
148. H Friman, *The International Criminal Court: Negotiations and Key Issues*, *African Security Review* Vol.8, number 6, 1999, p 3.
149. P Heyner, *Unspeakable Truths: Confronting State Terror*, 2001.

150. See eg D Bronkhorst, Truth and Reconciliation Obstacles and Opportunities for Human Rights, 1990; P Heyner, Fifteen Truth Commissions-1974 to 1994: A Comparative Study, Human Rights Quarterly 16(597), 1994; P Heyner, Commissioning the Truth: Further Research Questions, Third World Quarterly 17(19), 1996; I Liebenberg & A Zegeye Comparative International Perspectives: The TRC in South Africa-Some tentative Observations, paper presented at The TRC: Confronting the Past Conference, University of the Witwatersrand, Johannesburg, 11-14 June 1999 (distinguishing between truth and reconciliation commissions, government appointed commissions of inquiry into issues of misuse of power by the state or abuse of human rights by the ruling elite; ad hoc mixed approaches to dealing with the past and international tribunals); P Heyner, Reflections on the Sierra Leone Truth and Reconciliation Commission, in Moments of Truth in Sierra Leone: Contextualising the Truth and Reconciliation Commission, Article 19: Forum of Conscience, Appendix M, August 2000.
151. Article IX of the Lomé Agreement provides that: "In order to bring lasting peace to Sierra Leone, the government of Sierra Leone will grant Corporal Foday Sankoh [the RUF leader] absolute and free pardon".
152. UNSC Res 1315 (2000).
153. Report of the Secretary-General on the Establishment of a Special Court for Sierra Leone, UN Doc S/2000/915.
154. For example, Article 21 of the 1996 Abidjan Accord states that "The parties undertake to respect the principles and rules of international humanitarian law".
155. Article IX of the Lomé Agreement provides that:

"In order to bring lasting peace to Sierra Leone, the Government of Sierra Leone will grant Corporal Foday Sankoh (the RUF leader) absolute and free pardon.

After the signing of the present Agreement, the Government will also grant absolute and free pardon and reprieve to all combatants and collaborators in respect of anything done by them in pursuit of their objectives, up to the time of the signing of the present Agreement."
(emphasis added).
156. Seventh Report of the Secretary-General on the United Nations Observer Mission in Sierra Leone S/1999/836, 30 July 1999, par 55. See also Report of the Secretary-General on the Establishment of a Special Court for Sierra Leone, S/ 200/915, 4 October 2000, par 22.
157. UNSC 4035 Meeting, 20 August 1999.
158. Interview with Rodolfo Mattarollo, op cit.
159. Statute of the Special Court for Sierra Leone, Articles 2-7.
160. Ibid, Article 1.
161. Letter by Human Rights Watch to the UN Security Council dated 1 November 2000.
162. Article 48 of the UN Charter.

163. See the Princeton Principles on Universal Jurisdiction, 2001.
164. See Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, reprinted in the Report of the Secretary-General on the Establishment of the Special Court for Sierra Leone, UN Doc S/2000/915, 4 October 2000.
165. Statute of the Special Court for Sierra Leone, Article 2.
166. Ibid, Article 3.
167. Article 4 of the 1977 Protocol II additional to the four Geneva Conventions of 12 August 1949.
168. Statute of the Special Court for Sierra Leone, Article 7.
169. D Pratt, op cit, p 19.
170. Truth and Reconciliation Commission Act 9 of 2000, Sierra Leone Gazette, Vol. CXXXI, 10 February 2000.
171. Ibid, Article 3(1).
172. Ibid, Section 3(1) (Schedule).
173. Ibid, Section 3(1) (2).
174. Ibid, Section 6(1).
175. Ibid, Section 2(a).
176. Ibid, Section 2(b).
177. Ibid.
178. Ibid, Section 15(2).
179. Ibid, Section 18 (1) & (2).
180. Ibid, Section 8.
181. Ibid, Section 7(2).
182. Ibid, Section 8(e).
183. Ibid, Section 8(1) (g).
184. Ibid, Section 8(2).
185. Ibid, Section 9(2).
186. Ibid, Section 7(3).

187. Section 20 of the Promotion of National Unity and Reconciliation Act 34 of 1995.
188. Truth and Reconciliation Commission at a Glance, NCDHR Series no 7, 2001.
189. An NGO known as 'No Peace without Justice', in collaboration with the Special Court Working Group (which is a coalition of Sierra Leone human rights organisations working for accountability within Sierra Leone, and consists of 47 members and 17 associates) has begun sensitising the people of Sierra Leone in and outside Freetown to the nature of the Special Court. The coalition has already conveyed its messages through workshops, community-based organisations, print and electronic media in Port Loko, Makeni, Bo and Kenema.
190. Section 17 of the Constitution of Sierra Leone, Act 6 of 1991.
191. Interview with RUF leadership, Freetown, 28 October 2001.
192. This indictment was issued on 7 November 1994 against Dusko Tadic.
193. Interview with Rodolfo Mattarollo, op cit.
194. NATO, AJP-3.4.1 Peace Support Operations, 2nd Study Draft, 1999, p 6-7. See also Peace Support Operations (Ministry of Defence, United Kingdom), Joint Warfare Publication (JWP), London, 1999, p 3-50.
195. United Nations General Assembly/Security Council, Report of the Panel on United Nations Peace Operations, A/55/305, S/2000/809, 21 August 2000, par 56-64.

Appendices

A: The Abuja Ceasefire Agreement of 10 November 2000

THE GOVERNMENT OF SIERRA LEONE AND RUF,

Reaffirming their determination to establish sustainable peace, stability and security in Sierra Leone;

Also reaffirming their commitment to the Lomé Peace Agreement of 7 July 1999 as the framework for the restoration of genuine and lasting peace to the country;

Desirous of adopting effective confidence-building measures so as to create a conducive environment for fresh application of the Lomé Peace Agreement which constitutes the most appropriate framework for the resolution of the conflict in Sierra Leone;

Welcoming the emergence of a new leadership within the RUF and noting its stated commitment to work towards the restoration of peace to Sierra Leone;

HEREBY AGREE AS FOLLOWS:

1. To declare and observe a cease-fire and to halt hostilities with effect from Friday 10th November 2000 starting at 23:59 hours.
2. The parties agree to refrain from committing any acts or carrying out any activities that might

constitute or facilitate a violation of the cease-fire.

3. They agree that the United Nations Mission in Sierra Leone shall supervise and monitor the cease-fire. The United Nations Mission in Sierra Leone shall also investigate and report on any acts of cease-fire violation.
4. Both parties agree that UNAMSIL shall have full liberty to deploy its troops and other personnel throughout Sierra Leone including the diamond producing areas in the discharge of its responsibilities.
5. The parties undertake, with a view to restoring the authority of the Government throughout the entire territory of Sierra Leone, to ensure free movement of persons and goods, unimpeded movement of humanitarian agencies, and of refugees and displaced persons.
6. The RUF commits itself to the immediate return of all weapons, ammunitions and other equipment seized by the RUF.
7. The two parties agree to recommence immediately the Disarmament, Demobilisation and Reintegration Programme.
8. The Government of Sierra Leone reaffirmed its commitment to accelerate the process of restructuring and training of the Sierra Leone armed forces open to all Sierra Leoneans eligible to enrol.
9. The following shall constitute a violation of this Agreement:
 - i. all illegal importation of arms, ammunitions and other weapons of war;
 - ii. any attack by one of the parties against the positions of the other party before, during or after the deployment of UNAMSIL troops;
 - iii. laying of mines or incendiary devices after the entry into force of this Agreement, the refusal to disclose the existence of such mines or explosives and their location, and the deliberate refusal to cooperate by turning over the maps indicating such locations;
 - iv. harassment or attacks, hostage taking, and seizure of arms and equipment belonging to troops serving under the United Nations Mission in Sierra Leone, or under the authority of the Government of Sierra Leone;
 - v. obstructing the activities of the United Nations Mission in Sierra Leone.
10. The ultimate objective the present Agreement is to ensure a cease-fire and to bring an end to the hostilities. Consequently, the parties agree to undertake with the participation of the ECOWAS Committee of six of the Medication and Security Council on Sierra Leone and the United Nations, a review of the implementation of this Agreement, thirty (30) days after its entry into force, to evaluate the timeliness of commencing fresh application of the Lomé Peace Agreement.

Done at Abuja this 10th Day of November, 2000

B: The Abuja Ceasefire Review Agreement of 2 May 2001

1. **Ceasefire:** The ceasefire has been maintained since 10 November 2000 to the extent that fighting has virtually come to a halt. The meeting expressed regret, however, at the slow implementation of the elements of the ceasefire agreement by both parties.
2. **Violations of the ceasefire and the monitoring and surveillance role of UNAMSIL:** The meeting took note of the UNAMSIL report on violation of the Abuja Ceasefire Agreement in relation to incidents of fighting in the Kono District and Tongo, which, from UNAMSIL investigations was provoked by perceived menacing forward movements of the Civil Defence Force (CDF). The meeting urged the Government of Sierra Leone to exert the necessary control on the CDF to avert all future attacks that if unchecked will pose a serious threat to the sustainability of the ceasefire and can lead to increased hostilities between the parties.
3. **Deployment of UNAMSIL and extension of state authority:** The meeting took note of UNAMSIL's recent deployments to Makeni, Magburaka, Lunsar and Mano Junction, as well as obstacles to a more extensive deployment, reiterated the need to have the extension of GoSL authority throughout Sierra Leone as a corollary to such deployment and appealed to the RUF to commit itself to the permanent presence of government structures throughout the country, as well as unfettered access by the civilian population to all facilities provided by Government.
4. **Free movement of persons, goods and humanitarian agencies:** Both parties renewed their pledges to remove all roadblocks in their zones of influence to ensure free movement of persons and goods.
5. **Return of equipment:** The meeting reiterated the necessity by the RUF to return all arms, ammunition and equipment seized from the UN and ECOMOG, as a demonstration of RUF commitment to the peace process. The RUF pledged to fully return the weapons and equipment by 30 May 2001.
6. **Disarmament, Demobilization and Reintegration:** The meeting reaffirmed the need for an immediate recommencement of the DDR programme. The GoSL reiterated the readiness of the CDF to disarm. The meeting urged that there be simultaneous disarmament of CDF and RUF combatants. It also agreed that reintegration of the ex-combatants would be into all identifiable activities in Sierra Leone and not merely into the army.

After extensive deliberations on what were considered additional elements to the peace process outside the framework of the Abuja Agreement, decisions were taken on the following issues²:

1. **Cross-border attacks in Kambia:** The meeting agreed on the withdrawal of RUF combatants from Kambia district, the deployment of the Sierra Leone Army (SLA) to the border area with Guinea, increased patrol of UNAMSIL in Kambia with a monitoring team including RUF unarmed observers, and immediate involvement of RUF elements in the DDR programme with a view to absorption into the SLA after screening.
2. **Release of RUF detainees:** The meeting noted the RUF's request for its detained personnel to be urgently released and the GoSL's intention to consider such a request in the light of the need for confidence-building measures.
3. **Transformation of the RUF into a political party:** The meeting recalled the provisions of the Lomé Peace Accord of 7 July 1999 that provided for the transformation of the RUF into a political party, and which had mandated the GoSL to remove all legal impediments to such transformation. It was agreed that the GoSL will facilitate the complete certification of the RUF as a political party. The GoSL pledged to intercede with the international community to lift the travel ban on the RUF whenever appreciable progress has been made in the peace process.
4. **Presence of foreign troops:** The meeting noted the RUF's concern over the presence of foreign troops in Sierra Leone, specifically British troops, who are operating outside the authority of UNAMSIL. The GoSL reiterated its right to enter into bilateral agreements with foreign partners that may involve the presence of foreign troops in Sierra Leonean territory. The meeting urged both parties to constantly adopt measures that would promote mutual trust and confidence and ultimately advance the peace process.
5. **Return of refugees/abductees:** All parties were urged to create an atmosphere of confidence to enable Sierra Leonean refugees and displaced persons to return to their motherland. The RUF was urged to release all abductees, particularly children.

1. **United Nations, Sierra Leone Ceasefire Review Meeting Concludes in Abuja UNAMSIL Press Release, Freetown, 3 May 2001.**

2. **United Nations, Sierra Leone Ceasefire Review Meeting Concludes in Abuja UNAMSIL Press Release, Freetown, 3 May 2001.**

GLOSSARY

AFRC Armed Forces Revolutionary Council (Sierra Leone)

APC All People's Congress (Sierra Leone)

CCSSP Commonwealth Community Safety and Security Project

CDF Civil Defence Forces

CPTF Commonwealth Police Task Force

CMO Chief Military Observer

COS (O) Chief of Staff (Operations)

DCMO Deputy Chief Military Observer

DDR Disarmament, Demobilization and Reintegration

DFC Deputy Force Commander

ECOWAS Economic Community of West African States

ECOMOG Economic Community of West African States Monitoring Group

EO Executive Outcomes

FC Force Commander

GoSL Government of Sierra Leone

GAF Guinea Armed Forces

HDI Human Development Index (UN)

IDP Internally Displaced People

IMATT International Military Advisory and Training Team

IMF International Monetary Fund

NCDDR National Committee for Disarmament, Demobilization and Reintegration

NCRRR National Committee for Relief, Reconstruction and Rehabilitation

NEPBATT Nepal Battalion

NGO Non-Governmental Organization

NOW Nepean Outreach to the World

NPFL National Patriotic Front of Liberia

NPRC National Provisional Ruling Council

OCHA Office for the Coordination of Humanitarian Affairs

ODA Official Development Assistance

RUF Revolutionary United Front

SLA Sierra Leone Army

SLP Sierra Leone Police

SLPP Sierra Leone People's Party

SLST Sierra Leone Selection Trust

SRSR Special Representative of the Secretary General (UN)

SSD Special Service Division (of the SLP)

TRC Truth and Reconciliation Commission (Sierra Leone)

ULIMO United Liberation Movement for Democracy in Liberia

UNAMSIL United Nations Mission in Sierra Leone

UNDP United Nations Development Program

CHRONOLOGY

1991	RUF launch war to overthrow Government.
1992	SLA defends Government then overthrows Government.
1992-1995	RUF continues attacks.
1995	ECOMOG established to restore peace.
1996	Elections held and Dr Ahmed Kabbah elected President. RUF did not participate in elections, the conflict continues.
November 1996	Peace Agreement negotiated between RUF and Govt.
May 1997	Coup d'etat derails peace agreement.
May 1997	SLA joins forces with RUF - Govt goes into exile in Guinea.
October 1997	Ceasefire agreed to and monitored by ECOMOG.
February 1998	Freetown retaken by ECOMOG.
March 1998	President Kabbah returned to Freetown.
June 1998	UNOMSIL established.
January 1999	RUF attacks and captures most of Freetown.
February 1999	ECOMOG retakes Freetown.
July 1999	Lomé Agreement signed.

October 1999	UNAMSIL established.
May 2000	RUF attack UNAMSIL and take peacekeepers and UK troops hostage, conflict continues.
September 2000	RUF begin raids into Guinea on Western and Eastern borders.
September/October 2000	India and Jordan announces withdrawal from UNAMSIL.
10 Nov 2000	Abuja Ceasefire Agreement.
February/March 2001	GAF inflicts heavy casualties on RUF.
March 2001	UNAMSIL begins deployment into RUF-held territory of Lunsar and patrols into Kambia District.
April 2001	UNAMSIL begins deployment into Makeni and Magburaka and patrol.
April 2001	Increased fighting in Kono District by Kamajors
02 May 2001	RUF and GoSL reaffirm their commitment to the Abuja CFA.
15 May 2001	RUF and GoSL agree to recommence DDR process on 18 May 01
29 May 2001	RUF withdraw from Kambia District and reoccupied by GoSL.
04 June 2001	RUF and CDF join the DDR programme throughout the country.

